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DIGNITY

AN UNDERGRADUATE
HUMAN RIGHTS JOURNAL

Cover art titled *Uman* by Miah Goldsborough, University of North Carolina at Asheville: *"Being a woman, I have always found comfort in other women. Whether that is to confide, vent, or to create a community. In my art, I have used watercolor as my main medium to portray a woman's face. Prior to constructing my piece, I drew several different female faces and painted each of them the color that I desired. After that, I tore them apart to make one cohesive face. To make it come together I then added some more watercolors and details by pen. Being a woman in contemporary times has sought to be difficult and there are more systemic issues women face than I can count on both hands. Each color of my painting represents a female issue concerning society. Pink represents body autonomy, green represents abortion, yellow represents mental health, red represents period stigma and sex workers, teal represents sexual violence, orange and white represents equality, purple represents domestic violence, and blue represents body shame and beauty standards. My art shows the unification of women despite the struggles that we go through. Women are strong, resilient, and pick up each other's pieces hence why the face is defined through a collage. The different features of the woman's face are to express the multitude of cultures and races that women are. The black background is to enhance the face along with symbolizing the world. Who do women have if it is not one another? The world can be a harsh and evil place, but that does not mean women cannot prevail. I wish for my abstract art to be seen through a new lens. A women's lens."* The full image can be found at https://dignityjournal.com.

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Contents

Note from the Editorial Board

While the world has begun to move out of the pandemic, human rights concerns remain at the forefront of news across the world. Systemic racial injustice persists in the United States. The war in Ukraine continues to rage on, affecting the lives of millions. Women across the world continue to fight for equal standing, as seen in the women's rights movement in Iran. Political rights remain under constant threat across the globe, with countries like Brazil stressing the need for ongoing discussions about rights, who has them, and what they mean. *Dignity: An Undergraduate Human Rights Journal* aims to highlight undergraduate scholarship across the UNC system that showcases the many ways in which human rights topics populate the world around us. By exploring a complex subject matter in a variety of forms, we aim to share issues that readers might otherwise not encounter.

Through a variety of disciplines and approaches to scholarship, *Dignity* encourages undergraduate students to contemplate the implications of human rights violations across the world. We encourage students from all disciplines to reflect through mediums such as essays, poems, book reviews, and art. We aim to challenge readers and writers alike to approach scholarship from multiple points of view in order to reframe issues in the pursuit of better understanding and progress. In order to maximize the perspectives included, we sought to amplify voices from every corner of the UNC system.

This year, we pushed the boundaries of human rights scholarship by offering a wider variety of perspectives that shed light on new knowledge in the field. As *Dignity* continues to grow, it grapples with questions fundamental to human existence. The third volume of *Dignity* explores both philosophical issues of defining human rights and how they are conceived, as well as practical applications of human rights from across the globe. Authors approach human rights through the lens of poetry, quantitative reasoning, historical analysis, book reviews, and visual art. As you move throughout life, we hope you continue to contemplate, question, and reflect on the themes contained in this journal.

We thank all those who came before us for paving the way for the third volume. Additionally, we extend gratitude to our Faculty Advisory Board who continue to offer valuable insight, guidance, and expertise. We would like to offer special thanks to our fearless faculty advisor Dr. Eric Roubinek for pushing us to reach our full potential as a journal and to Dr. Peter Haschke for leading the Editorial Board through the publication process. Most of all, we would like to thank the undergraduate students who have entered their work as they are the ones that make the journal possible. We hope you enjoy Volume Three, and thank you for continuing to engage in the discussion of human rights.

Sincerely,

The Editorial Board, '22-'23

A World Divided: The Global Struggle for Human Rights in the Age of Nation-States. By Eric D. Weitz. Princeton: Princeton University Press, 2019. 576pp. Cloth $35.00. ISBN 9780691145440.

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Within *A World Divided: The Global Struggle for Human Rights in the Age of Nation-States*, Eric Weitz chronicles a history of confluent movements, events, and notions that have shaped our understanding of human rights and help us answer three important questions: Who has access to rights? What do we mean by human rights? And how do we obtain rights? These questions are by no means unique to Weitz. They have been pondered by philosophers, historians, and political theorists throughout the 20th and 21st centuries. What is unique are the narratives and perspectives that Weitz uses to give these questions life and how those narratives interact with the rise of the nation-state as the dominant political entity.

Each of the book's ten main chapters uses historical narratives to explore human rights struggles around the globe and how they are influenced by the institution of the nation-state. Chapter one details the state of human rights under the empires that dominated the geopolitical landscape during the 18th and 19th centuries and how what it meant to be a rights-bearing person fundamentally changed due to the emergence of the nation-state. Chapter two looks at the war for Greek independence from the Ottoman Empire and how it fundamentally shuffled people's relations with the state and with each other. Chapter three shifts attention toward the forced removal of indigenous peoples in the young nation-state of the United States and how native peoples' complicated relationship with the U.S. and their own nations creates tension within the doctrine of human rights. The fourth chapter focuses on the fate of enslaved people in Brazil and what their conditions and fight for liberty say about human rights. Chapter five looks at the creation of the term "minority" through the plight of Armenians and Jews. Chapter six looks at the European colonization of Africa and the realities of colonial regimes. Chapter seven charts the many changes and movements that shaped Korea into two drastically different nation-states.

Chapter eight looks at the Soviet Union and the contradictions in its human rights actions and rhetoric domestically and on the world stage. Chapter nine focuses on the Israeli-Palestinian conflict and the problems that emerge from two conflicting nation-state claims. Finally, chapter ten looks at the conflict between Rwanda and Burundi and how a racialized notion of the nation can lead to oppression and genocide. Weitz tries to connect these seemingly disparate events with a transnational and transtemporal view that, "human rights

advances emerge out of a confluence of popular struggles, state interests, and the workings of the international community" (Weitz 2019). On his own terms, Weitz generally succeeds in connecting these threads, but whether this global, all-encompassing narrative that transcends time and nations actually stands up to scrutiny as a viable way to view and understand human rights is something in which I have less confidence.

The book's general structure and communicative style are a point of critique and praise. The book's compactness, in particular, is in many ways a major strength of the work. It allows Weitz to present a rich narrative of the rise of nation-states and the application of human rights. It also creates a pleasant reading experience in which there are no wasted chapters or drawn-out arguments. Every page is used to its fullest, and the foot is never taken off the gas. This compact nature also leads to one of the book's problems. Its 500-page length and fast pace mean that the reader is pelted with information, narratives of historical figures, and human rights theory at a level that can be hard to process.

This fast pace becomes especially noticeable in the chapters heavy with the aforementioned historical narratives like chapters two, six, and eight. Weitz details orders of political repression sent out by an Ottoman political leader in the 1820s on one half of the page, and in a matter of sentences the reader is transported forward a hundred years as Weitz discusses the Treaty of Versailles and the actions of an obscure Bulgarian minister. I understand that it would be hard to communicate the views of this book without using these quotes and history. Still, how they are incorporated into the text can sometimes make them hard to follow and can detract from the fullness and flow of the narrative Weitz is trying to lay out. It is important for a reader to form their opinion on the narratives presented because they have been given time to fully understand and analyze them, not because they are thrown out at a pace so fast that the reader has to either accept them or fall behind. I do not want the criticism I have with the pace of these histories to overshadow how well I think Weitz has chosen and utilized them. It may be a bit of a hurdle to keep together all the events and figures described in the chapters but once you get a handle on the principal actors the play reveals itself in all its tragedy and nuance. Firsthand accounts of abuses, the stories of resistance leaders standing up to state violence, and the cold and calculated quotes of those in control of the great powers all come together to give the events described in all ten main chapters the spotlight they deserve.

Many works I have read about the histories of struggle and oppression often fall into two camps. A narrative that focuses on the big-picture structures at the expense of the on-the-ground pain suffered by individuals and the individualistic narratives ignore the larger systems at play. Weitz does an admirable job of balancing these views in a way that gives the reader a fuller picture of events. Weitz is also able to use his analysis of events to escape long-standing narratives about human rights and the progression of history. He does not ascribe to the idea that human rights advances are "a natural, inevitable progression of the human condition" (Weitz 2019). Instead, he uses examples of great power competition, popular up-

risings, and strained compromises to help prove his thesis that "human rights advances emerge out of a confluence of popular struggles, state interests, and the workings of the international community" (Weitz 2019, 410).

Another conventional narrative that Weitz attempts to disentangle from his history of human rights is a Cold War-era notion that the liberal democratic West was the constant and continual defender of human rights against the totalitarian USSR and its satellite states. In many of his chapters but particularly chapters seven and eight, Weitz argues that the defenders and abusers of fundamental human rights can be found on both sides of the iron curtain. When discussing the human rights regime within the USSR, Weitz says: "In their origins, Soviet human rights were not an import from the liberal West. The socialist tradition provided their basis, and that included the large mix of political, social and economic, and national rights, a more robust understanding of rights than the strictly liberal conception that is concerned exclusively with political rights. Human rights have many diverse roots, and one of them is most certainly the socialist one that came to the fore, even if only in rhetorical form, in the Soviet state" (Weitz 2019, 317). Towards the middle of chapter seven when discussing the Rhee government, Weitz states that: "The realities of the police state of the 1950s undermined the human rights articles in the Republic of Korea's constitution. South Korea became a constituent member of the anti-communist Cold War international. Many Protestants, like Rhee and his supporters, were so fervently anti-communist that they abandoned their commitment to democracy and human rights" (Weitz 2019, 262). Although Weitz argues against the red scare era narratives on human rights that have spawned since the Cold War, he still sometimes falls into the trap of treating human rights rhetoric espoused by communist or leftist individuals and movements as more radical or dangerous than similar rhetoric espoused by their liberal democratic counterparts.

This is most evident in chapter seven. Korea: Colonial Legacies and Human Rights in a Divided Country, in which Weitz cites statements made by Korean communists in reference to the exploitation of Korea perpetrated by Imperial Japan.

> However, Korean communists also expressed an uncompromising and often brutal rhetoric about the oppressors—the Japanese and their Korean collaborators—they had "plundered Manchuria" and instituted the "extreme barbarity of white terror" against workers and peasants. "They have intensified the exploitation of the proletariat by transforming all industrial organizations to military use and war industries; they have produced an army of unemployed by depriving the peasants of their land; and they exploited the people to the last drop of blood and sweat." However justified the charges may have been, it was a fearsome rhetoric that allowed for no compromise, no half measures, and could easily spill over to other individuals and groups. (Weitz 2019, 270)

It's easy to look at the DPRK's historical and contemporary repressive nature under its dictators and connect that to early communist movement rhetoric like the type written above, but I believe this connection is intellectually sloppy. Political movements of all ideologies and stripes use similarly heated rhetoric and slightly reductive calls to action. In fact, many of the figures and activists who Weitz celebrates in the book have made similar speeches invoking exploitation by a dominant political class. Nowhere else in the text does Weitz engage in this slippery slope fallacy. It's only when discussing the Korean Workers party that he makes this connection which implies that the DPRK's eventual repressive nature is linked to this relatively benign piece of rhetoric that evokes common themes of class consciousness and the mobilization of marginalized people. This is not a major knock on the book or Weitz as a writer. It just goes to show how deeply ingrained some of these narratives are and how even someone who actively criticizes them can, from time to time, inadvertently engage in them.

The last remaining issue I have with how Weitz uses historical events is that in his quest to connect disparate threads and validate his narrative of the evolution of human rights, he can sometimes discount how social and cultural factors could affect his overall thesis. Sociocultural differences can greatly impact how outsiders perceive the events and history of particular groups and nations as well as how those groups view their own history. Weitz every so often lingers on these differences in perspective and understanding, like in the previously mentioned chapter 8 when he recounts how the ideology of the USSR alters their views on the nation and therefore on the roles and scope of a human rights regime. But these few instances of nuance are not enough to satisfy certain doubts that present themselves while reading his work. This criticism transitions neatly into whether an approach to human rights history that traffics in grand universal narratives is a good or productive way to discuss the issues of human rights and the nation-state. The issues of rights and a person's understanding of their place within the world and their society are highly socially contingent. Weitz runs into some otherwise avoidable problems when he tries to sell a grand narrative of rights barring citizens and an intellectual tradition that spans time and continents using historical figures and quotes that seem heavily contingent on their time and place. In several instances, Weitz tries to put a square peg into a round hole by taking events and themes that could be illuminating in their own terms and watering them down in order to fit them neatly in his chapter conclusions. I want to make clear that this criticism isn't grounded in a desire for this book to be about something it's not. In Weitz's words, "A World Divided affirms the powerful and creative history of human rights from the late eighteenth century to the present. It also presents a critique of the limitations of rights, so long as they are based in the nation-state and national or racial citizenship" (Weitz 2019, 3). This is a worthy topic for a book on human rights. I believe that an analysis and critique of the limitations of a nation-state-based human rights system could be better achieved by focusing more on the individual cases and their relevant sociocultural context and less on trying to connect them all to a transnational and transtemporal narrative

that forces Weitz to abandon important nuance.

