

# **Columns: The Mary Washington Humanities and Social Science Journal**

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# **C O L U M N S**

UMW HUMANITIES JOURNAL

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## Letter From the President

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Dear Reader,

This publication marks four full semesters of *Columns*! Over the past two years, *Columns* has grown tremendously. We began as an idea from our founders, Kathleen Gruber, Erin Mahoney, Liam Kiely, and Ricky Munoz, and have slowly expanded over the years. I am beyond grateful for the foundation previously established and the current passion and dedication of our members. Our editorial and executive boards are vital to the success of *Columns* through planning events, promoting the journal, working one-on-one with authors, and more! Their passion for scholarship and commitment to growth have made *Columns* possible. Please read more about each member at the end of this publication.

*Columns* remains UMW's only research journal and each semester continues to show the academic excellence of students both from our published authors and board members. Our publications combine unique topics from a diverse range of disciplines, which reflects our mission of broadening perspectives and inspiring new ideas. This issue marks the most expansive one yet, covering an assortment of subjects in various disciplines. As always, we hope these unique studies entice you to explore new topics and perspectives.

It has truly been a privilege and honor to serve as president during this time, especially with our amazing and inspiring members. I transferred to UMW in Fall 2022, meaning *Columns* and I have mutually called the campus home for the past four semesters. While my time at UMW comes to a close, I am confident that current and future students will continue passionately expanding the journal. I look forward to seeing the incredible advances and accomplishments that lay ahead for *Columns*.

Thank you especially as a reader for supporting *Columns*, which reflects a commitment to student scholarship, research, and curiosity. As *Columns* has impacted and inspired me, it will continue to do so for readers, authors, board members, and anyone who is privileged enough to engage with this journal.

With deep gratitude and warm regards,  
Emily Nolan

# Conceptualizing Pillars of Identity: An Ethnographic Field Study of International Students at the University of Mary Washington

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Advised by Dr. Eric Gable

For ANTH 298: Ethnography

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## *Abstract*

Visas, international conflict, and language barriers are only a few of the hurdles international students must face to earn a college degree in the United States. However, does this process of pursuing an international education change the students' conceptualization of their identity? This paper will summarize participant observations and interviews conducted with international students and faculty at UMW in order to parse the relationships, patterns, and reasonings behind the pursuit of an international degree by these students and how that influences the conception of their identity or identities.

**Keywords:** Ethnography, International Education, Identity, Higher Education

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## **Introduction**

The United States is the largest harborer of international students in higher education, attracting 948,519 international students during the 2021/2022 academic year.<sup>1</sup> What causes this emphasis on international education? Why would American institutions of higher learning strive to attract students from other

countries? Why do international students work toward a degree in the United States, and why do they stay?

Before delving into the research itself, it is imperative to define a few key terms associated with this research. This type of research, ethnography, is defined as "The study and systematic recording of human cultures."<sup>2</sup> Thus, in an anthropological sense, culture "Is understood as the dynamic and

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<sup>1</sup> "IIE Open Doors / Enrollment Trends."

<sup>2</sup> "Ethnography Definition & Meaning - Merriam-Webster."

evolving socially constructed reality that exists in the minds of social group members.”<sup>3</sup> The primary discussion of this paper lies in the concept of identity, which directly connects with one’s culture. In this study, the analysis of identity deals almost exclusively in the realm of comparison, otherwise known as the *construction of difference*. This construction of difference, defined as “A categorical system used to artificially define people,”<sup>4</sup> is represented by the model that Evans Pritchard proposes during his ethnographic study of, the Nuer, a tribe in Africa, in comparison to their cultural rivals, the Dinka.

This paper will thus summarize participant observations and interviews conducted with international students and faculty at the University of Mary Washington (UMW) to parse the relationships, patterns, and reasonings behind the pursuit of an international degree by these students and how that influences the conception of their identity or identities. The paramount discovery of this research resides in the idea of a dual concept of identity. This theory manifests itself within the international students at UMW through an inner dichotomy between their sense of self in their country of origin versus their sense of self in the United States.

## Background & Methods

During the Fall of 2023, I partook in a class titled, *ANTH 298 Ethnography*. The purpose of this class was to prepare Anthropology majors in the ways of ethnographic fieldwork. It was colloquially called *Anthropology Boot Camp* by current undergraduates, as the class provided a solid basis needed for Anthropology students. For the corequisite course, *ANTH 299 Arguments*

*in Anthropology*, my class had been assigned several books to read by prominent Anthropologists. These books detailed ethnographies of Japanese culture, the Nilotic people called the Nuer, and the globalization of sugar. The subjects of these tomes, often called ‘natives’ or ‘native population,’ are presented within the frameworks of ontology, geography, social structure, and others. Names like Benedict, Evans-Pritchard, Mintz, Mead, and Boas frequented our class discussions; their work providing examples of ‘good’ ethnographic research and treatments of ‘native’ populations.

However, Anthropologists, while born out of academia, historically choose not to analyze the very institutions that they graduate from ethnographically. As mentioned previously, Benedict was an American who studied the Japanese. Evans-Pritchard was a British man who studied an African people. Of all of the major Anthropologists I studied in class, none of them provided any nuance on the ethnographic experiences of the institutions of which they have graduated. Hugh Gusterson of George Washington University states that “The anthropological literature on universities is, taken as an ensemble, underdeveloped, scattered, and riddle with blind spots.”<sup>5</sup> The professor of this course, Dr. Eric Gable, provides a phrase to guide one’s Anthropological education; to make the strange familiar and the familiar strange.<sup>6</sup> My ethnographic research, then, would have to rely upon my own thoughts and questions to drive this research from the realm of the familiar into the realm of the strange. That said, a case study geared towards my ‘familiar’ institution seemed only appropriate for an introductory ethnography course as I found my footing within the discipline of Anthropology.

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<sup>3</sup> Hudelson, “Culture and Quality.”

<sup>4</sup> “Summary: The Social Construction of Difference”

<sup>5</sup> Gusterson, “Homework.”

<sup>6</sup> “Why Anthropology?”

UMW has over four thousand combined undergraduate and graduate students enrolled in 2023.<sup>7</sup> In an interview, Dr. Jose Sainz, the Director of the Center of International Education at UMW, estimates that of those four thousand students, fifty of them are international. Hearing this caused me to question how, out of four thousand students, was I able to come in contact with so many international students? What was the common denominator between me, a domestic student, and all of these students I knew from other countries? These questions piqued my interest in the way that curiosity tends to; incessantly. Thus came the proposal for this ethnographic case study.

After establishing my ‘native’ population, reviewing relevant research helped ground the background of this study. As mentioned earlier, the United States has the largest population of international students in higher education;<sup>8</sup> but *why*? Why does the United States wish to attract international students, and why does UMW seem to follow that same rhetoric? Simply stated, as the poster child country of immigrants, the United States has a vast range of diversity, given that this country was founded on immigration. That said, “A key part of sustaining this diversity involves supporting, investing in, and welcoming international students to college campuses.”<sup>9</sup> In the simplest of terms, the average American university seems to emphasize international education as a way to reflect the broader diverse American population. While this perspective was not confirmed by the faculty of UMW verbatim, it can be assumed through the University’s marketing slogan,

*You Matter*, that UMW falls in line with this American emphasis on diversity.

Finding relevant scholarship on international education at broader institutes of higher learning proved more difficult than I initially thought. In the fall of 2013, Illinois State University conducted a study called, *An Ethnographic Portrait of International Students*.<sup>10</sup> Similar to my case study, this ethnography was led by undergraduate students for an Anthropology course. While these similar case studies exist, most of the scholarship available analyzes international students from a single country or language. For instance, an ethnography was conducted in 2003 about the experiences of Latino and Spanish-speaking international students.<sup>11</sup> There was an ethnography published in 2011 that focused on the experiences of Asian women international students.<sup>12</sup> Further, in 1996, there was an ethnography published on the Hungarian international student experience at St. Cloud State University.<sup>13</sup> While scholarship specific to certain nationalities and ethnicities provided significant context, it proved less helpful in my pursuit of understanding the broader international experience at UMW.

My initial observation for this study stemmed from a large meeting hosted by the UMW Residence Life & Housing department, or *ResLife* on September 7th, 2023. This meeting consisted of Professional Staff members of the *ResLife* department and the students who work under them; the Resident Assistants. The team of Resident Assistants consists of almost eighty undergraduate students, almost a quarter of them being international students. My observations during this meeting helped

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<sup>7</sup> “About Us.”

<sup>8</sup> “IIE Open Doors / Enrollment Trends.”

<sup>9</sup> “International Students Studying in the United States.”

<sup>10</sup> Hunter et al., “An Ethnographic Portrait of International Students.”

<sup>11</sup> Urciuoli, “Boundaries, Language, and the Self.”

<sup>12</sup> Jeyabalasingam, “Women in Transition.”

<sup>13</sup> Anderson-McCoy, “Culture Shocked: An Ethnography of the Hungarian English as a Foreign Language Classroom.”

formulate the subsequent interview questions that I asked my interviewees a few weeks later.

Since the institution of a University is as reflective of the faculty as the students themselves, I decided to start with the main proponent for international education at UMW for my interviews. Dr. Jose Sainz, the Director of the Center for International Education at Mary Washington, jumped at the chance to answer my questions about the department, the international application process, and the university's evolution of diversity. Key quotes from this interview, which took place on October 18th, 2023, are dispersed throughout this analysis.

As mentioned previously, I had already come in contact with many international students at UMW, most of whom I would consider friends. Setting up interviews with these students was relatively easy, especially considering I already had their contact information and was able to set up interview times over text. In order to diversify my 'native' population, however, I asked my international and domestic friends alike if they knew of any other international students who might be interested in my study. That said, of the seven interviews conducted over the course of a month, I only had previous encounters with three of them. While locating interviewees proved simple, limitations arose within the study. The short time span, difficulties with scheduling, and conducting this study independently meant I fell short of my initial expectations for the number of interviews. Of the twenty-one countries that international students at UMW originate from, my interviewees spanned six of these countries of origin.<sup>14</sup> Although I gathered diverse individuals, their experiences cannot represent all international students; perspectives. While this limits the findings, perspectives captured during this

ethnography continue to hold validity and relevance.

## **Analysis: Domestic Conditions & International Relations**

The path toward a degree at UMW stretches further back than campus grounds for these international students. A domestic student will submit their application through the Common Application or the UMW Application. These applications require transcripts, letters of recommendation, and essay(s). According to Dr. Sainz, the application process for international students as compared to domestic students, "Is exactly the same. The only difference is that the student's files are evaluated and then given a conditional acceptance." Once a student receives a conditional acceptance, they must submit proof of finances to the university that shows they can afford to pay the cost of attendance. Only when the proof of finances is received can an international student's conditional acceptance be turned into an official offer letter.