In closing, Weitz's attempt at creating a comprehensive shared human rights history results in similar challenges and triumphs as those that spur from the efforts of international institutions like the United Nations and documents like the Universal Declaration of Human Rights. The rhetoric and espoused values are strong, but the substance can sometimes be lackluster, and its implications can at times be contradictory. *A World Divided* is filled to the brim with important analysis and deep questions but is also burdened with the occasional undercooked idea and less-than-perfect moment. It's an incredibly human book with human errors, Again linking it to the flawed system of rights and rights-protecting institutions it comments on.

References

Weitz, Eric. 2019. *A World Divided: The Global Struggle for Human Rights in the Age of Nation-States*. Princeton, NJ: Princeton University Press.

Mit den Augen der Kinder sehen: Childrens' Artwork from the Terezin Concentration Camp

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LIFELESS trees and an empty sky, dark walls meeting a black roof, a clock counting down how long you may have left (Volavková 1993, 2).[1] This is not the description you would expect of a child's watercolor painting. Children's art, so often filled with bright colors and fantasies, took on a darker shade at Terezin. Children's art defies censorship—it is the raw, unfiltered expression of their emotions and experiences. During the Holocaust, prisoners, including children, in the ghetto faced extreme restrictions from their Nazi wardens. These ghettos, known to history as the home of unimaginable tragedies, were considered to be relatively safe to the world at the time. The Terezin ghetto and concentration camp, located in the Czech Republic, was presented to the Red Cross to prove that the Third Reich was treating the Jewish population fairly and there was no evidence of crimes against humanity. Despite the effort put into these short visits, the truth of camp life was one of disease, pain, and terror. Children and adults alike were the victims of typhus, malnutrition, and other health issues. While the world may have seen Terezin as a safe haven for the European Jewish population, the art created by Jewish children expressed an unfiltered view of the fear, trauma, and violence people faced in the ghetto.

The Terezin ghetto and concentration camp served many purposes. It was the camp that the Nazis sent WWI veterans to as a sign of "kindness." It was the camp shown to the outside world in order to hide evidence of Nazi cruelty. On the other end of the spectrum, it was a camp that often served as a last stop before Jews were taken to the gates of Auschwitz and other death camps. The ghetto, meant to present a façade of town life and autonomy, was not a guarantee of safety. Of the 161,039 people who passed through the gates of Terezin, over 88,000 wound up at the infamous death camps (Shlain 2020). This was a result that many adults tried to hide from the children of the camp. The paintings and drawings they created in their art classes showed the true reality of the childrens' minds amidst the madness of the camp.

The conception of art classes in a concentration camp may seem unlikely and strange. However, these art classes were the creation of Friedl Dicker-Brandeis, a trained artist from

[1] Sonja Waldsteinová, Terezin Barracks, 1943, watercolor on tinted paper.

Austria. It was thanks to her that up to 4,000 drawings and paintings were recovered from Terezin. Options to aid the ghetto community were limited, but Dicker-Brandeis was able to combine her art experience with her desire to do what she could for the children trapped in the purgatory of Terezin. More specifically, her plan in creating these art programs was to provide the children with a coping mechanism. Children could be given prompts on what they could draw and which mediums to use. They could draw butterflies, flowers, or even their hometowns. It often depended on which age group the children were in. The youngest group of early artists were pushed towards gentler, more optimistic subjects for their works. They were told fairy tales and fun stories to inspire them to draw the fantastical instead of the realistic. For the next age group of artists, themes of home and home life were the main subject. Once again, this allowed the children to have both a coping mechanism and a distraction from the realities of life in the camps. The last group of older children created art that portrayed Terezin and their lives there. It was through this method that older children could understand and come to terms with their life by displaying these experiences in their artwork (Stargardt 1998, 193-5). Art is a medium for conveying the complicated emotions that a child, still learning how to understand and communicate their feelings, would have in a place such as Terezin. However, it is evident in many of these works that no amount of encouragement from teachers or adult figures would prevent the darkness and foreboding from creeping into their works.

In a watercolor painting created by eleven year old Pavel Sonnenschein, the use of earth tones presents a more lively view. This painting, a work created to reflect life at Terezin, seems as though it is the work of any child. The longer it is observed, the realities of Terezin can once again be examined. In this painting, the courtyard is almost personified: the deep purple roof is disrupted by two symmetrical windows, one on the left side of the roof and one on the right. These windows are not the same basic rectangle windows that we see on the sides in the foreground. Instead they are eyes, staring into you. The gate located in the very center of the painting is a mouth, ready to swallow you up as you enter deeper into the gates of Terezin. The use of earth greens, oranges, browns, and soft grays does not make this painting lively in terms of cheeriness. Rather, it makes the courtyard of the camp itself a living breathing being, always watching, always waiting to swallow you up (Volavková 1993, 4).[2] Sonnenschein, when asked to paint life at Terezin, created something that displays a constant feeling of being watched and observed for every move.

A sky of deep teal is cut off by rolling countryside and a bright lake. Trees surround the buildings, bringing life to the ghetto. A road surrounds the ghetto, beginning in the foreground and fading into the background. In this collage, the Terezin ghetto and concentration camp is depicted from a more aerial perspective, allowing the viewer to see the expanse of the camp. It may appear to be cheery at first, with light sidewalks and bricks constructing

[2]Pavel Sonnenschein, The Courtyard, 1944, watercolor and ink on used paper.

the buildings before they are topped with the bright red roof. These buildings are joined by a few trees with bright green leaves. However, the organic forms and man-made buildings are being suffocated on each side by the roads. These roads, which were the way into Terezin in this collage, are strikingly similar to the blades of scissors, surrounding the village to cut it down. The scissor shape is also the only use of dark blacks and grays throughout the collage (Volavková 1993, 15).[3] The roads cause the otherwise approachable and mirthful town/ghetto appear disquieting and smothering. It is a different medium than that of the other artworks mentioned above, but its use of geometric shapes contrasts with the organic nature and typical houses created in works by children. It is through the sharp geometric shape of the scissor-like roads that the reality of fear materializes.

As previously mentioned, the children's art was not limited to their surroundings. In fact, many were encouraged to draw things other than their experiences at Terezin. These drawings, with not a single picture of the camp, still provide an unfiltered view of that child's experiences during the Holocaust. In the collage titled "Bird and Butterfly," these experiences can be interpreted in the artist's view of the natural world. The trunk of a tree stands tall, created using recycled paper. The single branch jutting out does not contain the organic shapes of round leaves and curved branches. This tree contains straight, knife-like branches with sharp, spiked leaves. The bird sitting in the tree watches on as the flowers fall to the ground, where they will inevitably be stepped on or die. These flowers are not in a bush or on a stem, they are scattered loosely on the ground where they will meet their end (Volavková 1993, 38).[4] Flowers and children are often both symbolized by or as the season of spring, when all of nature is young and fresh. These flowers, like the children, were falling to the ground, aging through their experience, and there was no way of knowing how long these flowers would have left. This collage, with its themes of spring and nature, provides the dark implication that all things, even the young and beautiful, will meet their end.

Children in the Terezin ghetto and concentration camp often shared the theme of death in their artworks. This is not a common theme for children under average circumstances, however for the children of the Holocaust, it was a fear that they coped with through their art. Drawn in pencil, the left side is occupied with an ambulance stamped with the logo of the Red Cross. Two figures in the foreground carry a corpse away from the camp. A crowd of demonic children and adults watch on. Some of them wear witch hats, others appear to be wearing devil masks (Volavková 1993, 33).[5] This wicked group is the audience of yet another death or disease of the camp. Depictions of death or disease are not shocking considering the health conditions these children faced. Children of these camps were not only the victims of infectious diseases, but many of them developed mental illnesses as a result of their traumatic

[3]Hanu Weinberg, View of Terezin, paper collage.

[4]Anonymous, Bird and Butterfly, a paper collage with watercolor and pencil.

[5]Ilona Weissová, Ambulance, pencil drawing.

time in the camps (Horácová et al. 2020, 157-8). Between the intense depiction of a body being carried and the demonic faces of onlookers, multiple emotions are being conveyed. The demonic onlookers show the survivor's guilt as the victim is carried to the hospital for possibly their last days of life. Both the fear of dying or going to the hospital to never leave it alive, as well as the relief of not being the one going. These emotions, complicated to process as a child, are managed through the art piece.

People dressed in striped garbs line up in a group to wait, occupying the foreground. Two others help move a cart towards the awaiting group. Someone in uniform stands in the background with a long sharp object in hand, pointed as though he intends to wield it against the group. Of the eleven people in this drawing, only one has a face. This child, sketching his experiences in pencil, likely included himself in his depiction of the working groups. The child's face looks sad and a single tear streams down his face (Volavková 1993, 5).[6] This drawing is very simplistic in nature as it does not provide the faces of prisoners or the guards. In addition, it does not include any details that could be directly incriminating or censored by the Nazis for any specific reason. It is one small shape the child drew that tells a thousand tales of his time in Terezin, a single tear. This drawing communicates many messages: it captures how trapped the child may have felt due to the guard holding such a large sharp object in the direction of the workers. The faceless figures illustrate the way that this camp and the work it requires strips people of their identity. Most importantly, this drawing shows how the child himself was processing his feelings and experiences. In these drawings of camp life, the distress of the artist is clear under close observation.

The hopelessness, confusion, and fear that these children experienced in the Holocaust were not only communicated through their direct illustrations of Terezin. These emotions were also rendered through their images of nature and fantasies. Leaves, a relatively easily shaped and recognizable subject matter, are usually colored in bright shades of green, or even reds and oranges. They are drawings that remind you of life itself. In a watercolor painting by Milan Biennenfeld, the leaves of a tree appear to represent the opposite. They are in dark shades of gray and black, the lightest leaves are white with a black outline to them (Volavková 1993, 66).[7] Dark shades of black and charcoal gray usually symbolize mortality and death, rather than the life leaves usually remind viewers of. In this painting, a work of organic and natural shapes that usually symbolize life and growth, are dark, morbid, and grotesque. They appear to be more like trees that would grow in the underworld than in the human world. However, it is a depiction of the world this child felt as though he was occupying. He was in a world of death, not life. This work is simply another illustration that does not directly breach any censorship laws that the young artists may have faced. In a place such as the Terezin concentration camp and ghetto, the art of children would be the most uncensored version of

[6]Josef Bäumel, Work, pencil and colored pencil on paper.
[7]Milan Biennenfeld, Leaves of a tree, black watercolor on tinted paper.

the camp's history. Children would grasp for any coping mechanism and process that they can, and their emotions envelop the work itself.

A child in the background stands before a bunk bed covered in blue striped sheets. The child is small, almost the same height as the bottom bunk. The walls are bare, save for one sign. The foreground is brought to life and death with a bouquet of flowers. In the barracks of a camp, this vase of flowers, swarmed by a round bee, is an outlier. It is a child, thinking back to a more positive time when they were home, and their mother may have kept a vase of flowers in their home as an ornament of beauty and joy. These things did not exist in the same way at Terezin, even as the child attempted to think back. One of the flowers, different from the rest, is drooping toward the ground as though it is waiting for its final moments before it falls, to lose its life, beauty, and purpose (Volavková 1993, 31).[8] Something as innocent as a drawing of a child's room and a vase of flowers may not give an impression of pain or struggle. However, the child's use of a dying flower in the main foreground of the drawing makes it one of the primary subjects. It was a subject that represents the end of something joyful and simple, such as someone's childhood and innocence.

At first glance, the watercolor painting created by Hana Kohnová appears to be something out of a fairytale. Set in front of deep green mountains and a cloudy sky, the house is a bright beacon with its red roof, white doors, and smoke billowing from the chimney. The smoke from the chimney clouds against the white backdrop that separates the building from the surrounding mountains, as though it is muddying up the innocent white sky (Volavková 1993, 10).[9] However, Hana was not painting the witch's house from a fairytale or the home she had lost. She was instead painting her interpretation of a building in Terezin, sitting on the countryside alone. This house is not joined by the other barracks or the work stations. It is instead a wish, a dream, rather than the reality faced by the author. This singular dwelling place provides multiple messages from Hana. It illustrates the wish to be alone, to be at peace far away from the work sites, the other barracks, and, most especially, far from the camp's Nazi wardens. The painting also displays feelings of isolation, this house is the only subject in the foreground of the work. It makes it seem as though this house is lonesome, wishing to be joined by others. Its windows appear to be eyes with the arched door framing a frowning mouth, as though the lonely house is calling out for help. For both children and adults, it can be difficult to process these contradictory emotions of desiring peace but fearing the complete and total isolation that trauma often brings.

A gray watercolor paints a cloudy sky, either filled with smoke or storm clouds. The sky is interrupted by an expanse of black buildings, all melding together to make a large, monstrous mansion, topped with a crucifix. Although the crucifix is not one of the primary symbols in Judaism, its presence in this painting gives the impression that the God of Abrahamic religion

[8]Erika Taussigová, Room with Bunkbed, pencil and watercolor drawing.
[9]Hana Kohnová, House at Terezin, watercolor on shiny paper.

had failed the people of Terezin. The only glimpse of life in this painting is a sharp tree whose silhouette appears ready to reach out its branches and grab any who dare to venture out at night (Volavková 1993, 52).[10] This building does not look as though it is a lively place of culture and growth, rather it seems as though it is filled with ghosts, whether those are the ghosts of the prisoners who had already died in Terezin or the prisoners themselves, who were still alive but not like they were before the war. By looking at how a child views their circumstances, historians and art historians are able to see what they saw. They are able to see the sense of fear and dread that this child experienced when they looked out at Terezin. They were able to see just how wicked and nefarious the camp was to those inside it.

Some of the illustrations discussed in brief were created in a classroom environment with a teacher looking on to provide guidance or praise. Other illustrations were created in a more free environment where the artists were allowed to draw whatever subject they desired using whichever medium they preferred. In both of these cases, children illustrated both Terezin and unrelated subject matters. Upon examination, paintings and drawings of both kinds show the reality of children who were struggling to cope with the lives they had before the ghetto and concentration camp versus the lives they lived inside the ghetto. These children went from living with their parents in homes and apartments to living in barracks with strangers in their age groups, and no parental figures present. Art provided them with a way to process these large and sudden changes that had disrupted their lives (Stargardt 1998, 230-246). It also, as the teacher had hoped, provided the children with a distraction from the world around them. It gave the children a place to feel secure and safe while they were in a world that was otherwise the complete opposite (Stargardt 1998, 226). The intentions were good, but Friedl Dicker-Brandeis could only do so much to protect the children from the violent world around them.

Violence is something most adults attempt to hide from children in many different circumstances, but that does not mean that the child is not aware. As time went on, the butterflies the children once drew turned into pencil drawings of a man being held at gunpoint, threatened by an SS officer in the camp (Volavková 1993, 21).[11] It does not protect them from realizing that their friends who were afflicted with Tuberculosis took a trip to Auschwitz from which they would never return (Horácová et al. 2020, 157). Of the nine known artists mentioned previously, only two of them would survive the Holocaust. Over 15,000 children would pass through Terezin between 1941 and 1945. Roughly 100 of them would some day return (Volavková 1993, 84-106). The Holocaust was a dangerous time for children, one of the weakest and most vulnerable parts of a population. They were to grow up as prisoners whom the Germans would tell the world were criminals and enemies of the German state (Bonifas 1992, 807). While they may have been young, they were not as naive as adults think. They

[10] Dita Polachová, Building at Night, watercolor.

[11] Juri Beutler, Nazi Threatening Jew, pencil drawing on paper.

created works of art, poetry, and other mediums that expressed the deep and intense fears that consumed them at a time when their survival was not guaranteed.

Lifeless trees and an empty sky, dark walls meeting a black roof, a clock counting down how long you may have left (Volavková 1993, 2).[12] Initially, this line may have seemed abnormal for a work created by a child. Further examination reveals that it was not abnormal, but a reality of most children's artwork in the Terezin concentration camp and ghetto. These children faced realities beyond their worst nightmares, and had to grow up and continue living as long as they still could. It is important to acknowledge and listen to the voices and stories of children. Many adults let opinions cloud their judgment as they grow older, it is difficult to view any illustration created by an adult without deciding whether it is objective or it is a work of propaganda. In addition to biases, adults may also be clouded by fear, fear of what would happen if the Nazis viewed the art they were creating. Children, however, are an exception to fears of censorship and propaganda. They have not been touched by the propaganda or even fear that adults have, the art they create is a raw example of their feelings and observations. They are some of the most honest people in the world and the purpose of the art they created in Terezin was not to persuade viewers one way or another, it was to cope and process the difficult emotions and experiences they were facing. Children's voices, often undervalued, give us important information about life in the Holocaust. Historians and art historians should listen closely to see what these children have to say.

References

Bonifas, Aimé. 1992. "A 'Paradisical' Ghetto of Theresienstadt:The Impossible Mission of the International Committee of the Red Cross." *Journal of Church and State* 34(4):805–818. **URL:** *https://www.jstor.org/stable/23919583*

Horácová, Kateřina, Zdenek Hrstka, Andrea Ševčovičová, Jana Wichsová and Monika Zaviš. 2020. "Paediatrics in Theresienstadt Ghetto." *Central European Journal of Public Health* 28(2):155–160.

Shlain, Margaret. 2020. "Nursing in the Theresienstadt Ghetto." *Nashim: A Journal of Jewish Women's Studies & Gender Issues* 36(1):60–85.

Stargardt, Nicholas. 1998. "Children's Art of the Holocaust." *Past & Present* 161(1):191–235. **URL:** *https://www.jstor.org/stable/651076*

Volavková, Hana, ed. 1993. *I Never Saw Another Butterfly*. New York: Schocken Books.

[12] Sonja Waldsteinová, Terezin Barracks, 1943, watercolor on tinted paper.

Diaspora Blues

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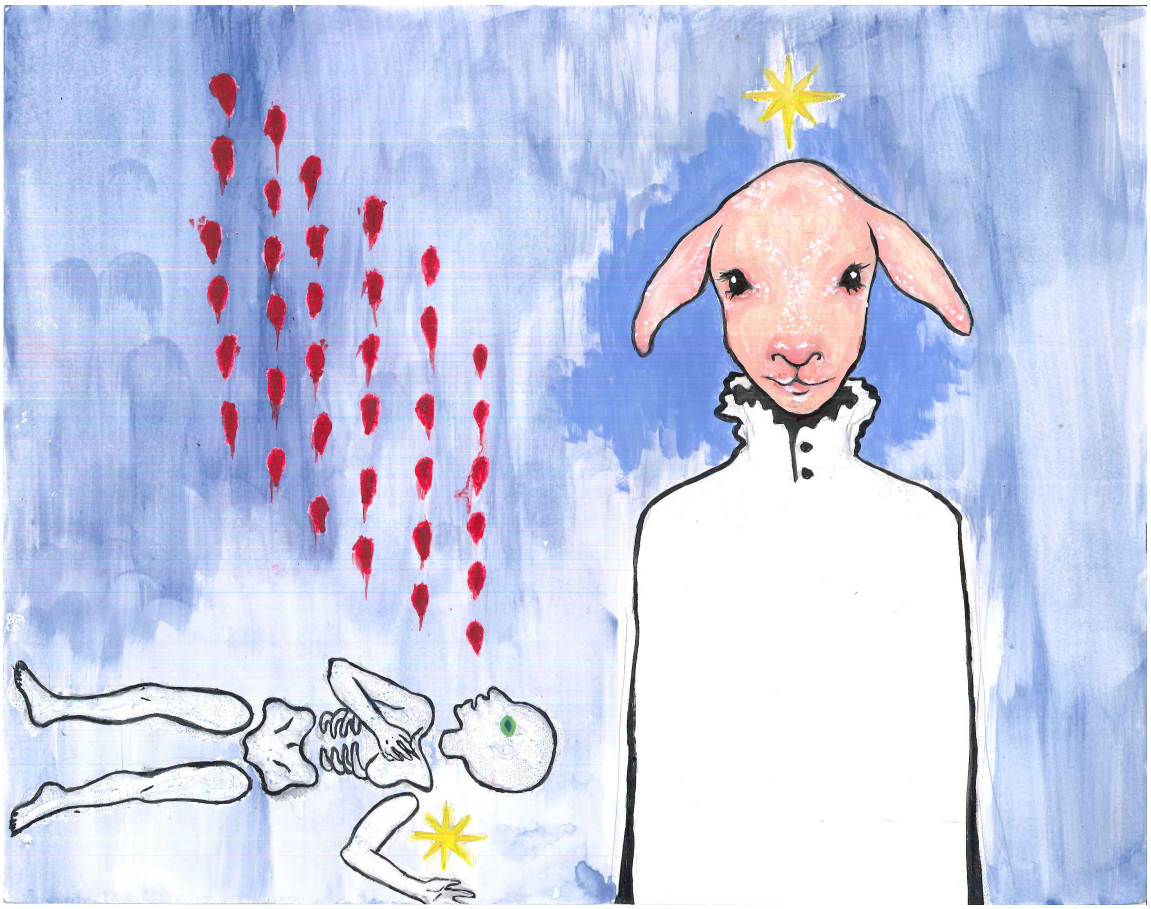
Artist Statement

This piece contemplates the alienation from cultural and spiritual heritage experienced by communities who have been colonial subjects and all those who have been forced into diaspora. We look for familiar faces in our ancestors, but by excavating the deeds of the past we also confront who we are becoming in a postcolonial society. In regard to human rights, this piece calls upon the importance of historical memory to the construction of a just world.



Untethered

Percy Pinnix

University of North Carolina, Asheville
Asheville, NC

When I close my eyes I know I have no home
I know there's no one who will call me if I don't pull into the driveway by 9:45
No tabby cat at home waiting, maybe not so patiently for dinner
No warm bed empty of guilt or fear, quilted with my favorite blankets
No smoke stained walls full of life, my life, to keep me dry tonight
No respite when the outside world becomes too much
No quiet place to sink into, unaware and yet safe
I am untethered and floating amongst the stars
No amount of will or determination can stabilize me,
as I flail and panic in the vast nothingness
Some might call me lucky,
with all this freedom,
with the abundance of paths that lay before me
But I don't want this freedom
I don't want this weightlessness
I just want home

Global Prison Conditions: Out of Lockstep

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Abstract

This paper explores the variation of global prison conditions. Firstly it discusses the relevant literature on the subject. Upon finding that there is minimal literature on prison conditions overall, literature on the variation of human rights conditions from country to country was turned to in order to help fill in these gaps. The paper then introduces multiple functions to explain the variation of prison conditions. They are population, societal violence, capacity, regime type, and climate. These variables are then conceptualized and finally evaluated. It was found that societal violence has the largest affect on prison conditions.

1 Introduction

In the year 2019, the US State Department report on Human Rights practices for Chad stated that, "Conditions in the country's 41 prisons remained harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care" (United States State Department 2019). In the same year, the report for Haiti stated, "Prisons and detention centers throughout the country were life threatening due to being overcrowded, poorly maintained, and unsanitary" (United States State Department 2019). However, the report for Finland in the same year stated, "There were no significant reports regarding prison or detention center conditions that raised human rights concerns" (United States State Department 2019). The differences in prison conditions all over the world is apparent when looking at these reports. Why is it that a crime committed in Chad or Haiti is met with a potential death sentence in prison, whereas in Finland, it is not.

The World Prison Brief reported that in 2021, there were over 11.5 million people incarcerated worldwide (Fair and Walmsey 2021). For something affecting so many people across the globe, there is a shocking amount of variation from country to country for those incarcerated. The United Nations (UN) has a standard for the treatment of prisoners that was adopted in

1990 called the *Basic Principles for the Treatment of Prisoners*. In this document, it states, "Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights, and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as such other rights as are set out in other United Nations covenants" (*Basic Principles for the Treatment of Prisoners* 1990). This standard shows that the treatment of prisoners includes a protection of human rights.

In addition to the Basic Principles for the Treatment of Prisoners, the Standard Minimum Rules for the Treatment of Prisoners was also adopted in 1955. After their revision in 2015, these rules are more commonly referred to as "The Mandela Rules." The Mandela Rules provide a standard for international and domestic treatment of prisoners. There are 122 rules that cover a variety of topics ranging from basic principles, accommodation, personal hygiene, clothing and bedding, food, and health-care services to name a few (*The Standard Minimum Rules for the Treatment of Prisoners* 2015). These rules are not bound in international law and serve only as a common standard for the UN. They are, however, the largest, most progressive, and detailed common international standard for the treatment of prisoners.

If this is the case, then why is it that prisoners all over the globe are deprived of basic human rights while incarcerated? This is an issue that affects over 11.5 million people all over the world. What explains the variation of conditions in prison?

To examine this question I am going to proceed as follows. Firstly I am going to review the literature on the subject, analyzing the past research that has been conducted on prison conditions. Then, I am going to lay out my theories as to why prison conditions vary. They are population, capacity, climate, societal violence, and regime type. Then I will go into my definitions of these variables, the way I conceptualize them, and where I get the data to evaluate them. Lastly, I will walk through the analysis and break down the results, then I conclude.

2 Literature Review

It is important to understand the scope of global prison conditions. There is not a lot of literature on the subject, so to understand how prison conditions vary globally, different systems were explored within the literature. Overall, it is understood that prison conditions are poor in most places. The US State Department Reports on Human Rights Practices provides a good database for understanding prison conditions in each country. What isn't clear is why these conditions tend to vary from country to country.

The variation could be explained in a variety of ways. For this paper, I'm going to use literature on the global variation of different government entities as well as specific prison studies to attempt to link them to prison conditions. We are assuming that countries differ

in regards to things like their human rights, criminal justice systems, and prison conditions. But what causes this variation, and if one factor causes a variation in criminal justice systems, does that also mean it will cause variation in the country's prison conditions?

Thankfully, we know more about what explains why human rights may vary from country to country. Poe and Tate (1994) attribute this variety to a multitude of forces. They are, democracy, population size and growth, level of development and economic growth, leftist regimes, British cultural influence, military regimes, international war experience, and civil war experience. They show that democracy, population size, economic standing, international war, and civil war impact human rights conditions across the globe. Sung (2006) examines the variety of criminal justice systems on a global scale. He finds that the level of democracy in a certain country does have an effect on its criminal justice system. With Poe and Tate and Sung all finding that democratization has an effect on the variation of human rights violations and criminal justice systems from country to country, it is evident that this would be a key element to examine in the variation of global prison conditions. Additionally, there were some other theories in Poe and Tate's study that might lend themselves to explaining the variation in global prison conditions such as economic factors. They find that economic growth can have an effect on human rights conditions. Mitchell and McCormick (1988) explored this connection before Poe and Tate, and found that generally, there is evidence to support that the economic state of a country has an overall effect on its human rights conditions.