After receiving an official offer letter, Dr. Sainz states, "I use that letter, along with banking information, to issue their immigration document, what is called the I-20." The I-20 is a legal document that details the cost of the university and scholarships unique to the applicant. This document is necessary in the process of international education as it is impossible for a prospective student to apply for a student Visa to legally leave their country and enter the United States without the I-20. The I-20, if granted, will allow an international student four years of legal study in the United States, regardless of their student Visa status. Only then, once the student has acquired their offer letter, banking documentation, I-20, and Visa application can they finally go to their

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<sup>14</sup> "About Us."

country's U.S. Embassy for their Visa interview.

As complicated as this process is, there are other factors that can inhibit or change an international student's application. For instance, Anastasia, a Russian student, could not apply for a student Visa in her own country since the U.S. Embassy in Russia was closed due to the Russo-Ukrainian War. Anastasia applied for a student Visa interview at the U.S. Embassy in Armenia and the U.S. Embassy in Egypt. Eventually, Anastasia had her student Visa interview at the U.S. Embassy in Armenia since the U.S. Embassy in Egypt never responded to her application.

While the I-20 lasts until the students' graduation year, nation-states are not obligated to issue student Visas for that same amount of time. Of the six international students I interviewed, only two countries issued student Visas for the full four years. The students from Russia, Uganda, and Italy were only granted one-year student Visas. Nevertheless, this does not mean that these students are residing in the United States illegally. The I-20 covers a student's legal residence in the United States until they graduate. However, a one-year student Visa means that if the student goes back to their home country after the one-year has expired, they will not be allowed to leave their country again until they renew their student Visa. From the interviews done with these three students, the probability of their country of origin issuing a second, longer student Visa is highly unlikely.

This inconsistency raises the question, why would a country's government only offer one-year student Visas? When I asked this question to the students, their answers were unanimous. Unsteady political relationships between the United States and their country of origin led to the issuing of one-year student Visas. The specific political strife varied from country to country, but the

end result amounted to the same; international students being stranded by their governments of origin due to political turmoil outside of their control.

The first time many of these students stepped foot in the United States was during their move-in day at UMW. On top of studying in a foreign country, with a foreign language and culture, these international students on one-year student Visas must also sacrifice familial ties and visits to their country of origin to study in the United States. Miriam, the student from Uganda, has not been back home since she left for the University two years ago. Miriam stated that she feels "...emotionally dissatisfied..." explaining, "My family is my core, and my family has shaped the person I am today. With time, being at Mary Wash, this university has made me feel at home. I feel like I belong. Mary Wash has filled in the gap that my parents left." Miriam's experience at UMW was not the only interviewee who mentioned UMW feeling like home, especially due to the extreme situation of being stuck with a one-year Visa.

### **Analysis: The Domestic Relationship with the University & Provided Resources**

Technology, like email and Zoom, has greatly facilitated the process of international education and the connection between international students and prospective foreign universities. Dr. Sainz spearheads the communication between international students and provides some of the largest support from Mary Washington to prospective students. However, how does that relationship with the university and the Center for International Education change once the international student arrives on campus, if it changes at all?

The general consensus from my interviewees is that the resources at the

Center for International Education (CIE) are what you make of them. Anastasia, a student from Russia, stated that the CIE will contact her once a year to ask if she plans on leaving the country. Patrick, a student from Ireland, stated that he "...didn't really meet with the CIE until about two to three weeks after (he) got here (on campus)." Patrick also stated that if he had any questions, he would simply email Dr. Sainz instead of visiting the physical CIE office. Diego, a student from Peru, mentioned that the CIE will organize events for international and exchange students during the first few weeks of the fall semester. However, since Diego's application was deferred until the spring semester due to Visa issues, he stated, "During my first semester, I only came here to study, go to classes, that's it. I didn't do that (CIE events) since I started spring semester." In contrast, when asked about the CIE and Dr. Sainz, Pierre, a student from Italy, stated, "Wow, I love that guy! I for sure have an American Dad waiting for me there." Pierre raved about the Director, mentioning that they have lunch together regularly. Miriam also spoke highly of the CIE, mentioning that she has a really good relationship with Dr. Sainz and the other faculty in the department. Miriam stated, "Dr. Sainz baby-stepped me into the whole process. When I have my problems with payment plans or other stuff, I can go to him and talk about it. Or if I just need to talk, he's always there." In essence, while the University offers services to these international students, it seems that the utilization of these resources is contingent upon the student's preference.

When asked about resources the university offers international students, the Financial Aid department was mentioned by every interviewee. Even though international students are considered on par with Out-of-State students, the Financial Aid office can provide different scholarship aid to

international students. Pierre stated "Financial Aid is really helpful sometimes, especially when you make a payment plan, that really helped me. They also helped me find a job here on campus." Given that international tuition, not even considering monetary conversions, is the most expensive kind of tuition, logically this office would be one of the most frequented departments for international students.

Another unanimous resource utilized by these international students is student employment services. Whether it be through Academic Services, Residence Life & Housing, retail dining places on campus, or New Student Programs, every single international student I spoke with had some form of on-campus job. Anastasia stated, "As international students, for us to pay, we don't have a very rich family, so we must work a lot." Clearly, the Center for International Education recognizes this emphasis on international students working during their degree. Patrick mentioned, "Dr. Sainz was super helpful in getting me a job on campus." Similarly, Diego noted, "I talked to Financial Aid, Dr. Sainz, and the James Farmer Multicultural Center. I stayed on campus with three jobs and worked up enough money to pay off the fall semester during the summer."

While not specifically dedicated to international students, many of the interviewees mentioned the James Farmer Multicultural Center as a great resource to them while they were on campus. Named after the Civil Rights activist, the James Farmer Multicultural Center (JFMC) website states, "Our most important goal is to enhance students' educational experiences while here at UMW by increasing awareness and knowledge of diversity issues (for example: cultural, ethnic, intellectual, social) that impact individuals as well as the

community as a whole.”<sup>15</sup> Many of the culture-related clubs on campus refer to the JFMC for their events and social coordination. Of the many culture-related clubs, the interviewees mentioned being members of the African Student Union, the Latino Student Association, the Italian Club, and UMW Students for Justice in Palestine. These students suggested that these clubs helped international students feel more connected and engaged with their culture on campus, as well as finding like-minded students.

Similar to the James Farmer Multicultural Center, many of the interviewees mentioned the Speaking & Writing Center as a resource that they frequented, even though it is not exclusively for international students. The Talley Center was also referenced as a pinnacle resource for the mental health of these international students, although it is also not specifically targeted toward the international population at UMW.

The faculty within the Center for International Education, as well as the university as a whole, strive to provide international students with ample resources during their time on American soil. However, stating that these resources are relevant to all incoming international students is a different assertion entirely. In essence, the relationship between the university and the international student, once they have arrived on American soil, is one that is almost exclusively student-initiated.

## **Analysis: Language Barriers & Food**

For many of the interviewees, language barriers created issues as small as nuisances to genuine feelings of inadequacy.

Anastasia mentioned, “It’s not like I don’t like to talk to people, but because of the language barrier, I tend to be shy.” Diego, a student from Peru, stated a similar feeling, saying “I struggle, mostly with communicating with other people that I don’t know, mainly because of the language.” Whether stemming from the personal struggle with English of the international student or the misunderstandings from the American student, these language barriers provide tangible issues to international students and their ability to assimilate into the UMW community.

As a general theme, these interviewees mentioned that even completing coursework can be difficult at times due to translation issues. Pierre, a student from Italy, said that he never had to do citations in Italian school. He explained, “We don’t have such thing (citations) in Italy. I struggled with plagiarizing without even knowing it. It (citations) was something completely different and new to me.” However, despite these academic and linguistic issues, resources exist to aid these students in their academic success. As mentioned previously, many students quoted the Speaking & Writing Center as a paramount resource to aid in the completion of their coursework even through the language barrier.

In terms of sustenance, most of the interviewees mentioned their aversion to the popular styles of food in the United States. “The food here is so greasy,” one interviewee stated. “Unhealthy,” and “fake” were also words used to describe the food in America. One student even mentioned how economically charged our lives are as consumers, stating, “You can get the ‘good’ healthy food, but it is much more expensive, so I can only really afford the cheap greasy stuff.” Similarly, Patrick, a student from Ireland, mentioned, “It’s so corporatized

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<sup>15</sup> “James Farmer Multicultural Center - James Farmer Multicultural Center.”

here. Highways of fast food and franchises and chains everywhere, and nothing is family owned." Thus, the American discouragement of mom-and-pop-styled businesses presents international students with a stark sense of cultural shock, given that 'home-cooked' cuisine takes more of a forefront in the cultures of the students I interviewed.

When asked about the Cedric Rucker University Center, known as the CRUC or UC, which houses the only dining hall on the campus of UMW, most of the students referenced the cultural nights the dining staff hosts occasionally. However, the general consensus about these cultural nights is that, try as they might, the dishes lack authenticity. Pierre mentioned, "The food from Italy, or that they (the CRUC staff) call Italian, is not very true to the source." Many of the interviewees mentioned how food was one of the biggest things that reminded them of where they came from and their identity. Thus, a lack of that tie to cuisine can create a potential disconnect from one's culture.

### **Analysis: The Dual Concept of Identity**

Although varying in their personal feelings of place, a majority of the interviewees mentioned a split sense of identity. For instance, there was a difference in who they felt they are in the U.S. in contrast to their country of origin, even if they were disconnected from their country of origin due to a one-year student Visa. Pierre stated, "I feel like I can't really be myself here. People here are different than where I grew up. Not that I'm ashamed of it, but I can't act some part of my culture here." On the other hand, Patrick stated, "I can be the person I want to be while I'm here (at UMW). I'm much happier with the person I am here, in myself. But, when I go home, I go back to my Irish self." In a more roundabout way, Miriam described a personal change as well,

stating, "If my parents could come here, they would see me as a different person in a good way, in a better way than who I was in Uganda." These dynamic senses of place and the need to adopt a second sense of self in a new country characterize the international experience.

These quotes present an interesting pattern of self-conceptualization of the international student's identity. However, this sense of duality in identity can prove to be a unifying force for some international students. Diego stated, "The group of people that I frequent, it's mostly international. Like, being Peruvian lets me make friends since the background is similar to other international or Latino students. It gives me another perspective to seeing things here." In essence, whether it stems from the University or not, many international students hold a dual conception of their identities. This duality, whether explicitly or implicitly, draws international students together under the umbrella of their collectively shared experiences.

### **Conclusion**

The journey I have undergone during this research pales in comparison to the journey these students took to arrive at UMW. However, this ethnographic journey lacks anthropological research in the discipline as a whole, as stated previously by Gusterson. My research provides band aids over these voids of analysis and, hopefully, will spur further questions regarding the treatment and resources provided to international students on American college campuses. Through the study of domestic conditions, relationships with the University, and cultural shocks, I have found that there is no singular box in which a person fits. In Dr. Sainz' words, there is no singular pillar atop which rests one's entire identity. Dr. Sainz frames this outlook on identity, stating, "My

pillars (of identity) are almost like quicksand, always depending on where you are.” This leads me to the paramount point of my findings, through the words of one of my interviewees, “When it comes to school, I am a chemist. When it comes to Visas, I am an international student. When it comes to my friends, I am funny. At the end of the day, I am just a human being trying to take everything from this life.” This analysis of international students at the University of Mary Washington offers a call-to-action to anyone who encounters ‘the strange.’ In order to make the strange, familiar, we must not focus on the individual pillars of one’s self, but rather the very foundation that binds these conceptions of identity.

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# Still Alice: Understanding the Representation of Alzheimer's Disease in Media

ERIN CAINE

University of Mary Washington

Advised by Dr. Elizabeth Johnson-Young

For COMM 378: Health Communication

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## *Abstract*

Dementia is a common neurodegenerative disease that primarily affects the aging population. The disease is characterized by a decline in cognitive skills that impact communication, memory, and sometimes physical abilities. Past research indicates that these changes impact communication and relationships between those with dementia and their family members; furthermore, research indicates that media representation of the illness contributes to a societal stigma and fear of dementia that can make the illness harder to deal with. The purpose of this critical analysis is to examine how the 2014 movie, *Still Alice*, highlights changes in communication and relationships and determine in what ways it adheres to or subverts common stigmatizing frames found in existing dementia media research. This study found that *Still Alice* portrayed significant changes in Alice's communication and memory that ultimately impacted her familial relationships and self-identity. Many of these changes were negative, thus reinforcing the negative stigma surrounding the illness, but the portrayal of positive changes in Alice's relationship with her youngest daughter provides a counter-frame that can work to show people that not all the changes associated with dementia are negative.

**Keywords:** Dementia, Alzheimer's Disease, *Still Alice*, Communication, Family Relationships, Media Representation, Stigma

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## **Introduction**

Dementia is a common neurodegenerative disease that primarily affects aging individuals. Dementia, specifically Alzheimer's disease—the most common type of dementia—negatively

affects the mental and physical processes that are necessary for the motor, memory, decision-making, and communication skills that people use daily. The adverse effects on communication include difficulty recalling words, understanding semantics, and

comprehending others.<sup>1</sup> Additionally, the general decline in critical abilities frequently causes individuals to become gradually more dependent on family members for anything from simple daily tasks to making important medical decisions. These challenges affect communication and change pre-existing roles within the interpersonal relationships between individuals with dementia and their family members. However, dementia patients and their family members are not just faced with changes in their communication and relationships, they are also faced with a stigma that stems largely from negative media representation of the illness.

## Literature Review

Dementia is a communication-debilitating illness (CDI), meaning that it affects the individual's ability to communicate as effortlessly as they did before they started to experience symptoms. Those who experience CDIs report experiencing a decrease in the number of people they communicate and hold interpersonal relationships with because of these changes.<sup>2</sup> Similarly, in a study on perceived communication changes between those with dementia and a family member, those with dementia reported that communication in their close interpersonal relationships had been negatively impacted, both in quantity and quality of conversations. Further, dementia patients openly expressed

that communication had become difficult due to losing the skills associated with word retrieval and understanding meaning. As a result, patients expressed the frustrations they felt at not being able to communicate as they used to and with feeling judged by others. They realized that sometimes how they behave or communicate may not make sense to those around them, making it easy for them to feel misunderstood, embarrassed, and even disrespected. However, many patients found that disclosing their dementia to others helps mitigate these feelings.<sup>3</sup> Therefore, dementia patients understand that dementia is limiting their communication abilities, thus impacting their relationships, yet some patients have found ways to adjust to these changes.

Studies on family perspectives indicate a similar belief that family communication and their relationship with the dementia patient have changed since the onset of symptoms. In the same study by Mansoureh Nickbakht et al., family caregivers of individuals with dementia noted that the patient sometimes uses the wrong words or is otherwise incoherent.<sup>4</sup> They also noticed a connection between decreased memory and communication abilities whereby the patient will repeat the same questions or stories. In a study by Aimee Miller-Ott that was focused on adult children of Alzheimer's patients, children expressed that even though technically they are still

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<sup>1</sup> Aimee E. Miller-Ott, "Just a Heads Up, My Father Has Alzheimer's": Changes in Communication and Identity of Adult Children of Parents with Alzheimer's Disease," *Health Communication* 35, no. 1 (2020): 119, <https://doi.org/10.1080/10410236.2018.1547676>; Mansoureh Nickbakht et al., "Putting 'the Broken Bits Together': A Qualitative Exploration of the Impact of Communication Changes in Dementia," *Journal of Communication Disorders* 101 (2023): 1-2, <https://doi.org/10.1016/j.jcomdis.2022.106294>.

<sup>2</sup> Jennifer J. Bute et al., "Effects of Communication-Debilitating Illnesses and Injuries on Close Relationships: A Relational Maintenance Perspective," *Health Communication* 21, no. 3 (2007), <https://doi.org/10.1080/10410230701307675>

<sup>3</sup> Nickbakht et al., "Putting 'the Broken Bits Together,'" 5-8.

<sup>4</sup> Nickbakht et al., 6.

their parent, the topics and manner of communication are different than what they were before the illness. They felt that they essentially became a parent to their own parent, especially when they must correct their parent's behavior or speak on their behalf in a public or healthcare setting. These changes are often frustrating and overwhelming for adult children of Alzheimer's patients.<sup>5</sup> However, in a different study, Jennifer Bute and others explained that while many participants in their study on CDI expressed the same feelings of frustration and stress explained in Miller-Ott's research, some found helping the individual with the CDI rewarding and were able to appreciate the new relationship they established.<sup>6</sup> In other words, despite participants' agreement that there are at least some changes in their communication and relationship after the onset of a CDI, there are some differing experiences and opinions about whether the changes are positive or negative.

These changes in communication and cognitive abilities that characterize dementia largely contribute to the general stigma surrounding this illness.<sup>7</sup> Johnson et al. found

that the stigmatizing behaviors of pity, social avoidance/distancing, and discrimination are most strongly associated with a perceived worsening prognosis of difficulties speaking, completing their normal tasks, and maintaining their appearance or hygiene.<sup>8</sup> In two separate studies, researchers explored how media representations of dementia and Alzheimer's contribute to this stigma and fear of the illness's symptoms. For example, Flemish children's books utilize metaphors about the illness to describe the patient's perceptions of their illness and the family member's perceptions of the patient's symptoms. The most notable of these metaphors is the comparison to family members with dementia as children and as "gone".<sup>9</sup> In their study on various forms of Belgian media, Van Gorp and Vercruyse identified common framing themes, including: dementia is a slow death that leaves the body as an "empty shell" with no identity, that there is still hope for a cure, and that patients become children to their own children who must take care of them.<sup>10</sup>

There are similarities between these stigmatizing thoughts and the real behaviors and feelings expressed by patients and family

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<sup>5</sup> Miller-Ott, "Just a Heads Up," 4-6.

<sup>6</sup> Bute et al., "Effects of Communication-Debilitating Illnesses," 4-10.

<sup>7</sup> Silke Creten and Priscilla Heynderickx, "Dementia, or Lazy Gnomes Lost in the Dark? The Metaphorical Representation of Dementia in Children's Books," *International Journal of Language Studies* 17, no. 4 (2023).; Rebecca Johnson et al., "The Relative Contributions of Disease Label and Disease Prognosis to Alzheimer's Stigma: A Vignette-Based Experiment," *Social Science and Medicine* 143 (2015), <https://doi.org/10.1016/j.socscimed.2015.08.031>.; Baldwin Van Gorp and Tom Vercruyse, "Frames and Counter-Frames Giving Meaning to Dementia: A

Framing Analysis of Media Content," *Social Science and Medicine* 74, no. 8 (2012), <https://doi.org/10.1016/j.socscimed.2011.12.045>.; Wenqian Xu, "The Stigma of Dementia and the Media: An Analysis of Reality Shows about Older People with Dementia Running a Pop-Up Restaurant," *Journal of Aging Studies* 59 Dec (2021), <https://doi.org/10.1016/j.jaging.2021.100967>.

<sup>8</sup> Johnson et al., "The Relative Contributions of Disease Label."

<sup>9</sup> Creten and Heynderickx, "Dementia, or Lazy Gnomes," 47-49.

<sup>10</sup> Van Gorp and Vercruyse, "Frames and Counter-Frames."

caregivers in Miller-Ott and Nickbakht et al.'s studies, like patients becoming children once again. This indicates that this stigma may contribute to fears of being judged or misunderstood and negative perceptions of their illness. Even though some of these stigmatizing representations may portray the illness accurately, it is critical for media representations of dementia to intentionally create counter-frames by including more positive ideas or images of people living normally with the illness, as this can be possible with some forms of dementia. This can include reframing dementia as a more natural part of aging; highlighting that while being a family caregiver has many challenges, it can bring family members back together in a more meaningful way; and showing dementia patients' continued engagement in communication and social roles, even if it is more challenging or seems more difficult at times.<sup>11</sup>

### *Still Alice*

The 2014 movie, *Still Alice*, based on the book by Lisa Genova, follows Dr. Alice Howland, a linguistics professor who is diagnosed with familial early-onset Alzheimer's shortly after her 50<sup>th</sup> birthday. At the beginning of the movie, she was frequently referred to as highly intelligent by her husband, children, and colleagues. Despite her mostly successful efforts to hide her memory lapses from those around her, the audience begins to see that she is having difficulty remembering small things and has been getting lost. For example, while presenting her research at UCLA, she forgot her speech and blamed it on having too much champagne earlier that day. Alice secretly

went to the neurologist, and after ruling out a head injury, stress, depression, and lack of sleep, the doctor ran memory tests and an MRI. The physical results came back normal, but the memory tests indicated that she may be in the early stages of Alzheimer's disease, despite being much younger than the typical dementia patient.

During her diagnosis process, she finally told her husband about the symptoms she was experiencing and that the doctors believe she may have early-onset Alzheimer's disease. At first, her husband, John, did not believe her because he had not noticed any changes in her cognitive abilities, saying that it is normal to forget things sometimes. However, Alice's fear of this potential diagnosis finally reached the breaking point during this conversation, as she said through sobs, "It's like something just drop-drops out under me... It feels like my brain is [profanity] dying and everything I've worked for in my entire life is going. It's all-all going."<sup>12</sup> After officially being diagnosed, she broke the news to her three kids. The kids had varying reactions: Anna, the oldest, was very emotional; Tom, the middle child, wanted to know about treatment options; and Lydia, the youngest, was calm because she had noticed some of Alice's memory lapses in recent months.

In the early stages of her illness, she attempted to continue her normal daily activities, with her main challenges being word retrieval or doing small things incorrectly, like putting shampoo in the refrigerator. While she initially continued teaching, her declining ability to remember her lesson plans led to negative course

<sup>11</sup> Van Gorp and Vercruyse.; Xu, "The Stigma of Dementia."

<sup>12</sup> *Still Alice*, directed by Richmond Glatzer and Wash Westmoreland (Sony Pictures Classics, 2014): 00:23:34.

reviews from students who all seemed to feel that even she did not understand the material. Once her symptoms became more imposing on her daily life, she created a document with personal questions that she would answer each day. The document directed her to watch a video if she could not answer the questions. In the video, she told her future self to swallow a whole container of sleeping pills that she had hidden. She also began to address her increasingly impending mortality and her worsening prognosis. While visiting her childhood beach house, she expressed her hope that John would take a sabbatical so that they could spend their last year together with her as “herself” and she compared her life to the short lives her mom and sister led, as they both also passed away at an early age.