Societal violence is an element that I was initially interested in when determining to study the variation in global prison conditions. Upon exploring the literature, I found that while elements of societal violence in their relation to prison conditions have been studied, it focuses on violence within the prisons themselves, not why they are violent in the first place. Peirce and Fondevila (2019) explore this concept when they research how criminal activity inside a prison influences the degree and types of violence that prisoners experience. I want to expand on this, and find out whether societal violence that happens outside the prison simultaneously affects what is going on inside it.

There are two additional elements that I think would have a significant effect on prison conditions that I did not find in any of the literature: climate, and population size of a country. The literature shows us that there are a multitude of causes for the variety of government entities globally. From the literature, I found I need to explore whether the democratization or economic state of a country has an effect on its prison conditions. I also want to explore whether societal violence affects prison conditions. Lastly, although I did not find evidence of this in the literature, I want to see whether the population size or climate of a country has an effect on its prison conditions.

3 Theory

3.1 Societal Violence

Firstly, I argue that countries with more societal violence will have worse prison conditions than countries with less societal violence. Prisons in places where there is a large amount of societal violence have worse conditions because violence is considered normal or accepted within society. This violence crosses over from society into the prison setting. With a higher level of violence being normalized within society, the level within the facilities can be expected to also be higher. This makes prisons a dangerous place to be, where incarcerated people are at a higher likelihood to be on the receiving end of some type of violence when in prison.

Countries with more societal violence are also likely to sponsor larger amounts of gang activity inside and out of prison. The presence of well formed and established gangs within prisons can make conditions worse for those incarcerated who are not members of said gang. Skarbek (2011) finds that the hierarchy of prison gangs can be dangerous for both those involved in the gang and those that are not (Skarbek 2011). Skarbek explores this in an American context, so I wonder if it translates and resonates outside of America. Additionally, a problem with heavy gang activity in prison is if gangs control the entire facility without being checked by Correctional Officers. If this is the case, gangs can control the intake of supplies and food, causing prisoners to not have access to basic necessities.

Furthermore, in countries with more societal violence we can assume that there will be more people incarcerated. If there is more violence, there are more people perpetuating violence, and being put in prison for it. With more people being put in prison, there will be worse conditions as overcrowding in prison appears to be common all over the globe. Overcrowding leads to a stretching of resources within prisons such as food, medical supplies, and hygienic materials. Overcrowding also leads to an easier spread of disease and leads to more opportunities of violence within prison.

Another reason countries with more societal violence could have worse prison conditions is the government's attitude regarding prisoners. If societal violence is the norm, governments might not use resources to improve prison conditions thinking that there is no helping prisoners. In a society with very little societal violence, governments might take the extra time and energy to rehabilitate the few people who cause violence. If there are fewer people causing violence, there are fewer people who need to be incarcerated with governments making efforts to aid them.

We are assuming here that societal violence does not have an adverse effect on violence within prison. Therefore, we can hypothesize that countries with more societal violence cause worse prison conditions than countries with low societal violence.

H1: More societal violence within a country results in worse prison conditions than countries with

low societal violence.

3.2 Regime Type

The regime type of a country could affect its prison conditions. Poe and Tate (1994) confirm that countries classified as democracies will have a lower abuse of physical integrity rights. If countries classified as democracies have a lower abuse of physical integrity rights, then we can assume that prison conditions will also be better in democracies in comparison to countries that do not operate as democracies. In democracies, citizens vote on the political change they wish to see, while in autocracies citizens have no voice in the political direction of the country. In regards to prison conditions, if citizens knew there were serious human rights abuses taking place in prisons, they would hold their political leaders accountable. We assume that political leaders are rational actors, and will do what they can to protect their position, following through with the voter's wishes. We also assume that in autocracies, the persons that hold political power do not take into account the opinions or attitudes of citizens. If there is a group of citizens putting pressure on their elected official to improve prison conditions, then presumably that official would work to improve conditions and secure the group's vote Therefore, we can hypothesize states that operate as democracies have better prison conditions than autocracies.

H2: States that operate as democracies have better prison conditions than autocracies.

3.3 Capacity

The capacity of a country could also be a function of prison conditions. In richer countries there is more money and more resources to maintain humane prison conditions. If a state does not have as much money, it is less likely that sufficient funds will be allocated to the upkeep of the country's prisons. We assume states with limited resources will not use them to better prison conditions. When a state is strapped for funds, it presumably would not turn to spend money on better prison conditions. The money would likely go towards things like welfare or education. Countries that have more funds and economic stability have the ability to allocate funds towards prisons without any risk. Therefore, we can hypothesize that countries with higher capacities have better prison conditions than countries with low capacities.

H3: Countries with higher capacities have better prison conditions than countries with low capacities.

3.4 Climate

The climate in a country could affect prison conditions. Here we are looking at whether a country is in a really hot or really cold climate. I argue that conditions in these places would be worse for different reasons.

If a prison is located in a cold climate, it takes a lot of resources to maintain good conditions. For instance, in a really cold climate things like thick windows, a reliable heating system, and additional warm clothes for inmates would be additional costs that prisons located in more temperate conditions would not require.

In really hot climates I assume conditions would be poor for different reasons. Firstly, disease spreads easier in warmer temperatures. In prisons in warm climates where there is overcrowding, disease can spread easily through the prison. Additionally, hot weather can make people more irritable, leading to potential conflict that might not take place in more temperate climates.

Therefore, countries that are located in areas with more extreme climates are likely to have worse prison conditions. We can hypothesize that states with more temperate climates have better prison conditions than those with more extreme climates.

H4: Countries with more temperate climates have better prison conditions than those with extreme climates.

3.5 Population

The population of a country could also have an effect on prison conditions. We are assuming here that countries that have larger overall populations will conversely have a large prison population. We are also assuming that countries with higher populations will also have higher crime rates. With more people there is more opportunity for crimes to be committed. If there is a large amount of people incarcerated within a country, it will lead to worse prison conditions. Overcrowding is the most common issue within prisons around the world. With an issue like overcrowding, there come other problems such as an easier spread of disease and unsanitary conditions. Therefore, we can hypothesize that countries with a higher population will have worse prison conditions than countries with lower populations.

H5: Countries with higher populations will have worse prison conditions than those with lower populations.

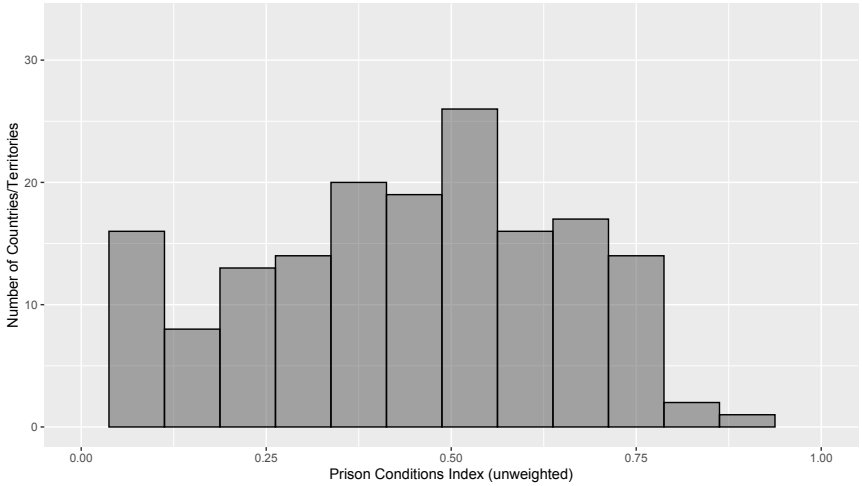
4 Empirics

4.1 Dependent Variables

Prison conditions refers to the conditions that are present inside of prison. I am not looking at the law, criminal justice system, or how those caught up in the criminal justice system are treated outside of prison.

4.1.1 Prison Conditions Index (Weighted and Unweighted)

Figure 1: Average Unweighted Prison Conditions

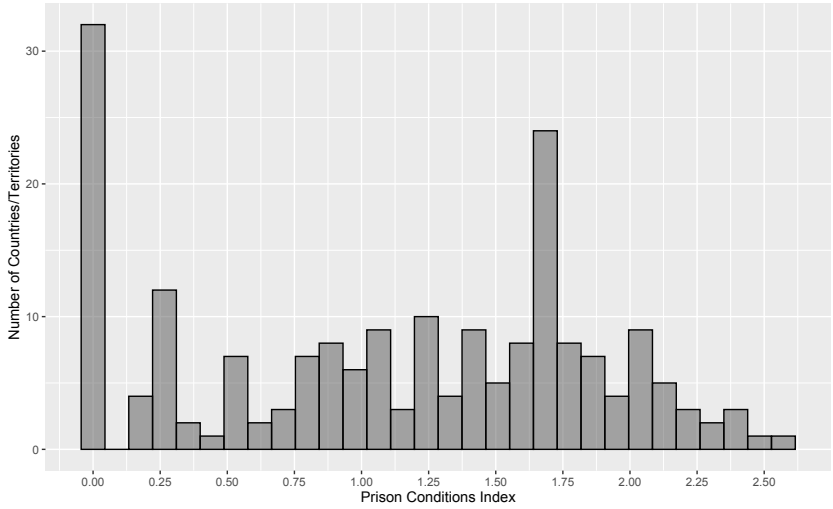


I used the US State Department Reports on Human Rights Practices from 2019 to create a Prison Conditions Index (United States State Department 2019). As I read through the reports, I marked down different conditions that showed up lowering the quality of the prison. If the report stated or alluded to one of the categories, I marked it down. In the end, I was left with 14 different categories: (1) lack of access to proper food/nutrition (2) lack of access to potable water (3) lack of medical care (4) unsanitary conditions (5) overcrowding (6) lack of light (7) lack of access to bedding materials (8) infestation (9) poor ventilation (10) poor infrastructure (11) evidence of corruption (12) lack of hygienic materials/infrastructure (13) lack of electricity (14) "life threatening." Once finished, I had compiled a data set that had every country listed, and whether or not these 14 conditions were reported in that country in the year of 2019. Each country will then be given a score of 0-14, a 14 meaning all the categories are present and a 0 meaning none of the categories are present. *Figure 1* shows the average of the unweighted index on the x-axis with the number of countries/territories on the y-axis. A

higher score on this index indicates poor prison conditions while a lower score on the index indicates better prison conditions.

Some of the categories that signify poor prison conditions are more drastic than others. For instance, if a country's prisons are "life-threatening" it is worse than if a country's prisons have poor ventilation. To account for this, the different categories were given different weights. The categories that prove a larger threat to a prisoners safety and well being are weighted heavier than those not. The categories were weighted on a scale from 1-5 as follows- overcrowding (4), unsanitary conditions (3), lack of access to medical care (4), lack of access to food/proper nutrition (3), lack of access to potable water (3), improper ventilation (2), lack of electricity (2), lack of light (1), lack of bedding material (1), infestation (1), "life threatening" (5), evidence of corruption (3), poor infrastructure (2), lack of hygiene materials (3). *Figure 2* shows the average weighted index on the x-axis with the number of countries/territories on the y-axis. As seen in Figure 1 as opposed to Figure 2, there is a lot less variation across the board.

Figure 2: Average Weighted Prison Conditions



It is important here to note that we are relying on the reports for this information. If a country does not offer thorough reporting inside its prisons or no reporting at all, it will not present as having poor conditions. This is a setback in the data collection.

4.1.2 Life Threatening

I also decided to examine whether or not a prison is likely to be life threatening based on the State Department reports. I collected the data the same way I did for my Prison Conditions

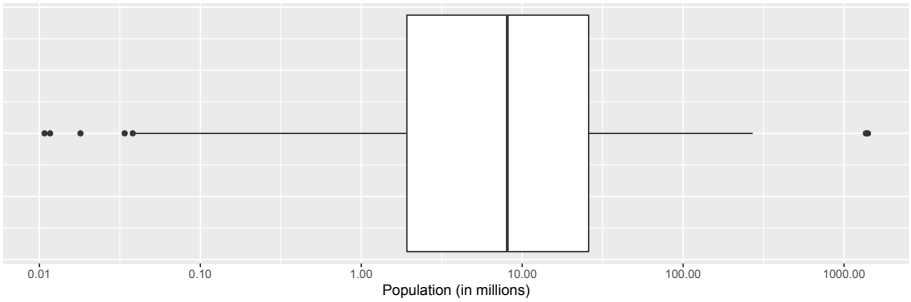
Index. If a country had the words "life threatening" in its prison and detention center conditions section of the report it was considered to be life threatening. Overall, there were 78 countries that had prisons that were considered life-threatening.

5 Independent Variables

5.0.1 Population

The population of a country refers to how many people are living there. I am taking this data from the World Bank in the year 2019 (United Nations Population Division 2019).

Figure 3: Global Populations (2019)



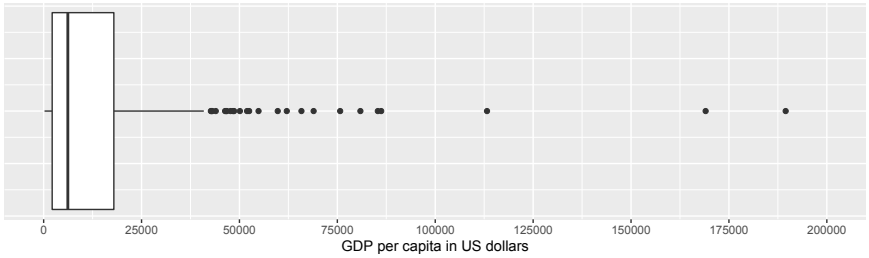
As seen in *Figure 3*, there is a lot of variation in global populations in 2019 with the average being about 37 million people. There were some outliers such as China and India that were removed from the figure as their populations in 2019 were so much greater than other values analyzed.

5.0.2 Capacity

The capacity of a country refers to the state's financial ability to provide goods and services to its citizens. To calculate this I am going to use Gross Domestic Product (GDP) per capita in the year 2019. I am also going to take this data from the World Bank (World Bank national accounts data 2019).

As seen in *Figure 4* the majority of countries fall into having a GDP somewhere between $2,178 and $17,927 with the average GDP per capita as $16,249.There are however many countries that have a significant higher GDP per capita than average which are expressed as outliers in Figure 4.

Figure 4: Global GDP per capita in US Dollars (2019)



5.0.3 Societal Violence

The societal violence of a country is how much violence is perpetrated by non-state actors. To measure this, I am going to use the Societal Violence Scale (SVS) data for the year 2019. The SVS uses the US State Department Reports on Human Rights Practices to gather data on societal violence. It looks at a variety of victim categories as well as perpetrator categories. Some examples of victim categories are women, children, trafficking victims, national/racial/ethnic, religious, prisoners, and LGBTQ+. For the SVS, there are three perpetrator categories. There are organized/armed groups who inflict violence on behalf of an organization for political gain, there are corporate groups who inflict violence for monetary gain, and there is the individual category whose perpetrators inflict violence for personal reasons (Cornett 2019).

Once a country's report has been read and the data has been analyzed, the country is given a score from 1-5. A 1 means there is not a big issue with societal violence in a country, a 2 means societal violence is a problem within the country. A 3 means societal violence is a problem within the country and it is widespread. A 4 means societal violence is a problem, widespread, and impacts multiple victim categories. A 5 means societal violence is everywhere, impacts everyone living in that country, and is egregious in nature.

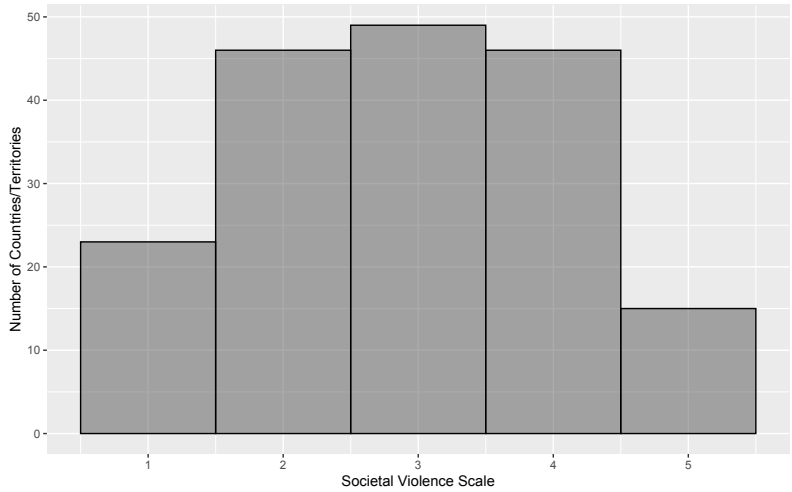
I am going to be using the SVS scores from 2016 for my measure of societal violence. Ideally, I would use scores from 2019, but that data is not yet available. Presumably, societal violence will not have changed drastically across countries over the span of three years.

As shown in *Figure 5*, the majority of countries have a score of 2, 3, or 4 on the societal violence scale with the majority of countries having a 3. There were 15 countries that had a score of 5 with 23 that had a score of 1.

5.0.4 Climate

The climate variable of a country, for the purposes of this study, refers to how temperate the weather is. Here I am not talking about heavy rainfall, wind, wildfires, hurricanes, etc. I am simply talking about the temperature.

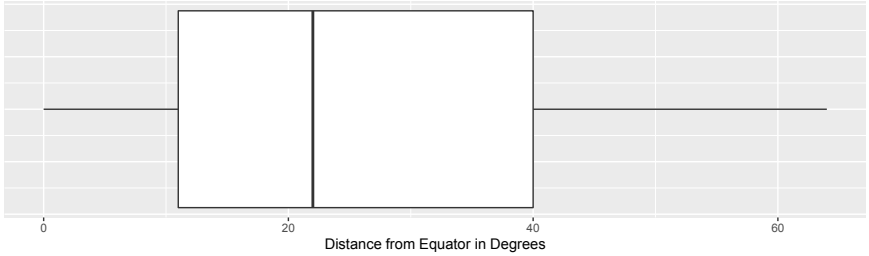
Figure 5: Societal Violence Scale (2016)



Temperature across some countries can have a lot of variation, while in other countries it can have virtually no variation. For instance in Chile, the uppermost point of the country is going to be a lot warmer than the southernmost point of the country. For my measurement of climate, I am going to take the latitude of the capital city of every country. Ideally the closer or further way the capital city of a country is away from the equator, the worse prison conditions it will have. Latitude is a measure of how far countries are from the equator and therefore determining the average typical temperature.

As seen in *Figure 6*, countries typically lie closer to the equator than further from it. A typical country will be between 11 and 40 degrees north or south from the equator.

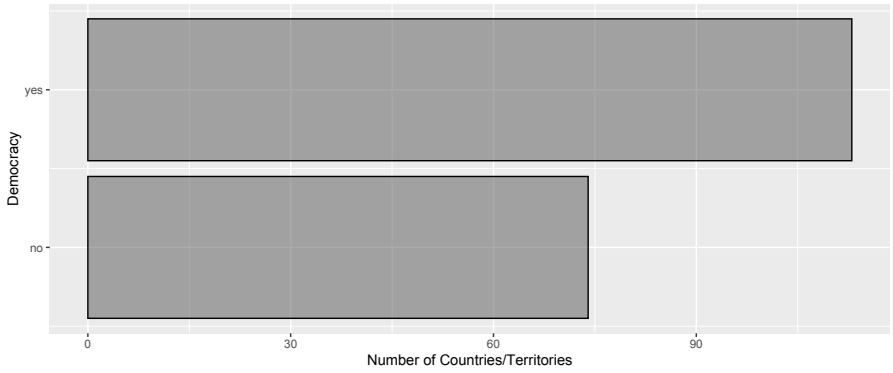
Figure 6: Global Distances from the Equator



5.0.5 Regime Type

The democratization of a country refers to how democratic it is. The definition of democracy I am going to use is from Cheibub, Gandhi, and Vreeland in their paper Democracy and Dictatorship Revisited (DDR). By their definition, for a country to be considered democratic, it must (1) have a mode of executive selection that is either direct or indirect. A direct election is the election of the executive through a popular vote. An indirect election is the election of the executive by an elected assembly. (2) Legislative selection is chosen by either an indirect or direct popular vote by means of an election. (3) The status of the legislature is that they are elected. (4) Multiple political parties are legally allowed. (5) There is the existence of multiple political parties. (6) There are multiple political parties that exist outside the regime front. (7) The legislature is made up of multiple political parties. (8) The country is not only classified as a democracy because it follows the multiparty executive and legislative elections. (9) The executive in the time after the election did not rewrite the rules of the lower house in order to maintain control (Cheibub, Gandhi and Vreeland 2010).

Figure 7: Democracies (2008)



If all of these conditions apply to a country, it is assigned the value 1 (democratic). If not, it is given a 0 (not democratic). This data only goes up to 2008, so I will be using the 2008 data. Ideally I would use the data from 2019, but it is not available. I could also use a different measure of democracy such as Freedom House or the Polity Scale. However, I believe the way Cheibub, Gandhi, and Vreeland measure democracy is a more valid operationalization. It is also likely that only a handful of countries will have changed so much since 2008 that their score is no longer accurate. As seen in *Figure 7*, the majority of countries are classified as democracies.

6 Analysis

I ran multiple regressions with all of these independent variables. All "A" models do not include the climate^2 variable while all "B" models do. Models 1A and 1B depict the variables ran against the weighted index. Models 2A and 2B depict the variables run against the unweighted index and models 3A and 3B are run against the probability that a country's prison conditions are considered to be life threatening.

Table 1: Prison Conditions Regression Model

Variables	Model 1A	Model 1B	Model 2A	Model 2B	Model 3A	Model 3B
Intercept	4.52	4.51	1.46	1.42	-0.023	0.067
	(2.14)	(2.33)	(0.767)	(0.835)	(0.117)	(0.127)
GDP per Capita	-0.13	-0.13	-0.0475	-0.0475	-0.00109	-0.00176
in $10,000	(0.0317)	(0.0325)	(0.0114)	(0.0117)	(0.00174)	(0.0176)
Population	0.004	0.004	0.001	0.001	0.00003	0.00004
in millions	(0.0004)	(0.0004)	(0.0001)	(0.0001)	(0.00002)	(0.00002)
Democracy	-1.71	-1.71	-0.0376	-0.0376	-0.141	-0.15
	(1.12)	(1.13)	(0.402)	(0.405)	(0.062)	(0.061)
Societal	4.86	4.86	1.489	1.488	0.21	0.21
Violence	(0.53)	(0.56)	(0.19)	(0.19)	(0.03)	(0.03)
Climate	-0.0079	-0.0058	0.00247	0.00756	-0.00427	-0.0159
	(0.035)	(0.118)	(0.013)	(0.042)	(0.002)	(0.006)
Climate^2		-0.000039		-0.000095		0.000217
		(0.002)		(0.0007)		(0.0001)

Note: Table 1 depicts the coefficients of the regressions and underneath it the standard errors of the regression in parentheses. For Models 1, 2, and 3, the dependent variables are the weighted Prison Conditions Index, the unweighted Prison Conditions Index, and the life-threatening conditions dummy, respectively. Models 1B, 2B, and 3B are the same regressions including the climate as a quadratic function.

The results of the regressions are depicted in *Table 1.* As predicted, GDP and Democracy have a negative affect on the additive Prison Conditions Index. Meaning, as GDP increases, the Prison Conditions Index will decrease. Similarly, countries that operate as democracies also have a negative affect on the Prison Conditions Index where if a country operates as a democracy, it will have a negative effect on the index. This is seen in Models 1 A and B as well as Models 2 A and B. GDP and democracy also have a negative effect on whether a prison is more likely to be life threatening as can be seen in Models 3 A and B. Where there is a negative effect, the prison conditions index is decreasing, meaning that prison conditions are actually improving. Therefore, with the addition of GDP or a country switching from a democracy to

an autocracy, the index will decrease, leading to an improvement in conditions. It also means that there is a decrease in the likelihood that a prison will be life threatening.

Societal violence and population as predicted had a positive affects on the Prison Conditions Index, where if there is more societal violence in a country, there will be worse prison conditions. Additionally, if there is an increase in population a country will have worse prison conditions. This positive effect is reflected in Models 1 A and B as well as Models 2 A and B. This positive effect is also seen in Models 3 A and B. This means that as a country increases its population or amount of societal violence, the likelihood of its prisons being life-threatening also increases.

The population of a country as well as the regime type of a country was not statistically significant while the societal violence as well as the GDP of a country was statistically significant.

The societal violence variable had a large effect on prison conditions. Model 1A and Model 1B show that this effect was 4.86. Therefore, in moving the SVS score up or down by 1, the Prison Conditions Index will move up or down by a significant amount. In the weighted model it would move up or down by 5 while in the unweighted model it will move up or down by about 1.5. In models 3A and 3B the effect of SVS on a prison being "life-threatening" was 0.21. So, moving the SVS up or down a score resulted in prisons being about 20% more life-threatening.

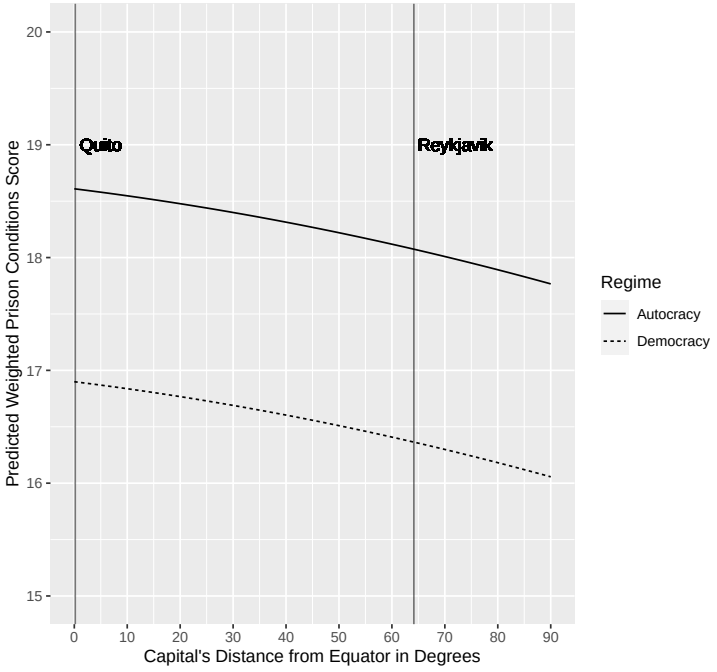
GDP also has a significant affect on the Prison Conditions Index. When GDP per capita is increased or decreased by $10000 then the Prison Conditions Index will move up or down by 0.13, in the unweighted model the index will move up or down by 0.0475. Whether or not a country's prisons will be about .10% more life threatening.