Her symptoms began to progress increasingly rapidly. For example, when she and her husband had plans, she was distracted as she got ready, couldn’t locate the bathroom, had an accident, and then cried because she didn’t know where she was. Though she was struggling cognitively, she was able to work past her symptoms to present at an Alzheimer’s Association event. In this speech, she succinctly described her feelings toward her illness:

All my life, I’ve accumulated memories. They’ve become, in a way, my most precious possessions... everything I accumulated in life, everything I’ve worked so hard for, now all that is being ripped away. As you can imagine, or as you know, this is Hell. But it gets worse. Who can take us seriously when we are so far from who we once were? Our strange behavior and fumbled sentences changed other’s perceptions of us and our perception of ourselves. We

become ridiculous, incapable, comic. But this is not who we are. This is our disease, and like any disease it has a cause, it has a progression, and it could have a cure...<sup>13</sup>

However, the clearest shift into the later stages of Alice’s symptom progression occurred not long after this speech, when she could not recognize Lydia after watching her act in a play. Her family, aside from Lydia, became uncertain of how much information to tell her out of concern for making her remember things that weren’t necessary. Furthermore, rather than the sabbatical that she was hoping for, her husband accepted a new job offer, causing Alice to realize that he did not want to stay at home and watch her decline. She had a caretaker, as she could no longer be alone, and Lydia moved home when John moved for his new job. By the end of the movie, Alice became almost entirely dependent on Lydia and seemed to have lost much of her ability to speak.

## Discussion

The purpose of this analysis is not to determine the accuracy of this portrayal, as I am not a qualified medical professional. Rather, this study is to understand how *Still Alice* highlights changes in communication and relationships and examine the ways it adheres to or subverts the common stigmatizing framing in representations of dementia as found in my literature review. Alice clearly struggled emotionally with losing her memory and communication abilities, as those had been highly important to her identity. Her plan to overdose on sleeping pills once she lost her important memories showed that she felt that living with her symptoms would be worse than death. Thus, in line with existing research, Alice herself frames her illness as taking

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<sup>13</sup> Glatzer and Westmoreland, *Still Alice*, 1:07:19.

away her identity.<sup>14</sup> She also expressed feeling a stigma about her illness, both in her speech and to her husband shortly after her diagnosis, saying, “I wish I had cancer... No, I do. I mean it. I mean, I wouldn’t feel so ashamed. When people have cancer they wear pink ribbons for you, and go on long walks, and raise money, and you don’t have to feel like some kind of a—I can’t remember the word.”<sup>15</sup> She also mentioned the common framing theme of hope for a cure during her speech, as shown in the quote above.<sup>16</sup> Even though she mentions a few times that she has good days where she knows who she is and what she is doing, the portrayal of a generally rapid decline in cognitive and self-care abilities likely reemphasizes the stigma associated with a poor prognosis.<sup>17</sup>

Alice’s family was unsure how to navigate their changed relationship with her once her symptoms worsened. As mentioned, they kept things from her, like John’s decision to accept a job in a different state. This extended even into small things, like whether telling her the details about when and where Lydia’s play was would cause undue stress. At the end of the movie, John wonders if she believes she is a child again when referring to her seemingly not knowing where she is. He also says, “It’s important to remember who Alice was. She would not want to be a burden.”<sup>18</sup> Not only was Alice still alive when he said this, she was in the room. By referring to her in the past tense, it can be inferred that he believed the Alice he

once knew was gone, a common metaphor used in dementia representation.<sup>19</sup> Alice’s treatment was not a focus of this movie, but there are two instances in which he came to appointments with her and spoke on her behalf, reinforcing the idea that Alice lost her independence. Additionally, John and Lydia both took on the role of being a family caregiver, highlighting the change in relational roles found in families with dementia patients.<sup>20</sup>

Prior to Alice’s diagnosis, Lydia and Alice had a slightly tense relationship. However, Lydia was the only family member who adapted to the changes that came with Alice’s Alzheimer’s. Their communication became more frequent, and they connected on a more personal level after Alice mistakenly read Lydia’s diary. While the rest of the family did not want to bother her with information, almost as if they thought her brain was too fragile, Lydia respected that her mother wished to be told what was going on. Past research highlights that for some individuals, the changes in communication with dementia can create a more positive relationship, as it did with Alice and Lydia.<sup>21</sup> Despite Lydia having to leave L.A. and put her acting on pause, she acknowledged that being with her mom was what she felt was best. This highlights the potential counterframing that being a family caregiver can improve family relationships.<sup>22</sup>

## Conclusion

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<sup>14</sup> Van Gorp and Vercruyssen, “Frames and Counter-Frames.”

<sup>15</sup> Glatzer and Westmoreland, *Still Alice*, 00:36:27.

<sup>16</sup> Van Gorp and Vercruyssen, “Frames and Counter-Frames.”

<sup>17</sup> Johnson et al., “The Relative Contributions of Disease Label.”

<sup>18</sup> Glatzer and Westmoreland, *Still Alice*, 1:20:29.

<sup>19</sup> Creten and Heynderickx, “Dementia, or Lazy Gnomes.”

<sup>20</sup> Miller-Ott, “Just a Heads Up.”; Nickbakht et al., “Putting ‘the Broken Bits Together.’”

<sup>21</sup> Nickbakht et al.; Bute, et al., “Effects of Communication-Debilitating Illnesses.”

<sup>22</sup> Van Gorp and Tom Vercruyssen, “Frames and Counter-Frames.”; Xu, “The Stigma of Dementia.”

Dementia and Alzheimer's disease inherently affect communication through the biological processes that affect general cognition. This change in communication abilities prevents dementia patients from maintaining their typical communication habits with family members, which in turn affects their relationships. While dementia can have drastic effects, not all of these are negative or occur for every person with the illness, as the media tends to suggest. By highlighting only negative elements of the illness, and at times belittling those with it, media representations of dementia create a stigma that makes individuals with the illness and their families feel misunderstood or judged. *Still Alice* highlights the changes that individuals with dementia and their families must navigate after diagnosis. The representation of dementia through this movie could contribute to stigmatization by increasing fear about symptoms, but it could also simultaneously increase awareness for this health issue and show how someone with this illness can continue having close relationships, even if they are different than how they used to be. Lydia and Alice's relationship in this movie provides an important counter-frame that can reshape how people expect communication and relationships to change with the onset of dementia, potentially decreasing the stigma that is associated with fear of these changes.

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# Negligent Precedent: Abuse of Executive Privilege and a Congressional Solution

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## *Abstract*

For most of American history, the power of executive privilege was ill defined. That changed when then President Nixon knew about and covered up the Watergate Hotel break in. The Supreme Court case following the event, *U.S. v. Nixon*, attempted to establish and limit the scope of executive privilege. It failed to accomplish its goal, and forty years later Trump also abused his Presidential authority. Several court cases followed, most importantly *Trump v. Mazars* and *Trump v. Thompson*, again limiting the power of the privilege. Despite the Court's efforts, the state of executive privilege is still uncertain as no definite system of checks and balances exist. Instead of relying on yet another instance of encroachment, then action by the Court, a more permanent solution is required. Elevating the so-called “gang of eight,” some of the most powerful members of the U.S. House and Senate, to a permanent joint committee to independently verify the legitimacy of exertions of executive privilege could provide an institutional solution. While unorthodox, a Congressional committee may serve the public interest better than the Courts when checking the power of the President.

**Keywords:** Executive Privilege, President Nixon, President Trump, Gang of Eight, *U.S. v. Nixon*, *Trump v. Mazars*, *Trump v. Thompson*

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## **Introduction**

The United States Constitution outlines the powers of the three branches of government. The executive branch acquires most of its power from the written content of Article II. However, some powers, like executive privilege, have no definitive

constitutional backing. Instead, a series of Presidential actions affirmed by the Court has determined the loose limitations on executive privilege. The power itself, according to Mark Rozell, a professor at George Mason University, is “the right of the president and high-level executive branch officers to withhold information from Congress, the

courts and ultimately the public [in instances of] (1) certain national security needs and (2) protecting the privacy of White House deliberations when it is in the public interest to do so.”<sup>1</sup> In lieu of a set definition, the Supreme Court has merely established a four-part test exclusively applied in instances of Congressional subpoenas.<sup>2</sup> This lack of certainty results in general confusion amongst Congress, the Executive branch, and the public. Rozell’s definition, which is not reflective of precedent, also includes a controversial potential aspect of executive privilege. The phrase “high-level executive branch officers” allows executive branch members other than the President to claim privilege that is presumably meant for the office exclusively. Broadening this authority falls under the guidelines and ideology of the Unitary Executive Theory, a legal theory popularized by the Bush presidency which posits that the executive branch has broad reaching powers not directly outlined in the Constitution, which is controversial in itself and by no means doctrine.<sup>3</sup>

The courts have failed to sufficiently check the encroachments of power made by the President. If they cannot act alone, then an unorthodox solution may better serve the public interest. Congress, working in tandem with the Supreme Court, could provide a necessary counterbalance through the formation of a permanent joint select committee to determine the legitimacy of executive privilege claims. Such an exertion of force through cooperation between the branches would be the first of its kind,

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<sup>1</sup>Mark J. Rozell, “Executive Privilege and the Modern Presidents: In Nixon’s Shadow,” *Minnesota Law Review* 83, no. 5 (1999): 1070.

<sup>2</sup>*Trump v. Thompson*, No. 21-5254, 2021.

<sup>3</sup>Jeffrey Crouch, Mark J. Rozell, and Mitchel A. Sollenberger, “The Unitary Executive Theory and President Donald J. Trump,” *Presidential Studies*

however, such an action is now required because of the Court’s previous negligence.

The first claim of executive privilege came in 1792 when President George Washington resisted handing over critical documents to Congress surrounding a failed military expedition against American Indians. Washington justified his revolutionary decision to deny a Congressional request by arguing it was necessary to protect the safety of the actors involved and the integrity of the United States’ military.<sup>4</sup> Situations like this, a clear-cut necessity for public safety, result in little backlash from the other branches. Controversies arise when the use of executive privilege falls beyond the obvious legitimate invocations. Washington’s preliminary execution of the power adheres to Rozell’s first rule of legitimate use. The second instance, “protecting the privacy of White House deliberations when it is in the public interest to do so,” is much more complicated to determine and enforce.<sup>5</sup>

President Nixon’s use of executive privilege has been the prime example of unacceptable execution of authority. This is due to the United States Supreme Court’s landmark case *U.S. v. Nixon*, which did not set sufficient guidance on the issue. Scant other clear examples exist to compare recent uses of the power. Former President Donald Trump made numerous claims of executive privilege during and after his tenure in office, including the already-decided cases of *Trump v. Mazars* and *Trump v. Thompson*. Since those cases, Trump has been federally

*Quarterly* 47, no. 3 (September 2017): 561, <https://doi.org/10.1111/psq.12401>.

<sup>4</sup>Mark Rozell, William D. Pederson, and Frank J. Williams, *George Washington and the Origins of the American Presidency* (Westport, CT: Praeger, 2000).

<sup>5</sup>Rozell, “Executive Privilege and the Modern Presidents.”

indicted on three counts of misusing classified documents, however, the scope of those charges is focused on the handling of the documents and not whether Trump had the right to withhold the information on said documents.

Presidents Richard Nixon and Donald Trump misused executive privilege. The courts failed to set up sufficient guidelines to adequately restrict the President's extra-constitutional authority. Nixon, through Watergate, and Trump, through tax fraud and the January 6th, 2020 insurrection, both abused the previously established systems of power in order to insulate themselves from personal criminal liability. The Court must now play catch up to counteract their prior mistakes of inaction.

## Nixon

On the morning of June 17, 1972, several men were discovered in the headquarters of the Democratic National Committee at the Watergate Hotel. Evidence found in the Congressional investigation would reveal that Nixon knew about the break-in and was heavily involved in the coverup. Following the 1972 election which resulted in Nixon's reelection, a lengthy criminal investigation resulted in Nixon resigning from his office on August 9, 1974.<sup>6</sup>

The Watergate crimes redefined how Congress dealt with potential criminal activity by the President and, therefore, the office's legal ability to use executive privilege for personal protection. Before Trump, the only Supreme Court decision on the matter followed this infamous scandal.

The landmark Supreme Court case *United States v. Nixon*, not to be confused with *Nixon v. United States*, laid the

groundwork for limiting executive privilege. The Court addressed the central issue surrounding Nixon's cover-up and material, possibly leading to a criminal conviction. In that case, the special prosecutor, which Nixon appointed to lead the investigation, subpoenaed several tape recordings of discussions between Nixon and high-level staff, supposedly discussing the cover-up of the break-in itself. To quash the subpoena, Nixon claimed executive privilege on two grounds. First, Nixon argued a universal necessity for free-flowing communication from presidential aides, implying a release of the tapes would result in a chilling effect on the President's ability to receive candid advice. The second was an ambiguous argument associating "separation of powers" guidelines and the executive's general necessity for sovereignty. Both arguments were rejected by the Court.<sup>7</sup>

The Court reviewed Nixon's defenses in *U.S. v. Nixon* on their constitutional merit. Chief Justice Warren Burger, writing for the majority of the Court addressed Nixon's first defense, by stating:

The President's need for complete candor and objectivity from advisers calls for great deference from the courts. However, when the privilege depends solely on the broad, undifferentiated claim of public interest in the confidentiality of such conversations, a confrontation with other values arises. Absent a claim of need to protect military, diplomatic, or sensitive national security secrets, we find it difficult to accept the argument that even the very important interest in confidentiality of Presidential communications is significantly diminished by

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<sup>6</sup>Veronica Loveday and James Ryan, *Watergate*. (Great Neck Publishing, 2009).

<sup>7</sup>Loveday and Ryan, *Watergate*.

production of such material for *in camera* inspection with all the protection that a district court will be obliged to provide.<sup>8</sup>

This section of the ruling recognizes the importance of candid and confidential advice within the executive branch; however, it prioritizes the judicial process over this right. The Court also implies the kinds of uses of executive privilege that the Court would view most favorably. The line “absent a claim of need to protect military, diplomatic, or sensitive national security secrets” suggests that Nixon’s claim, and any potential future claims of privilege which do not fall into one of those three categories, would be viewed as secondary to other governmental processes.

Nixon’s second defense met a similar fate; however, the Court first discussed prior precedent to the “separation of powers” argument.

Here it is argued that the independence of the Executive Branch within its own sphere, *Humphrey's Executor v. United States*, 295 U. S. 602, 295 U. S. 629-630 (1935); *Kilbourn v. Thompson*, 103 U. S. 168, 103 U. S. 190-191 (1881), insulates a President from a judicial subpoena in an ongoing criminal prosecution, and thereby protects confidential Presidential communications.<sup>9</sup>

The Court goes on to demonstrate that the defense’s argument is not novel while presenting its constitutional weaknesses.

The impediment that an absolute, unqualified privilege would place in

the way of the primary constitutional duty of the Judicial Branch to do justice in criminal prosecutions would plainly conflict with the function of the courts under Art. III. In designing the structure of our Government and dividing and allocating the sovereign power among three co-equal branches, the Framers of the Constitution sought to provide a comprehensive system, but the separate powers were not intended to operate with absolute independence.<sup>10</sup>

In this section of the ruling, the Court denotes that the executive branch is not entirely independent from the other branches, nor is any branch. The Founding Fathers meant for the separation of powers to coincide with checks and balances, not to be entirely separate from one another.<sup>11</sup> If each branch of government operated on an isolated basis, then inter-branch conflict could never be resolved, nor could one branch ever check the powers of another. The Court concluded that the executive branch as an independent actor argument went against the basic framework of the Constitution.

The legal team behind Nixon’s defense likely knew that neither constitutional argument was all that effective, so they had to use a combination of justifications. Constitutional approval is much harder to disprove when the issue is not explicitly written. The justification of executive privilege itself, particularly on the matters of judicial investigations and national security interests, are not clear.

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<sup>8</sup>*United States v. Nixon*, 418 U.S. 683, (1974).

<sup>9</sup>*United States v. Nixon*, 418 U.S. 706, (1974).

<sup>10</sup>*United States v. Nixon*.

<sup>11</sup>Sharon Jacobs, “The Statutory Separation of Powers.” *The Yale Law Journal* 129, no. 2 (2019): 378–444.

Contemporary instances of the use of executive privilege follow a general understanding of the precedent set in *U.S. v. Nixon*. Only in the past five years has the Court added to its precedent set in 1974.

The importance of *U.S. v. Nixon* cannot be understated. Before *Nixon*, the only guidelines which the President had to follow were of their own creation. Limitations on the self-executing aspects of executive privilege were political, not legal. Even with the *Nixon* ruling, limitations on the power of executive privilege largely fell to the executive branch's discretion. If one reasonably assumes that the President maximizes their power at any opportunity, as Neustadt would suggest, the President would never forfeit more authority than the courts required.<sup>12</sup> The public abuse of power resulted in a temporary downturn in executive privilege usage following the Watergate scandal so as not to raise suspicion of further abuses of power or wrongdoings.<sup>13</sup> At the time, executive privilege had a negative connotation. Following Watergate, the President overtly denying a Congressional request would look suspicious at best and dubious at worst, to most Americans.

Moreover, they would be right in their suspicions. When left to their own devices, Nixon demonstrated that the executive branch would misuse any additional, potentially extra-constitutional, authority given to them. This trend continued in the 1970s, and *U.S. v. Nixon* failed to solve all the problems associated with the power.

The Court somewhat succeeds in the defining of executive privilege and its use by the President and the previously mentioned, "high-level executive branch officers." However, these terms themselves are not properly defined. Obviously the Court intends the President to have the power of executive privilege, but it is still unclear where, within the executive branch, the line is drawn between the empowered and powerless. Under the most strict definition, and using the literal definition of executive privilege, only the President would have the ability to hold privileged information. Some would argue that others require the power in order to properly perform their constitutional duties. Under the most liberal assumptions, perhaps the entire executive branch falls under the umbrella however, this would encompass over two thousand people directly employed by the President.<sup>14</sup> Instead of drawing these hard lines in *U.S. v. Nixon*, the Court left these questions unanswered, further confusing and allowing for abuses. If the Court set better precedent, explicitly saying who and who does not hold the privilege, then forty years later, President Trump would not be able to stonewall the Justice system. Due to the insufficiency of *U.S. v. Nixon* and the gap between cases, the Court allowed room for Trump to abuse the authority and cause uncertainty of the legitimacy of both the office of the Presidency and the privilege itself.

## Trump

Unlike Nixon, Trump's alleged crimes are not neatly tied into one event in

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<sup>12</sup>Richard Neustadt, *Presidential Power and the Modern presidents: The Politics of Leadership from Roosevelt to Reagan*, (New York: Free Press, 1991).

<sup>13</sup>Chris Calabrese, "When Presidents Use Executive Privilege," National Constitution Center, <https://constitutioncenter.org/blog/when-presidents-use-executive-privilege>.

<sup>14</sup>Office of Personnel Management, "Executive Branch Civilian Employment Since 1940," <https://www.opm.gov/policy-data-oversight/data-analysis-documentation/federal-employment-reports/historical-tables/executive-branch-civilian-employment-since-1940/>.

Washington D.C. but spread out over jurisdictions, states, and periods. In many of the suits brought against Trump, he has not had nor will have the opportunity or desire to assert claims of executive privilege. However, two prominent cases demonstrate his misunderstanding and borderline tyrannical misuse of the power. The first, *Trump v. Mazars USA, LLP*, deals with the question of limitations on Congressional subpoenas and the President's ability to combat them with privilege powers. The second, a case ruled on by the U.S. Court of Appeals, and denied a hearing by the Supreme Court, *Trump v. Thompson* answered several questions revolving around Trump's liberal use of executive privilege.<sup>15</sup>

In *Trump v. Mazars*, The U.S. House of Representatives' Committee on Oversight and Reform subpoenaed documents related to then-President Trump's financial records. In accordance with the subpoena, Mazars USA, LLP, a well-known tax and financial advisory group, supplied the committee with said documents. As an attempt to block the document exchange, Trump claimed the documents would serve no legitimate "legislative purpose," which is the standard for Congressional investigations.<sup>16</sup> While not directly exerting his power of executive privilege, Trump essentially claimed his authority as the end result is the same: certain documents are blocked from Congress's view. Trump then sued his accounting firm for violating these rights.<sup>17</sup> It is made apparent throughout the U.S. Supreme Court's majority opinion that it did not want to rule on this case. Several times in the opinion, the Court makes reference to *NLRB v. Noel Canning* and its ruling that "the

allocation of power between [the] two elected branches of Government,' that imposes a duty of care to ensure that not needlessly disturb 'the compromises and working arrangements that [those] branches ... themselves have reached.'" <sup>18</sup> Despite the Court's reluctant participation in this process, it would eventually rule against Trump, citing several constitutional flaws in Trump's arguments.

First, the Court restates the importance of Congressional investigations to occur smoothly and without executive interference.

This 'power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function.' *Id.*, at 174. Without information, Congress would be shooting in the dark, unable to legislate 'wisely or effectively.' *Id.*, at 175. The congressional power to obtain information is 'broad' and 'indispensable.'<sup>19</sup>

Second, the Court dismisses the argument that Trump's situation is more akin to Nixon's than a standard Congressional investigation. His lawyers suppose that because the documents directly relate to the President and his financial dwellings, they must be treated with higher regard. Subsequently, Congressional inquiries into said documents must be held to a higher level of scrutiny. Again, the Court rejects this.