To better express the climate variable I created two figures to show climate's effect on prison conditions. Both of the figures depict two imaginary countries. Both have a median population of about 8 million people, a median GDP of $6176, and a median SVS score of 3. One country is a democracy while the other is an autocracy. *Figure 8* shows how these two climates impact country's prison conditions.

As you can see in *Figure 8*, as the country's capitals are moved further and further from the equator, they only decrease by about 1 on the weighted prison conditions index. This does not depict the effect I thought climate would have on prison conditions. I hypothesized that conditions would better as we moved away from the equator and then worsen again once reaching a certain point. This was not the case. However, when looking at how climate affected a country's probability of its prisons being life-threatening, this effect was seen.

Figure 9 shows the same two hypothetical countries, however this time they were graphed to show the effect of climate on whether or not a country's prisons would be life-threatening. As shown in *Figure 9*, as we move away from the equator the likelihood that a prison will be life-threatening dramatically decreases, but then at a certain point begins to rapidly increase

Figure 8: Model 1B



again. This means that countries either very close or very far from the equator are significantly more likely to have life-threatening prison conditions.

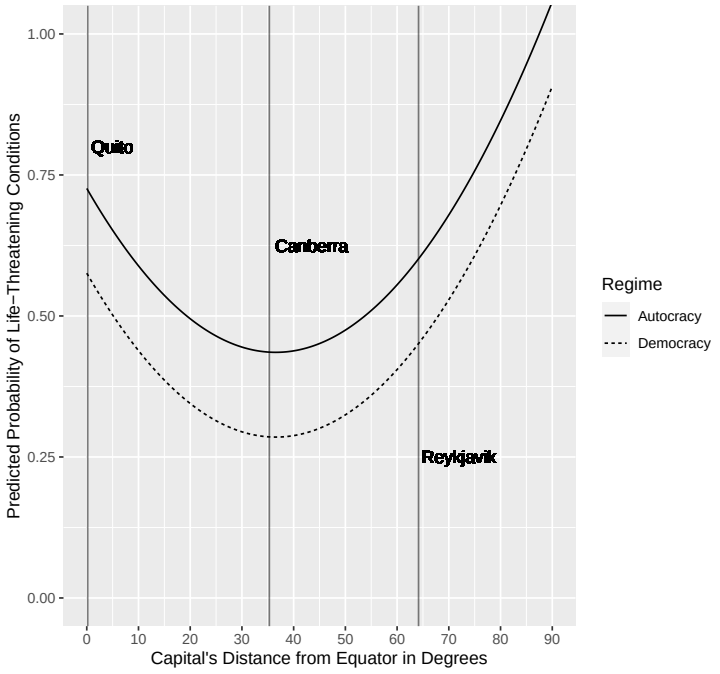
It was interesting to see that the geographical location of a prison would affect whether or not it is life threatening but would not have an affect over the overall condition. It is likely because there are a lot of factors that went into determining prison conditions that have little to do with climate such as bedding material or hygienic materials. However, it is evident that the climate of a country does have an affect on whether or not its prisons will be life threatening.

7 Conclusion

Overall, we see that prison conditions are most affected by societal violence. I do think that this strong correlation between societal violence and prison conditions could also be because the data used to evaluate them came from the same place. It would be beneficial to do this same research using a different measure either of societal violence or prison conditions and see if the effect is still as strong.

Additionally, if we had found that either population, GDP, democracy, and climate there

Figure 9: Model 3B



would be very little action that a country could immediately take in bettering its prison conditions. I think doing the study again but this time looking at factors that a country could immediately try to remedy would also be beneficial. One thing I would like to look at in the future is the distribution in funds from country to country to see if that were to affect its prison conditions. I think this would be more telling than just looking at GDP per capita.

Right now, if a country is looking to improve prison conditions, looking at improving societal violence is the best way to go. If a country can lower its amount of societal violence, conditions in prison will not only better but so will the well being of the country's citizens.

There are 11.5 million people incarcerated worldwide, and that number does not include the friends, family members, and support systems of those people. Global prison conditions are currently a serious human rights concern, and in building on this research we can discover more ways to remedy them.

References

Basic Principles for the Treatment of Prisoners. 1990.

Cheibub, José Antonio, Jennifer Gandhi and James Raymond Vreeland. 2010. "Democracy and Dictatorship Revisited." *Public Choice* 143:67–101.

Cornett, Linda. 2019. "Societal Violence Scale." *Asheville, NC* .

Fair, Helen and Roy Walmsey. 2021. "World Prison Population List." *World Prison Brief* 2021.

Mitchell, Neil J. and James M. McCormick. 1988. "Economic and Political Explanations of Human Rights Violations." *World Politics* 40(4):476–498.

Peirce, Jennifer and Gustavo Fondevila. 2019. "Concentrated Violence: The Influence of Criminal Activity and Governance on Prison Violence in Latin America." *International Criminal Justice Review* 30(1):99–130.

Poe, Seven C. and Neal C. Tate. 1994. "Repression of Human Rights to Personal Integrity in the 1980s: A Global Analysis." *American Political Science Review* 88(4):853–872.

Skarbek, David. 2011. "Governance and Prison Gangs." *The American Political Science Review* 105(4):702–716.

Sung, Hung-En. 2006. "Democracy and Criminal Justice in Cross-National Perspective: From Crime Control to Due Process." *The Annals of the American Academy of Political and Social Science* 605:311–337.

The Standard Minimum Rules for the Treatment of Prisoners. 2015.

United Nations Population Division. 2019. "Population Total." *The World Bank* .

United States State Department. 2019. "2019 US State Department Reports on Human Rights Practices.".

World Bank national accounts data. 2019. "GDP per capita (current US$)." *The World Bank* .

The Boy Who Could See the Flames

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My throat's full of glass. I sit at the dinner table.
I want to speak, I want to say, "I'm not like my sister, there's something you don't know"
I want to explain, "but I'm still me, I'm still left handed, I still play the violin, my favorite holiday is still Halloween, remember when we would eat mint chocolate chip ice cream together? I'm still that son of yours"
I want to desperately plead, "I'm still *me*. I'm still *your son*. I still love *The Hunger Games* and I still have soccer games every Thursday in the fall and I still don't like eating the crust on my sandwiches and I'm-"
I'd choke on the words.
I want to finally spit the cold words out, "I'm not straight."
The words would spill out of me like blood from a fresh wound. I know they would.
I lost the courage as quickly as it appeared.
I'm willing to make a deal with the devil.
Anything to change my fate.
The room is on fire. A thick smoke threatens to smother me.
The heat intensifies, I can hear it yelling, taunting me, repeating that there's no cure, no easy fix to change how I feel.
I faintly hear my mother say, "Did you see the news?"
"Yeah, total bullshit. We're worrying about a couple of those queer idiots and their right to marry? Don't we have more important issues to handle? God, when did this country get so soft?"
The room is on fire. The thick smoke smothers me.
I see the bright orange flames slowly burning at school when I hear, "what are you, *one of them?*"
I see the red flames rapidly engulfing the soccer field when I hear taunting whispers, "you know he's *different* right?"
Finally, I see the dark blue flames flood my whole world when I watch the news. Did you hear about that gay bar shooting?
The world is on fire. Can you see the flames?

Dark Money, Dark Days

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Abstract

This paper argues that "Dark Money" from Super Political Action Committees (Super PACs) and Political Action Committees (PACs) are taking away human rights from citizens by elevating the voices of the rich while silencing the voices of middle class to poor citizens. Through the passage of *Citizens United v. Federal Election Commission (FEC)*, the Bipartisan Campaign Reform Act was changed allowing corporations to spend money on campaigns as the Supreme Court stated that corporations have First Amendment rights and that political free speech is indispensable even if it comes from a corporation. This paper aims to prove that since the Citizens United v. FEC, elected officials have altered their voting behavior by disproportionately voting for policies that benefit the rich and undermine the poor. By allowing unlimited amounts of dark money to invade the United State's electoral system, citizens' human rights have been violated as their voices have been undermined.

The United Nations Office of the High Commissioner for Human Rights recognizes democracy as a form of government that is a universal benchmark for human rights protection. Democracy is thought to provide "an environment for the protection and effective realization of human rights" (OHCHR 1996). This form of government aims to strengthen the cohesion of society, achieve social justice, foster the economic and social development of a community, and preserve and promote the dignity and fundamental rights of the individual. However, how are human rights supposed to be preserved in a democracy when not everyone has the same amount of power? Within the United States, the issue of "Dark Money" in elections has caused economic injustice and violated human rights (OHCHR 1996).

In 2008, the Supreme Court took up the case *Citizens United v. Federal Election Commission*. The FEC had passed a regulation entitled the Bipartisan Campaign Reform Act (BCRA) that prohibited corporations and labor unions from using funds for the purpose of electioneering communications or speech that advocated for the election or defeat of a federal candidate. In this case, Citizens United sought an injunction against the FEC for preventing the application of the BCRA to its film *Hillary: The Movie* which expressed an opinion about whether Hillary Clinton would make a good president. However, due to the regulations put in place

by BCRA, the film would not be allowed as this would be a corporate-funded electioneering communication. Citizens United argued that BCRA violated their first amendment protections and that it was unconstitutional. The United States District Court denied the injunction and it was eventually taken up by the Supreme Court. In a 5-to-4 vote, it was decided that under the First Amendment, corporate funding of independent political broadcasts in candidate elections cannot be limited. The justices in the majority stated that political speech is indispensable to a democracy even if it comes from a corporation (*Citizens United vs. The Federal Election Committee* 2010). The case of Citizens United v. Federal Election Commission was a pivotal turning point within the United States because it unleashed unlimited spending in elections. Groups could now spend millions of dollars without disclosing their sources of funding. This case created loopholes in campaign disclosure rules that have created dark money within the United States' electoral system. "Dark money" is defined as funds from groups that do not disclose their donors, and since the decision in 2010, more than one billion dollars have been poured into federal elections from powerful groups. By creating the ability for dark money to exist, it poses risks to the backbone of the United States' democracy – fair and free elections. By allowing unlimited spending, people's human rights are violated due to economic inequality becoming more prominent than ever (Lee 2016).

Dark money today is seen in the form of Political Action Committees (PACs) and Super Political Action Committees (Super PACs). PACs are committees organized for the purpose of raising and spending money to elect or defeat certain candidates. PACs generally represent businesses and their interests in an election. PACs can give up to $5,000 to a candidate committee per election, meaning that these committees can give $5,000 in the primary, general, and special elections. Additionally, PACs can give up to $15,000 annually to any national party committee and $5,000 annually to another PAC. PACs have been around since 1944 and must be registered with the FEC within 10 days of its formation. Unlike PACs, Super PACs are relatively new and are able to raise and spend unlimited sums of money from corporations, unions, associations, and individuals. Super PACs are prohibited from donating money directly to political candidates and their spending cannot directly coordinate with a candidate's campaign. These two types of dark money have caused elections to result in very different outcomes that would have not been the case otherwise (*OpenSecrets* 2023).

Peter Geoghegan writes in his book, *Democracy for Sale*, "dark money gives these small, unrepresentative groups a marked advantage, pays for slick and articulate reports and polished media appearances and accentuates the risk of the public sphere being captured by vested interests" (Geoghegan 2021). By giving these corporations and political groups the power to raise unlimited funds, it raises the idea that policymakers do not consider all of their constituents as political equals and that political representation may depend on constituents' politically relevant resources and behavior (Bartels 2008). Luke MacDonald of Brigham Young University makes the hypothesis in his article *Do Campaign Finance Laws Influence Legislator Voting?*

Super PACs and Voting Behavior in the 111th Congress that legislators will vote differently on the same issue if he or she received a significant amount of Super PAC money. By using roll call votes from the 111th Congress and FEC data on Super PAC donations MacDonald found that representatives' votes significantly differed after 21 January 2010 compared to before the Citizens United v. FEC ruling. There was a 12% difference in voting patterns amongst House members who received significant amounts of Super PAC money in their respective elections. Candidates rely on these heavy contributions in order to get elected, which unfortunately carries over into their votes as well in order to continue to secure funding. Due to the fact that PACs and Super PACs are pouring in millions of dollars, representatives view their opinions as more valuable than their other constituents who are either low dollar contributors or do not contribute at all (MacDonald 2014).

The truth of the political system within the United States is that candidates with more money often win compared to candidates with less money. Candidates who have access to more money are able to hire more staffers, have more advertising, and travel around their respective districts in order to rally more votes. Doing all of these things within an election is essential to a campaign. Without these big dollars, it becomes extremely difficult for candidates to expand their outreach and secure a win. For instance, in the state of Washington, the cost of keeping a congressional member in office is about $275,000 (Bingham 2017) and the average house candidate who won a seat in 2012 received an average of $1,689,580 in campaign contributions (Frumin 2013) Candidates in 2012 who are running for US Senate received $10,476,451 (Frumin 2013) in campaign contributions and the average cost of the race was $10.2 million (Evers-Hillstrom 2020). Most recently, in the 2022 North Carolina election, Democratic candidate Cheri Beasley has raised $33.9 million and spent $30.8 million as of October 19th. The Republican candidate, Ted Budd, has raised $12.5 million and has spent $12.4 million. For District 50 of the North Carolina House, Democratic candidate Renee Price has spent $30,032 and the Republican candidate, Charles Lopez, has spent $2,713 (Marques 2022). As demonstrated, it takes a ton of money to run for congressional office no matter if you are running on the federal, state, or local level. Candidates take money from where they can in order to secure as much outreach as possible, which is where Super PACs and PACs tend to come into play.

The 2010 ruling has shifted American politics drastically along the top 1% to have more of an influence not just on campaigns, but also having a say in how representatives vote. Thomas Ferguson, Paul Jorgensen, and Jie Chen write in *How Money Drives US Congressional Elections*, "Income inequality has soared and the system has become so dysfunctional that even many affluent voters are in revolt, as racial and ethnic cleavages are intensified by economic breakdown. Statistical studies of the subset of public policies that have drawn enough long term attention from pollsters to permit tests show that ordinary Americans have essentially no influence on public policy when their preferences run counter to those of the rich" (Ferguson,

Jorgensen and Chen 2016). Due to decisions like Citizens United v. FEC and the presence of dark money, United States' citizens are feeling discouraged from voting and feel as though their representatives do not have their best interests since they do not have unlimited money to spend and feel as though their vote will not matter. As Oguzhan Dincer and Burak Gunalp point out in their article, *Corruption and Income Inequality in the United States*, "Economics, sociology, and political science literatures identify several factors causing corruption. Here, we would like to talk about three of those factors that apply to the United States: voter turnout, education, and the lack of representation of women in public office" (Dincer and Gunlap 2011). By having corrupt campaign finance laws, why would people feel inclined to vote when they feel as though their vote does not count for anything? Voter turnout is plummeting because many people feel as though they do not have a say of what happens in their governmental system. This has led to protests since the decision in 2010, such as one in 2015, that disrupted Supreme Court proceedings. People came to the Supreme court and shouted things such as "one person, one vote," "we are the 99 percent," and "money is not speech" (Barnes 2015). Citizens feel frustrated and fear that democracy is being devalued within the United States and their complaints are not being taken seriously.

As Ferguson, Jorgensen, and Chen write, "We think it is time that social scientists stop pushing the equivalent of the Ptolemaic solar system and recognize what everyone else does: that we live in a money-driven political system" (Ferguson, Jorgensen and Chen 2016). Within the political science realm, this idea of dark money has been continuously overlooked as it is easier to play into the idea of Super PACs and PACs versus standing up for the people that cannot spend thousands of dollars to elect their officials, but still deserve to be represented. Additionally Ferguson, Jorgensen, and Chen make the argument that "if it turns out that the US has entered a Post-Democratic age, the situation will not be improved by social scientists behaving like ostriches. It is time economics, political science, and history recognize the reality of industrial and financial blocs within parties and acknowledge money's powerful effects on elections" (Ferguson, Jorgensen and Chen 2016). By continuing to go down this path where corporations have an unfair advantage in America's political system, citizens will continue to feel unrepresented and their voices will continuously get minimized. Issues that are important to low income individuals often get pushed aside to give tax breaks to the top 1%. For instance, in 2017, President Trump signed into law the Tax Cuts and Jobs Act (TCJA) which cut the corporate tax rate and benefited corporations and wealthy Americans. The TCJA lowered corporate tax revenue for the 2019-2020 cycle from $668 billion to $519 billion (Hendricks and Hanlon 2022). This bill was in effect until 2022 as it proved to only harm average Americans and give more of an advantage to the rich (Watson et al. 2023). Meanwhile, in 2021, cleanup crews in New York City were pushing homeless people off of the streets and throwing away their belongings by order of the mayor, Bill de Blasio (Newman and Hongh 2021). According to a study conducted by Grant Suneson and Samuel Stebbins of USA Today in

2019, the United States was ranked 9th overall for having the widest gap between the rich and the poor. This report shows that of the 325.1 million Americans, an estimated 17.8% live below the poverty line. Additionally, the report also uses the Gini scale which measures inequality from 0 to 1, where 0 represents perfect equality and 1 represents extreme inequality. The United States produced a Gini coefficient of 0.39, only further highlighting the extreme inequality present in the nation. The difference in priorities shown by representatives of the local, state, and federal level and the huge difference in the wage gap illustrate how America's government system has truly become a system for the rich instead of equality for all (Suneson and Stebbins 2019). As Geoghegan points out, dark money has allowed certain individuals to create a "pernicious way in which undeclared corporate donations buy privileged access to the political system" (Geoghegan 2021). By allowing this type of corruption to happen, it has allowed a small group of asset owners to have the resources to bribe government officials to increase their own assets further which causes the "haves" to benefit and the "have nots" to be burdened (Dincer and Gunlap 2011).

The good news is that this problem is fixable. Many candidates nowadays recognize the harm that dark money has caused in America's electoral system. Many representatives are now running on the basis of rejecting PACs and big money. For instance, in the 2018 election, Democrats were widely successful in their approach of rejecting PAC money as 27 of the seats won were from candidates who only took money from individual donors. This was also seen on the local and state level in cities such as New York and Los Angeles (Vakil 2020). Additionally, in 2016 and 2020, Senator Bernie Sanders openly rejected PAC money and sought to only accept money from small donors. Despite Sanders not winning the Democratic bid in either election, he has rallied a big group of supporters and has shown other candidates that you do not need to accept dark money in order to be successful (DeanTeam 2020). Although the presence of dark money has caused people to believe that their vote does not matter, it actually matters now more than ever. By supporting candidates that reject the presence of big money, it sends a message to representatives at the local, state, and federal level that people are demanding change. By exercising the right to vote and speak to representatives about important issues like this, it will bring a voice back to the other 99 percent of Americans. The American political system is definitely broken, but it is capable of being fixed. By demanding that candidates stop accepting dark money, the United States is taking the first step towards economic equality by allowing every citizen to have a voice in the governmental system.

References

Barnes, Robert. 2015. "Citizens United Protesters Disrupt Supreme Court Session." *The Washington Post* .

Bartels, Larry M. 2008. *Economic Inequality and Political Representation*. Princeton University Press.

Bingham, Worth. 2017. "Our Costly Congress." *Nieman Foundation* .

Citizens United vs. The Federal Election Committee. 2010. *Oyez* .

DeanTeam. 2020. "The Bernie-Trump Legacy: Rejecting Corporate PAC Money.".

Dincer, Oguzhan C. and Burak Gunlap. 2011. "Corruption and Income Inequality in the United States." *Contemporary Economic Policy* 30(2).

Evers-Hillstrom, Karl. 2020. "More Money, Less Transparency: A Decade under Citizens United." *OpenSecrets* .

Ferguson, Thomas, Paul Jorgensen and Jie Chen. 2016. "How Money Drives US Congressional Elections." *Social Science Research Network* .

Frumin, Aliyah. 2013. "How much does it cost to win a seat in Congress? If you have to ask..." *MSNBC* .

Geoghegan, Peter. 2021. *Democracy For Sale: Dark Money and Dirty Politics*. Apollo.

Hendricks, Galen and Seth Hanlon. 2022. "The TCJA 2 Years Later: Corporations, Not Workers, Are the Big Winners." *Center for American Progress* .

Lee, Chisun. 2016. "Dark Money." website.

MacDonald, Luke. 2014. "Do Campaign Finance Laws Influence Legislator Voting? Super PACS and Voting Behavior in the 111th Congress." *Sigma: Journal of Political and International Studies* .

Marques, Lucy. 2022. "How Much Money Are Candidates for Federal and State Legislative Races Spending?" *The Daily Tar Heel* .

Newman, Andy and Nicole Hongh. 2021. "New York Is Pushing Homeless People off the Streets. Where Will They Go?" *The New York Times* .

OHCHR. 1996. "About Democracy and Human Rights.".

OpenSecrets. 2023. *"What is a Pac?"* .

Suneson, Grant and Samuel Stebbins. 2019. "These 15 Countries Have the Widest Gaps between Rich and Poor." *USA Today* .

Vakil, Keya. 2020. "The 'No Corporate PAC Money' Movement Is Growing. It Could Help Democrats Flip the Senate." *Courier* .

Watson, Garrett, Erica York, Cody Kallen and Alex Durante. 2023. "Canceling the Scheduled Business Tax Increases in Tax Cuts and Jobs Act." *Tax Foundation* .

Injustice

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Artist Statement

This digital piece is meant to capture the meaning of human rights. It can be interpreted in many different ways among many different people. So that is the challenge, to create something can deliver a powerful message while also being respectful. I want this to show that every man women and child deserves justice to their way of life. Who else in the world represents justice than lady Justice herself, showing that there is always balance. However that balance can be altered by our actions, and by our fellow man. And if we are not careful, we could be our own destruction, and there will no longer be any balance. Or even justice.

Suffrage in The United States: On Voting Rights and Intersectionality

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Abstract

Feminist organizing in the United States was initially focused on suffrage for the white woman's right to vote, thus excluding all people of color. This paper explores if there is currently a movement to expand voting rights with a greater emphasis on intersectionality and if modern movements constitute a third reconstruction, which Reverend Dr. William J. Barber II wrote about in his autobiography, *The Third Reconstruction: How A Moral Movement Is Overcoming the Politics of Division and Fear*. This paper also examines how organizing efforts in the United States have led to an overall increase in inclusivity regarding voting rights movements. Lastly, this paper examines voting rights issues present today that are both triggered and solved by the intersection of race and gender.

In *The Third Reconstruction: How A Moral Movement Is Overcoming the Politics of Division and Fear*, civil rights activist Reverend Dr. William J. Barber II reflects on his personal experience leading the Moral Monday movement in 2013 (a series of protests that addressed issues such as voting restrictions and racial inequality in North Carolina). Additionally, Barber calls for a third reconstruction (Reverend Dr. William J. Barber II 2016) that builds off of the first one which occurred after the Civil War from 1865 to 1877 and a second during the Civil Rights movement from 1954 to 1968. A third reconstruction would seek to further combat social, political, and economic injustice. Barber presents how he brought together a diverse movement of people battling racial and economic injustices and he makes a powerful call to action to inspire a moral movement and a third reconstruction.

In the chapter, *My First Fight*, he recalls his experience with an attempt to organize a union of workers at a textile factory in the small rural town of Martinsville, Virginia. Unfortunately, the union failed to gain support from other pastors in the area. Barber reflects that the reason for their defeat was the division between Black and white pastors resulting from a lack of a coalition to support the movement among the moral leadership. This experience sparked Barber's fusion coalition rooted in moral dissent to unite a movement of people with shared values

of justice. The Moral Monday fusion coalition was interconnected through groups such as the impoverished, LGBTQ+, women, interfaith groups, and communities of color that united to protest conservative environmental laws in the North Carolina State Legislature in 2013. Previous movements suffered because they did not bring together a fusion coalition as successfully as Barber's Moral Monday movement.

Looking at the history of voting rights specifically, women, and women of color, have often been excluded from the process and have needed to organize grassroots efforts for equal rights. In 1851, Sojourner Truth delivered a speech at the Women's Rights Convention in Akron Ohio, which purportedly addressed the lack of intersectionality regarding women's rights (Sojourner Truth Memorial Committee 2023). Truth addressed the criticism of liberal feminism, which is that it focused on the rights of white women in voting, not other groups of women. According to some later accounts, in an excerpt, Truth declared,

> May I say a few words? I want to say a few words about this matter. I am a woman's rights. I have as much muscle as any man, and can do as much work as any man. I have plowed and reaped and husked and chopped and mowed, and can any man do more than that? I have heard much about the sexes being equal; I can carry as much as any man, and can eat as much too, if I can get it. I am as strong as any man that is now. As for intellect, all I can say is, if women have a pint and man a quart - why can't she have her little pint full? (Sojourner Truth Memorial Committee 2023)

Truth's speech reveals the double standard between black and white women addressing issues of slavery and racial injustice. Truth focused on the lack of intersectionality in the fight for women's rights, specifically, referring to the lack of inclusion of women of color.

The passage of the 19th amendment in 1920, while expanding women's suffrage, simultaneously continued to exclude minorities from voting. In "Intersectionality and Voting Rights," Associate Professor of Women and Gender Studies at the University of Colorado Boulder, Celeste Montoya, explores how race and gender influence voter turnout through national surveys and demographic turnout statistics. Using historical data, a correlation is revealed between race, gender, and likelihood to vote. Montoya explores reasons for not registering to vote and reasons for not voting, breaking down by race and gender. Ultimately, she writes that the "full realization of voting rights means identifying and removing any and all obstacles so that there is nothing to overcome" (Montoya 2020).