We disagree that these demanding standards apply here. Unlike the cases before us, Nixon and Senate Select Committee involved Oval Office communications over which the

<sup>15</sup>*Trump v. Thompson*, No. 21-5254, (2021).

<sup>16</sup>*McGrain v. Daugherty*, 273 U.S. 135, (1927).

<sup>17</sup>*Trump v. Mazars*, 591 U.S., (2020).

<sup>18</sup>*Trump*, 2020.

<sup>19</sup>*Trump v. Mazars*, 591 U.S. IIB, (2020).

President asserted executive privilege. That privilege safeguards the public interest in candid, confidential deliberations within the Executive Branch; it is “fundamental to the operation of Government.” Nixon, 418 U. S., at 708. As a result, information subject to executive privilege deserves “the greatest protection consistent with the fair administration of justice.” *Id.*, at 715. We decline to transplant that protection root and branch to cases involving nonprivileged, private information, which by definition does not implicate sensitive Executive Branch deliberations.<sup>20</sup>

The Court is clear on one point. Private, non-privileged information is fair game to be subpoenaed during a legitimate Congressional investigation. In addition, the Court notes the weight of an invocation of executive privilege while also demonstrating Trump’s lackluster argument. The Court does not believe that, even if the executive privilege were to be explicitly exerted in this case, the evidence behind this claim would likely not overcome the legal barrier of legitimate executive privilege use.

The Court goes on to state that if Trump’s argument were to be universally applied, catastrophe would occur.

The President and the Solicitor General would apply the same exacting standards to all subpoenas for the President’s information, without recognizing distinctions between privileged and nonprivileged information, between official and personal information, or between various legislative objectives. Such a

categorical approach would represent a significant departure from the longstanding way of doing business between the branches, giving short shrift to Congress’s important interests in conducting inquiries to obtain the information it needs to legislate effectively.<sup>21</sup>

This section of the Court’s rulings shows the true importance of this case. If Trump’s idea of a boundless executive branch, immune from all forms of investigation or criticism, was accurate, not only would the legislative effectiveness of Congress dwindle, but the balance of power established in the Constitution would be jeopardized.

*Trump v. Thompson* deals with the other key aspect of Trump’s subversion of congressional and assertions of executive privilege. The Supreme Court denied a request for review in January, 2022, so the Court of Appeals’ decision stood as precedent.<sup>22</sup> In *Thompson*, the Select Committee to Investigate the January 6th Attack on the United States Capitol sent a request to the Archivist of the United States for several documents pertaining to the events of January 6th. Before the files were sent, Trump filed a preliminary injunction against the request under an assertion of executive privilege on a portion of the documents. In response, President Biden countered Trump’s post-office declaration of privilege by challenging the nature of the assertion. Instead, President Biden approved Congress’s request for the documents, asserting his own executive authority, seemingly overriding the previous claim of privilege. The issue of post-in-office claims of privilege is a novel one. The case brief of

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<sup>20</sup>*Trump*, 2020.

<sup>21</sup>*Trump*, 2020.

<sup>22</sup> *Trump v. Thompson* (On application for stay of mandate and injunction pending review) No. 21A272, 595 U.S.1, (United States Supreme Court).

*Trump v. Thompson* describes its central question:

The central question in this case is whether, despite the exceptional and imperative circumstances underlying the Committee's request and President Biden's decision, a federal court can, at the former President's behest, override President Biden's decision not to invoke privilege and prevent his release to Congress of documents in his possession that he deems to be needed for a critical legislative inquiry.<sup>23</sup>

The United States Court of Appeals, District of Columbia Circuit, in a rather dramatic fashion, ruled against Trump. The Court had two central issues with Trump's legal argument behind his preliminary injunction. First, the Court stated that Trump had no statutory nor legal precedence for his arguments because this situation is unique. Never before has a former President attempted to interfere in the processes of an investigation into a riot in which he is the likely cause. Because of the unchartered territory in which this case exists, providing a statutory or constitutional basis for Trump's argument is nearly impossible. Second, even assuming that Trump has a legitimate claim on executive privilege, despite not being a part of the executive, his challenges would have still failed. The Court demonstrates the illegitimacy of Trump's postulation.

The former President has failed to establish a likelihood of success given (1) President Biden's carefully reasoned and cabined determination that a claim of executive privilege is not in the interests of the United States; (2) Congress's uniquely vital

interest in studying the January 6th attack on itself to formulate remedial legislation and to safeguard its constitutional and legislative operations; (3) the demonstrated relevance of the documents at issue to the congressional inquiry; (4) the absence of any identified alternative source for the information; and (5) Mr. Trump's failure even to allege, let alone demonstrate, any particularized harm that would arise from disclosure, any distinct and superseding interest in confidentiality attached to these particular documents, lack of relevance, or any other reasoned justification for withholding the documents. Former President Trump likewise has failed to establish irreparable harm, and the balance of interests and equities weigh decisively in favor of disclosure.<sup>24</sup>

In both cases involving Trump and the numerous Congressional investigations into his conduct as President, the power of the executive to suppress legitimate requests for evidence ran rampant. Trump's ability to stall or interfere in Congressional processes is possible because of the Supreme Court's inability to create a robust precedent on the matter. Rather than consistently and continuously avoiding the issue by insinuating it is not the Court's place to meddle in the normal processes of government, the Court needs to take more decisive action on the topic.<sup>25</sup> Trump will likely continue to exert fraudulent claims of privilege as his indictment unfolds. This is a perfect time for the Court to take a stance,

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<sup>23</sup>*Trump v. Thompson*, No. 21-5254, 5, (2021).

<sup>24</sup>*Trump*, 2021.

<sup>25</sup>*NLRB v. Canning*, 573 U.S. 513, (2014).

definitively deciding when, where, how, and what executive privilege should cover.

### Further Discussion and Conclusion

The current state of executive privilege is an ambiguous one. A consistent definition is necessary to avoid confusion amongst the branches of government, administrators, and the public. While *United States v. Nixon* gave loose guidelines to adhere to, the power remained mainly at the President's discretion. However, if cases like *Trump v. Mazars* and *Trump v. Thompson* were meant to clarify what Nixon's case missed, they have failed. No definitive test exists to consider the legitimacy of a claim of privilege. The power of the executive actively works against the interest of the American people in the name of the President's self-preservation, as demonstrated by both Nixon and Trump, and will not be quelled until reasonable, responsible, and power-limiting regulations are placed on the President.

The Court or the Legislature has a responsibility to regulate the Executive. However, the multifaceted nature of privilege means that one solution will not be adequate. For instance, there are two main issues with the current state of the power.

The first, which the court already attempted to fix, is the identification of what information is covered. The basic guidelines outlined in *U.S. v. Nixon* are not universal rules to be followed, rather, they are suggestions for future Court decisions. A definite solution to this issue could arise from cooperation with the legislative branch.

The so-called "gang of eight" are some of the most powerful members of Congress who are privy to extra-Constitutional intelligence on matters of national security. The members, the Chair, and ranking members of both the U.S. House and Senate Select Committees on Intelligence along with the four leaders of both chambers, are, from time-to-time, briefed on special matters of national security in order to keep Congress properly informed while minimizing the potential of leaks by informing all of Congress.<sup>26</sup> Allowing Congress, or at least a small select group of members, to review highly sensitive information in order to determine the legitimacy of certain claims of privilege would invoke Constitutional questions. In this solution, the "gang of eight" would be acting as agents of the Court, which would almost certainly result in legal challenge from the Executive branch. If this solution were to be implemented, the best avenue for implementation would be via Constitutional amendment, however in recent times, those have been virtually impossible to come by.<sup>27</sup> Instead, the "gang of eight" must be legitimized through other methods, which is not a new idea.

In 2020, the *Yale Law and Policy Review*, published an article detailing a potential solution to a different inter-branch conflict, the Executive branch circumnavigating the National Security Act. In this article, the author, Block, proposes elevating the "gang of eight" to a permanent Joint Select Committee that has the ability to file suit on behalf of Congress.<sup>28</sup> Block posits that such a permanent committee could be

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<sup>26</sup>Geoffrey Block "Turf Wars: Arming Congress' Gang (of Eight)." *Yale Law & Policy Review* 39, no. 1 (2020): 249.

<sup>27</sup>Thomas Brennan, *The Article V Amendatory Constitutional Convention: Keeping the Republic in*

*the Twenty-First Century*, (Lanham, Maryland: Lexington Books, 2014).

<sup>28</sup>Block "Turf Wars: Arming Congress' Gang (of Eight)," 249.

created unilaterally by Congress.<sup>29</sup> While they discuss the potential for this committee to be used for checking the Executive Branch, it could have additional responsibilities relating to executive privilege usage. The Supreme Court cannot explicitly set its own rules and the Founding Fathers likely intended for Congress to regulate the Court in some capacity due to Congress's ability to impeach members of the Judiciary however, if both the Court and Congress agreed to this arrangement, then it may not need a constitutional amendment to be enacted.<sup>30</sup> Such a committee could streamline the process of determining the legitimacy of assertions of privilege in relation to "national interest." Having a body separate from the interests of the executive while being privy to secrets of national importance would provide a check on the executive while respecting its prerogative.

The second issue of executive privilege is its limitations, or lack thereof, of who can assert claims. As previously stated, differing interpretations of "high-level executive branch officers" results in a wide array of potential candidates.<sup>31</sup> It would not be difficult to, when the issue comes across the Court again, to establish a clear definition of who can exercise privilege. The Court should carefully consider who truly needs the authority as both transparency to Congress and the public should be maintained. The power is only implicit in the office of the Presidency, any other expansion of the authority, while likely constitutional, is grounds for challenge. However, the offices of the Vice Presidency, the Chief of Staff, the Secretary of State, the Secretary of Defense, and the Attorney General could all argue that they have a unique importance, and are

therefore entitled to privilege. The issue of when and how executive privilege is available are intertwined. If the aforementioned committee were to be formed, they could make individual determinations when someone other than the President asserts privilege. The Congressional committee could also have access to otherwise privileged communications between high ranking executive officials, which under *Nixon* is deemed permissible, in cases where national security is at question.<sup>32</sup> However, the Committee solution is not perfect as it fails to address the issue of Congressional inquiry. In instances where Congress is investigating the President or other members of the executive branch, the committee could not have an unbiased view. The select committee, being composed, at least in part, of the most important members of Congress, would have to recuse themselves during the investigation. The courts, then, must interject themselves, as they do now on an individualized basis.

A joint select Committee, while not perfect, is a more permanent solution than what stands today. The Court has failed to provide sufficient precedent in *U.S. v Nixon* or any other subsequent case on the matter. Trump, while committing and then covering up crimes, had ample opportunity to abuse his systems of power. The use of executive privilege should be held to a strict standard of two viable instances: when it protects the public interest and when it is necessary to allow a free flow of communication. The *Nixon* decision echoed this sentiment, yet failed to follow through with actual legal precedent. Action needs to be taken. If the Committee solution is not politically or constitutionally viable, the Court when

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<sup>29</sup>Block, 263.

<sup>30</sup>U.S. Constitution, Art. III, Sec. I.