In "Voting Rights, Anti-intersectionality, and Citizenship as Containment," Assistant Professor of Rhetoric and Writing at the University of Texas Austin V. Jo Hsu suggests that the suffrage movement for the 19th amendment was anti-intersectional, arguing that marginalized groups, including groups defined by race, gender, sexuality, and disability, continue to face voting rights issues (Hsu 2020). They also explore how voting requirements in legislation

are considered imperialist rhetoric because one must be considered a citizen to vote, which excludes several minorities, especially indigenous groups who face language barriers, inconvenient polling locations, and tribal IDs are often not accepted.

Building on the fight and passage of the 19th amendment, the civil rights movement furthered the expansion of voting rights and infusion of intersectionality. Fannie Lou Hamer, an activist who also co-founded the Mississippi Freedom Democratic Party (MFDP) (Encyclopedia Britannica 2023), led feminist organizing efforts and became one of the most essential voices in the civil rights era. In a campaign speech, Hamer said, "If I'm elected as a congresswoman, things will be different. We are sick and tired of being sick and tired. For so many years, the Negroes have suffered in the state of Mississippi. We are tired of people saying we are satisfied, because we are anything but satisfied (Brown 2017)." Engraved on her tombstone, this became her most famous quote about activism in the South. Hamer was crucial to leading voter registration programs in Mississippi in 1964, which mobilized a Democratic base in a traditionally conservative state. After that, Hamer began a voter registration program in South Carolina to mobilize Black women (National Women's History Museum 2017). Then, in the heat of the civil rights movement, Hamer founded the MFDP in 1964 to counter racial discrimination in the local Democratic Party and provide an alternative avenue for like-minded Democrats.

More recently, Representative Stacey Abrams has led efforts to increase voting rights to combat voter suppression legislation through organizing in Georgia. In an interview with National Public Radio, Abrams reflected on leading the organizing efforts, which flipped Georgia to Democratic control in the 2020 Presidential and Senate elections (Chang 2021). To accomplish organizing efforts, Abrams has fought against anti-voting rights legislation through voter registration and "Get Out the Vote" efforts, which has led to historic turnout and changes in election outcomes. Abrams' work serves as an example of the emergence of a third reconstruction.

In addition to recent electoral outcomes, current expansion and contraction of voting rights is relevant to examine this emergence. According to the Brennan Center for Justice, which is the public policy institute of the New York University School of Law known for progressive policy, there were 47 states with a total of 361 restrictive voting bills in March 2021, which have dramatically increased since the November 2020 elections. At the time, from January-March 2021, the center wrote that "Five restrictive bills have already been signed into law. In addition, at least 55 restrictive bills in 24 states are moving through legislatures: 29 have passed at least one chamber, while another 26 have had some sort of committee action (e.g., a hearing, an amendment, or a committee vote (Brennan Center for Justice 2021)." Overwhelmingly these bills have attempted to restrict early voting hours, absentee voting, disability access, and election day registration. The successful bills focused on placing restrictions on voter identification laws and limiting early voting hours. Still more pushed for voter ID at

the polls, voter purging, and poll watching.

The Georgia State House of Representatives passed a bill after the 2020 election, which put restrictions on early voting hours: *The Election Integrity Act of 2021.* According to the bill, "Creating a definite period of absentee voting will assist electors in understanding the election process while also ensuring that opportunities to vote are not diminished, especially when many absentee ballots issued in the last few days before the election were not successfully voted or were returned late (The General Assembly of Georgia 2021)." This is relevant because there is a backlash to the surge in absentee voting due to the COVID-19 pandemic. Despite the increasing number of absentee voters, Georgia's legislature decided to limit the amount of time in which someone can request an absentee ballot. This bill also adds new voter identification rules for absentee voters. According to the bill, "Any person applying for an absentee-by-mail ballot shall make an application in writing on the form made available by the Secretary of State. To confirm the identity of the voter... and the number of his or her Georgia driver's license or identification card (The General Assembly of Georgia 2021)." There is a process to request an identification card for individuals without a driver's license, however, the bill is restrictive and creates additional hurdles for voters due to the lack of accessibility of voter identification cards. The bill did include some expansive measures such as adding additional hours for early voting.

While Mississippi, where Hamer organized, has historically held some of the nation's most restrictive voting laws, recently voters have overturned a law which disenfranchised Black voters (Shafer 2021). The Mississippi Plan of 1875 was particularly discriminatory, enacting laws like segregation. This law has gained attention because new voting rights laws had similar effects as literacy tests and poll taxes, both outlawed in the 1965 Voting Rights Act. In a 2021 Washington Post article, "President Joe Biden and others warn that Jim Crow-style disenfranchisement is resurfacing in efforts by Republican legislatures in Georgia, Texas and other states to restrict voting. The moves are in response to former President Donald Trump's false claims of widespread voter fraud in the 2020 presidential election. Republican Gov. Brian Kemp denies Georgia's new law is discriminatory, but many will disproportionately affect areas where large turnouts by African American voters in 2020 helped Biden and two Democratic senators win (Shafer 2021)."

Mississippi, specifically, introduced a bill that would prohibit voter purging, which is a way of cleaning up voter registration lists, although the bill, HB 388, failed to pass. Per the bill's introduction, it sought to "prohibit purging names from the Statewide Elections Management System 120 days or less before the date of any election (Mississippi Legislature 2020)." Even with the failure to pass it, Mississippi can still purge voters from their rolls who are inactive. The discriminatory effects of this are removing people who may not have voted in the last election but who want to vote moving forward, therefore, requiring them to re-register to vote to be eligible shortly before the election.

In North Carolina, the issue of election maps has been a heated debate in the state legislature. Republicans in the state have been accused of partisan gerrymandering, which is the process of drawing districts to benefit a particular political party, continuing North Carolina's long history of racial gerrymandering (Tiberii 2019). The 2020 electoral maps were declared unconstitutional by the State Supreme Court. Therefore, the State Legislature was required to draw new congressional districts for the election and these districts will be drawn again following the election. According to former United States Attorney General Eric Holder, many believe that the new mapping "simply replaces one partisan gerrymander with a new one (Tiberii 2019)." Although this is not directly related to barriers to voting, the electoral maps do have a significant influence on the outcome of elections and where people can vote in what districts. Further, the North Carolina Supreme Court recently disputed the use of voter identification requirements prior to the 2020 election. The Voter Identification Law was struck down by the Court due to "racially discriminatory intent (Doran 2020)," deciding that non-white voters could be harmed by the voter identification requirement. These requirements harm voters who have little time to vote because of how difficult it is for working people and single parents to vote during a limited time frame. Intersectional voting rights continue to be an issue, especially in many southern states like Georgia, Mississippi, and North Carolina, where organizers have attempted to combat voter suppression through fusion coalitions like the Moral Monday movement. More recent voting rights legislation and Abram's work in Georgia may serve as evidence that there is currently a push towards the third reconstruction led by Black feminist organizers.

Reverend Dr. William J. Barber II, in an interview with People Magazine about the COVID-19 pandemic and racism after the murder of George Floyd, stated that pandemics naturally hit "people in the fissures: the poor, the low wealth, black, brown, poor white communities, native communities, first nation communities (People Magazine 2020)." On the issue of systemic racism, Barber warns that "if we are going to deal with racism, we cannot be a society that just talks about racism when somebody is shot, or somebody has a knee on their neck. Then we talk about it a little while and it goes on. We must look at racism and classism (People Magazine 2020)." Ultimately, Barber concludes that people need to come together to combat issues like racism and classism, which have been highlighted by the pandemic.

A group of three Black feminist organizers, Alicia Garza, Patrisse Cullors, and Opal Tometi, created a project called *Herstory* focusing on Black women's political equality as part of the Black Lives Matter movement (BLM). After the death of George Floyd, BLM became one of the largest movements in the history of the United States (BlackLivesMatter 2020). This movement began in response to the 2013 acquittal of Trayvon Martin's murderer, George Zimmerman, and the movement turned out half a million people from May to August of 2020, though protests which still occur nationwide. This, along with Abrams' political organizing in Georgia, serves as evidence of an emerging third reconstruction as the movement has brought

about one of the largest fusion coalitions to combat racism.

In conclusion, Barber's book demonstrates the need for intersectional movements, and he also prompts the idea of a third contemporary reconstruction. Currently, a third reconstruction is emerging through the work of Black feminist activists who have led the way for inclusive grassroots organizing, successful attempts to achieve basic rights such as voting, and full equality is more plausible. The fight for accessible voting rights reinforces this reconstruction as the modern suffrage movement is more inclusive of people of color and the right to vote whereas previous voting rights movements in the 1900s were centered on white women's right to vote.

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References

BlackLivesMatter. 2020. "Herstory.".
URL: *https://blacklivesmatter.com/herstory*

Brennan Center for Justice. 2021. "State Voting Bills Tracker.".
URL: *https://www.brennancenter.org/our-work/research-reports/state-voting-bills-tracker-2021*

Brown, DeNeen L. 2017. "Civil Rights Crusader Fannie Lou Hamer Defied Men and Presidents Who Tried to Silence Her." *The Washington Post* .
URL: *https://www.washingtonpost.com/news/retropolis/wp/2017/10/06/civil-rights-crusader-fannie-lou-hamer-defied-men-and-presidents-who-tried-to-silence-her*

Chang, Ailsa. 2021. "Stacey Abrams On Why Securing Voting Rights Is As Necessary Now As In The Past." *NPR* .
URL: *https://www.npr.org/2021/03/02/973067859/stacey-abrams-on-why-securing-voting-rights-is-as-necessary-now-as-in-the-past*

Doran, Will. 2020. "NC Republicans Lose 2020 Court Battle on Voter ID Lawsuit." *The News and Observer* .

Encyclopedia Britannica. 2023. "Mississippi Freedom Democratic Party.".
URL: *https://www.britannica.com/topic/Mississippi-Freedom-Democratic-Party*

Hsu, V. Jo. 2020. "Voting rights, anti-intersectionality, and citizenship as containment." *Quarterly Journal of Speech* 106(3):269–276.

Mississippi Legislature. 2020. "H.B. 388.".

Montoya, Celeste. 2020. "Intersectionality and Voting Rights." *PS: Political Science & Politics* 53(3):484–89.

National Women's History Museum. 2017. "Fannie Lou Hamer (1917-1977).".
URL: *https://www.womenshistory.org/education-resources/biographies/fannie-lou-hamer*

People Magazine. 2020. "Roiled by Racism & Pandemic, Rev. Dr. William J. Barber II Says 'the Only Way We Make It Through Is Together'.".
URL: *https://people.com/human-interest/reverend-dr-william-j-barber-ii-on-coming-together-during-pandemic*

Reverend Dr. William J. Barber II, Jonathan Wilson-Hartgrove. 2016. *The Third Reconstruction: How a Moral Movement Is Overcoming the Politics of Division and Fear*. Beacon Press.

Shafer, Ronald G. 2021. "The Mississippi Plan to Keep Blacks from Voting in 1890." *The Washington Post* .
URL: *https://www.washingtonpost.com/history/2021/05/01/mississippi-constitution-voting-rights-jim-crow/.*

Sojourner Truth Memorial Committee. 2023. "Her Words: Sojourner's Words and Music.".
URL: *https://sojournertruthmemorial.org/sojourner-truth/her-words*

The General Assembly of Georgia. 2021. "S.B 202." *The House Special Committee on Election Integrity* .
URL: *https://www.legis.ga.gov/api/legislation/document/20212022/201121*

Tiberii, Jeff. 2019. "Democrats Could Gain At Least 2 House Seats Under New N.C. Redistricting Plan." *NPR* .
URL: *https://www.npr.org/2019/11/15/779727150/democrats-could-gain-at-least-2-house-seats-under-new-n-c-redistricting-plan*

“M” – Intimus Violentia

Mars Denyer

University of North Carolina, Asheville
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I am who I am
But who am I?

These words slip past me
Breathing commonly
As evidence
Of her severance
From past malevolence

Stillness behind locks
During ticking arms of clocks
The Chaplain knocks
Bidding the unwilling
Persistently picking
While on dark roads driving
Surreptitiously Sinking
Shrinking
    Unzipping
        Fully stripping

Don’t look at me look at him

Counting with the eraser
Lines drawn on paper
Clothes still escape her
God’s Holy Acre

The performance is done
Time for sleep has come
But where is a bed
To safely rest her head
    Can I sleep here tonight?
    Can I sleep here tonight?

Time passes and revisits
    Late night visits
    Hugs and kisses
    More often than not
    Ended up a wishful thought

Worn cotton clothes
Juxtaposed
With the overexposed
Of torn pantyhose
Time to recompose
    At the foot of your bed
    On the wood grain floor
    Or outside the front door
There is not a pup
In the dog’s bed balled up
And cardboard pieces
In cold garages ceases
To be the only place
To rest her face
Tears shed as aforesaid
    May I sleep here tonight?
    May I sleep here tonight?

During times of slumber
One can disencumber
The identification number
Bestowed since younger
Refuge in reprieve
Tell them that we’ve
Been able to achieve
A sweetness in the naive
Before we eventually grieve.
        My name is my name
        But no longer is it the same