<sup>31</sup>Mark Rozell, "Executive Privilege and the Modern Presidents: In Nixon's Shadow," 1070.

<sup>32</sup>*United States v. Nixon*, U.S. 683, (1974).

another case is brought before them, must take a decisive stand against abuses of privilege. Trump only had the opportunities he did because of judicial negligence. In order to avoid legal confusion and chaos in the future, executive privilege cannot be put aside as if it were an inherent and unrestricted power of the executive, rather, the judiciary and legislative branches need to perform their constitutional duty of checking encroachments of authority by the executive.

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# Mithras Amongst the Romans: Religious Integration of Mithras into Roman Religion

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## *Abstract*

During the period of the Roman Empire, the mystery cult of Mithras covered large swaths of the empire. This paper aims to identify some of the primary methods by which the mystery cult became integrated into the pre-existing Roman religious structures. The historical records and artworks produced for the cult reveal how the soldiers' and emperor's position in society assisted with spreading the mystery cult across the empire at a rapid pace. Along with this, the cult associated itself with the traditional practices and deities of Roman religion to familiarize its members with the practices of the cult and used the artistic style of the Roman Imperial period to depict Mithras in a way similar to other gods. Although the secret practices of the mystery cult of Mithras are not fully understood, looking at the art and history offers a perspective on how Roman religion could integrate a foreign deity from Persia into its practices.

**Keywords:** Mithras, mithraeum, mystery cult, religion, Rome

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Mystery cults were common across the ancient world and focused not on the lives of their members in the world of the living but on having a better afterlife. The members performed rituals and ceremonies to gain favor with the deity the members worshiped to ensure a better afterlife. The cult of Mithras was particularly prominent during

the Roman Empire. While little is known about the exact ceremonies and rituals of the mystery cult, it was nonetheless integrated into the religious practices of the Romans until the rise of Christianity. How this mystery cult was integrated into the diverse religious profile of the Roman Empire offers insights into the unique process of

assimilation of foreign gods into Rome. Roman religion integrated the mystery cult of Mithras by connecting with soldiers across the expansive Roman Empire and the

The stories of Mithras found in the mystery cult offer an insight into how the cult of Mithras was integrated into Roman religion. Mystery cults all shared two main features: the demand of silence and a promise of salvation in the afterlife for the initiates.<sup>1</sup> This gives researchers and students learning about these mystery cults a challenging task of ascertaining aspects of their practices. Thanks to the archaeological record, scholars can learn about them to a limited extent. Mithras, or Mithra, was a Persian god who was worshiped in the mystery cult of Mithras. He was a god of contracts and order to his followers; he was also associated with the sun, but in the Roman version makes an agreement with Helios, the terms of which are unknown, after sacrificing a bull.<sup>2</sup> The most important part of his story was Mithras killing a bull. Created during the 2<sup>nd</sup> century CE in Rome, there is a statue commonly called *Mithras Slaying the Bull* (London: British Museum, 1825,0613.1) which features Mithras standing over a bull, stabbing a knife into its side while a dog licks at the blood from the wound; a scorpion rests near the bull's genitals. The dog licking the blood represents an attempt to stop Mithras from giving fertility to the earth, an element of Mithras' divine nature. This statue's subjects are found in every mithraeum, or shrine, found underground dedicated to Mithras, that archaeologists have found. Although not found in this version, other common figures found in artworks of this scene are a raven and two men, Cautes and

imperial family, associating with other gods of the Roman pantheon, and creating iconography consistent with the Roman style during the Imperial period.

Cautopates, who hold torches upward and downward respectively.<sup>3</sup> Found in Rome and produced during the third century CE, the *Votive Offering with Mithras Slaying the Bull* (Rome: Vatican Museum, MV.839.0.0) is an example of depicting the raven, Cautes, and Cautopates. Cautes is located on the right side of the marble panel, corresponding to the sun rising from the East, and Cautopates is on the left side, corresponding to the sun falling to the West. This connection with the sun rising and falling is from the god's relationship with the sun, both in the Persian and Roman versions. Another part of Mithras' story that is often portrayed in art is his birth. Dedicated by Aurelius Bassinus and created around 186 CE, the *Petra Genetrix* (Rome: Terme di Diocleziano) depicts Mithras emerging from a rock with a sword and torch in his hands. The inscription below details Aurelius Bassinus, the commissioner, in the artwork, but also the father, a rank of initiation, who was presiding over the mithraeum at the time of its making. This offers an example of what members might be expected to do while in the mystery cult, such as commissioning artworks that were placed in the mithraeum, as well as a small period of the history of this particular temple. These pieces, *Mithras Slaying the Bull*, *Votive Offering*, and *Petra Genetrix* introduce Mithras' most famous feat, symbols, and figures associated with him while connecting him to the sun.

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<sup>1</sup> Manfred Clauss, "Mystery religions," in *The Roman Cult of Mithras: The God and His Mysteries*, trans. R.L. Gordon (New York: Routledge, 2001), 14.

<sup>2</sup> Andrew Fear, "Born of a Rock," in *Mithras* (London: Routledge, 2022), 66-88.

<sup>3</sup> Rebecca I. Devona, "The Mysteries," in *Greek and Roman Religions* (Hoboken: Wiley Blackwell, 2019), 196-198.

Another important part of the mystery cult of Mithras, essential to understanding any religious group, is its followers and how they assisted in the spread of the cult. The Persian god, Mithra, was associated with the sun, treaties and agreements, and rulers often connected themselves with the god by leaning into Mithra's military connections.<sup>4</sup> While scholars debate the direct association between the Persian Mithra to the Roman Mithras, the militaristic element of his Persian depiction was prevalent even to Rome's borders, spreading throughout the Roman military. During the time of the Roman Empire that the mystery cult of Mithras was spreading, somewhere around the 1<sup>st</sup> and 2<sup>nd</sup> century CE, the lands owned and occupied by soldiers of the Empire stretched from the island of Britain to the Nile River in Egypt, as did the religious practices of Mithras. However, as pointed out by Manfred Clauss in *The Roman Cult of Mithras: The God and His Mysteries*, this also meant that the mysteries likely underwent many changes due to its widespread coverage.<sup>5</sup> This offers us two more important features of this religious cult: that its followers' role as protectors of the Roman Empire caused the large swath of mithraea and influence, but also there is not a universal pattern for the cult to follow beyond its principal features. It likely evolved in different locations due to different cultural standards in the plethora of cultures that the Roman Empire comprised. Although not every soldier was a member of the mystery cult of Mithras, the spread of this population and the sheer size of it assisted in the

integration of the mystery cult in the Roman Empire.

The temple that followers of the mystery cult of Mithras worshiped the god in, the mithraeum, offers more information about the cult itself. Mithraea were found all over the Roman Empire and had variations in style; however, some aspects of the architecture are common throughout them. The temples were built underground and often near springs; it contained a central room with two parallel benches on the left and right sides of this room.<sup>6</sup> Caves and springs are strongly associated with the mystery cult of Mithras due to his birth from a rock and a story during his life where he shot an arrow that produced a spring of water. Being located in a dark cave, natural or manufactured, appears contradictory to Mithras' position as a sun god, but mystery cults excluded others; in the case of the mystery cult of Mithras, it excluded those not initiated and those who could not be members, women. Mithraea also had a piece of art commonly referred to as the tauroctony, where Mithras sacrifices a bull, located on the center of the rear wall of the main room. It should be noted that bones found in mithraea are of pigs and chickens due to the bull being the symbolically ideal sacrifice, not the standard. Meals shared by the initiates were eaten in the same room, differing from Roman tradition.<sup>7</sup> Sharing a meal with other members of the cult as well as being in the same room as the image of the god created an intimacy among the members and figure of worship. The intimacy of the shared meal with other members parallels the members'

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<sup>4</sup> Maarten Jozef Vermaseren, "The Followers of Mithras," in *Mithras, the Secret God* (New York: Barnes and Nobles, 1963), 30-34.

<sup>5</sup> Clauss, "The nature of the evidence," in *The Roman Cult of Mithras*, 16.

<sup>6</sup> David Walsh, "The Development of the Cult of Mithras in Late Antiquity," in *The Cult of Mithras in*

*Late Antiquity: Development, Decline, and Demise circa A.D. 270-430*, (Leiden: Brill, 2018), 17-41.

<sup>7</sup> Jan N. Bremmer and Giulia Sfamini Gasparro, "The Mysteries of Isis and Mithras," in *Initiation into the Mysteries of the Ancient World* (Berlin: De Gruyter, 2014), 110-141.

lives themselves, as soldiers would eat meals among comrades of their legion. While the adoption of eating the meal within the same room might not have been for this reason, it certainly brings an additional comradery with members of the mystery cult. Location and more mundane activities within the temple dedicated to Mithras gives an important context to the art pieces and religious beliefs of the mystery cult of Mithras.

While not officially supported by the imperial family of the Roman Empire until the time of Septimius Severus, who became emperor in 193 CE, the first emperor of Rome, Augustus, whose rule started in 27 BCE, supported some mystery cults that were foreign to the historic religion of Rome. Although he was neither an initiate nor had any relation to the mystery cult of Mithras himself, Augustus did support the more well-known Eleusinian mysteries. Suetonius says that Augustus was an initiate to those mysteries.<sup>8</sup> The Eleusinian mysteries started in Greece, a province added later to the Roman Republic. Over two centuries later, the emperor Septimius Severus was an initiate and was a strong supporter of the mystery cult of Mithras, which greatly boosted the membership and acceptance of the cult (around 100 mithraea were said to be located in Rome around this time) to the point that the Baths of Caracalla, whose construction began in 211 CE, included a mithraeum.<sup>9</sup> The emperor and imperial family were the most important political figures in the Roman Empire and with this largely public endorsement of the cult, it assisted in the integration of Mithras into the traditional practices of the Romans. Not only was the emperor a well-known figure throughout the provinces of the Empire, but

he also was pontifex maximus, the head priest in the Empire. While his membership and creation of mithraea around Rome did not directly endorse the mystery cult, since it was a voluntary group and exclusive to males, it does project the ideal that a Roman should follow in the example of the emperor by becoming a member if interested.

Integration of the mystery cult of Mithras, the peak of this taking place under Septimius Severus' leadership, into the general Roman religious practice was also done by the degrees of initiation and each one's association with Roman gods and goddesses. The degrees were each associated with both the god or goddess, through symbols the deity was connected to. For example, the rank of soldier included a helmet and chest plate, which were connected as implements of war to the god of warfare, Mars, and the rank of lion included a sistrum and thunderbolts for the god of the sky, Jupiter.<sup>10</sup> This marks perhaps the clearest attempt at cult integration into the traditional practices of Roman religion. By having two gods that were original to the traditional Roman religion and directly involving them in the initiation of new members, it demonstrates just how much the mystery cult allowed itself to be contained within the diaspora of Roman religion. This connection was also found in the artworks portraying Mithras. Created around the mid-2nd century CE, the *Bronze Plaque of Mithras Slaying the Bull* (New York: MET, 1997.145.3) has the familiar figure of Mithras plunging a knife into the side of a bull, with a snake and dog licking the wound. However, this artwork has the faces of Helios and Luna on the top left and right side, respectively. Once again, the mystery cult of Mithras is intrinsically

<sup>8</sup> Beatrice Poletti, "Foreign' Cults at Rome at the Turn of the Principate," *Acta antiqua Academiae Scientiarum Hungaricae* 58, 1-4 (2018): 557-558.

<sup>9</sup> Maarten Jozef Vermaseren, "The Means of Propaganda," in *Mithras, the Secret God* (New York: Barnes and Noble, 1963), 34-36.

<sup>10</sup> Devona, "The Mysteries," 197-198.

connected to the traditional figures of worship in the Roman religion. Another object created in the early 3<sup>rd</sup> century CE, *Mithras Slaying the Bull (Tauroctony)* (Richmond: VMFA, 67.58) portrays an almost identical scene, including the snake, dog, scorpion, and faces of Helios and Luna, although instead of a bronze plaque, this is a high relief marble sculpture. Both artworks demonstrate the interwoven relationship between the mystery cult and Roman religion.

Another way that the integration of the mystery cult of Mithras into the practices of Roman religion was done was through the stylistic choices made in some pieces depicting Mithras. As mentioned previously, the marble statue produced in the 2<sup>nd</sup> century CE, *Mithras Slaying the Bull* (London: British Museum, 1825,0613.1), shows the common tauroctony. An important aspect to understand about this piece is the condition of the statue when it came to the museum. Both the head of Mithras and one of his arms were reconstructed and are not original parts of the statue, which are done well in this case, but some scholars call special attention to this process and how it can ruin the statue.<sup>11</sup> The potential misconstruction of this statue could have led to a different reading of the stylistic elements, therefore disconnecting it from the Roman standard of the time. These unique stylistic choices were taken by the Romans to communicate ideals and values of the culture. Roman sculpture during the Imperial era commonly had idealized bodies and focused on their motion. This artwork shows great detail to muscular tension and posture, just as other artworks like the *Farnese Hercules*, produced in 216 CE by Glykon of Athens (Naples: Farnese collection, 6001), which pays incredible attention to the muscles of the

body. This stylistic language is well understood by the Romans and would have signaled the period of the sculpture's production. The choice to portray this scene of Mithras in the traditional style of Roman sculpture of the time cements the integration of the mystery cult of Mithras into the religious practices of Roman religion.

The integration of the mystery cult of Mithras into Roman religion was done through cultural and social elements, religious iconography, and stylistic tradition. This integration was done through the widespread images of scenes of the god by means of mithraea and soldiers, support of the emperor and imperial family, iconographic similarities with other deities, and adopting the style of sculpture common to the mid-Imperial Era of the Roman Empire. By analyzing these elements and how they were used to integrate Mithras, it gives us a broader understanding of not only the unknown aspects of the mystery cult, but also how the Romans integrated foreign religious practices into their pantheon.

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# “Cover Up Under It For Love:” The Gee’s Bend Quilters as Keepers of Memory and Culture

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## *Abstract*

The Gee’s Bend quilts are frequently compared to Euro-American modernist paintings based on formal characteristics, namely their use of bright colors and dynamic, geometric compositions. While this is done with the intention of celebrating the artistic skills of the women who made them, interpreting the quilts in this way ignores their place in a rich tradition of African American quilting that has roots in West African textile techniques. Additionally, it reinforces the idea that art is only legitimate or culturally valuable when it lives up to Euro-American standards. Considering how the quilts reflect their makers’ experiences as African American women in the Deep South allows the quilts to be interpreted as a culturally-specific method of preserving memory, history, and culture, and as a way to strengthen and maintain community ties. With this lens, the Gee’s Bend quilters can be considered holders of heritage and culture. As a case study, this paper examines a quilt by Missouri and Arlonzia Pettway made from Missouri’s husband and Arlonzia’s father, Nathaniel Pettway’s, clothing after he passed away, examining Missouri and Arlonzia’s roles in the preservation of Nathaniel’s memory and the quilt’s role as a symbol of protection, preservation, and enduring love.

**Keywords:** Quilting, Gee’s Bend, Black history, African American history, memory

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Boykin, more widely known as Gee’s Bend, is a small, geographically isolated town nestled in a bend in the Mississippi River in Alabama. The inhabitants of the town are the direct descendants of the enslaved individuals who were forced to work on Joseph Gee’s cotton plantation,

which was established in 1816. After the end of the Civil War, the inhabitants of Gee’s Bend continued to work on the plantation growing cotton as sharecroppers until the Great Depression, which left the town in economic ruin. In response, the federal government bought ten thousand acres of

land that had previously been Gee's plantation and provided loans that let residents own the land that their families had worked and lived on for generations. As a result, a majority of the residents of Gee's Bend did not move northward in The Great Migration, even though this limited their financial mobility. In the 1960s, the community grew more and more involved in the Civil Rights Movement, using the ferry to travel to nearby Camden County to vote. In response, authorities shut down the ferry service, further isolating the town (which is surrounded on three sides by the Mississippi River) and cutting off access to the outside world. In this period the Freedom Quilting Bee was established by the local women, which provided economic and political empowerment of the inhabitants of Gee's Bend.<sup>1</sup>

Throughout the community's history, the women of Gee's Bend have sustained a vibrant quilting tradition that has been passed down through generations and is still alive today. The Gee's Bend quilts are characterized by bright, bold colors, the use of stacked stripes in vertical columns, asymmetry, improvisation, and dynamic, intuitive compositions. The formal characteristics of the quilts of Gee's Bend are quite different from Euro-American quilting traditions, and this perceived difference and uniqueness are part of what makes these quilts so alluring to the general public.<sup>2</sup>

The quilts of Gee's Bend are some of the most well known examples of African American quilting, but they are not the only

community to create such pieces; they are simply one of the communities that has had its art widely showcased in museum settings. In the early 2000s William Arnett, a collector of African American art, brought the quilts to the public eye by exhibiting them at Houston Museum of Fine Arts in an exhibition called *The Quilts of Gee's Bend*.<sup>3</sup> The goal of this exhibition was to bring attention to quilts as an aspect of African American culture, to contribute to the expansion of the definition of contemporary art, and to question the nature of art versus craft. This exhibition was significant in showcasing the work of Black women, whose cultural contributions have historically been undervalued and who have been excluded from traditional museum settings.

While the exhibition did make reference to the connections between the Gee's Bend quilts and the textile traditions of Kuba and Asante peoples of West Africa, curators and critics alike quickly attempted to contextualize these quilts within the Euro-American modern art movement based on their formal qualities. The quilts were compared to the work of Paul Klee, Barnett Newman, Mark Rothko, Frank Stella, and Piet Mondrian because of their use of bold blocks of colors and dynamic compositions heavily based in squares and rectangles.<sup>4</sup>

Looking at quilts only in terms of their physical and formal qualities reduces them to

mere objects and ignores the rich artistic tradition that they are part of and downplays

<sup>1</sup> Souls Grown Deep, "Gee's Bend," <https://www.soulsgrowndeep.org/gees-bend-quiltmakers>.

<sup>2</sup> Maude Southwell Wahlman, *Signs and Symbols: African Images in African American Quilts*, (Atlanta, Georgia: Tinwood Books, 2001), 7.

<sup>3</sup> Vanessa Kraemer Sohan, "'But a Quilt Is More': Recontextualizing the Discourse(s) of the Gee's Bend

Quilts," *College English* 77, no. 4 (2015), 297-298. <http://www.jstor.org/stable/24240050>.

<sup>4</sup> Michael J. Prokopow, "Material Truths: The Quilts of Gee's Bend at the Whitney Museum of Art: An Exhibition Review," *Winterthur Portfolio* 38, no. 1 (2003): 61, <https://doi.org/10.1086/382162>.

the cultural significance that they carry. The constant comparison of the quilts with the work of white European or American artists and statement that they should be considered art because of formal similarities reinforced the idea that art must live up to a benchmark set by Euro-American art in order to be considered legitimate or valuable. This approach is particularly problematic when one considers that the women of Gee's Bend were largely prevented from engaging with the Euro-American fine arts world due to their financial situations, geographic isolation, and the many layers of racial bias they faced in everyday life and in the world of fine arts and museums. Instead, a more productive approach to the interpretation of the Gee's Bend quilts is to center their connections to West African artistic traditions and to consider how they reflect their makers' experiences as African American women in the Deep South. This approach also allows the quilts to be interpreted as a culturally specific method of preserving memory, history, and culture, as well as a way to strengthen and maintain community among women. With this lens, the Gee's Bend quilters (as well as other African American quilters) can be considered holders of culture, heritage, and culture.

The quilters of Gee's Bend, most (if not all) of whom have been women, engage in a culturally specific approach to quilt design and creation that has roots in West African textile traditions and acts as a way to preserve culture and heritage. This is done in a variety of ways using an array of elements in their quilt designs. One example of this is the use of narrow strips of fabric sewn together, often to make columns, which has a direct lineage back to West African textiles. Quilt blocks such as Roman Stripes, Lazy Gal, Bricklayer, and string quilts utilize stacked stripes, a motif that is frequently used

by the Gee's Bend quilters. The stacked stripes echo the woven narrow ware fabrics of West Africa, which could be plain or with elaborately woven patterns. These narrow wares were used as currency, screens, wall hangings, banners, or could be sewn together to make clothing. Lengths of these striped narrow wares could be sewn together to create larger pieces of fabric, and this often led to offset and asymmetry, especially if two adjacent strips were woven with different patterns. This aesthetic was preserved even when weaving on wider looms; panels of fabric would be sewn together so that the pattern was offset, even if it was possible to make a wider piece of cloth with perfectly matching stripes.<sup>5</sup> This aesthetic tradition is continued in quilt tops through the use of stacked stripes.

Improvisation and variation in patterns are another design element that is often utilized by the Gee's Bend quilters. These elements that take the form of the offset of stripes, use of complex patterns, or lines and corners that do not line up, are connected to the idea of spiritual rebirth and ancestral power. The women of Gee's Bend believe that evil spirits can only travel in straight lines, these designs confuse evil spirits and force them to slow down, giving the quilts a protective quality.<sup>6</sup> The way a person would use a quilt brings another layer of power to this design element; in wrapping oneself in a quilt one is wrapped in a spiritually protective object.

The Gee's Bend quilts are also known for their bright colors and large shapes. This design element also has roots in West African textiles. The use of color had a practical purpose, as it is easier to see and recognize patterns from far away and in bright sunlight if the patterns are big and bold. Being able to quickly and accurately identify a person by

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<sup>5</sup> Wahlman, *Signs and Symbols*, 29-35.

<sup>6</sup> Wahlman, *Signs and Symbols*, 40.

their clothing is important when determining how to properly greet someone. Interestingly, the ability to parse a pattern quickly from far away is still important to many African American quilters in the Deep South. Quilts are often hung on clotheslines to dry, which also allows women to display their quilts to be seen by their friends, their community members, and other people walking or driving by. Through the display, quiltmakers share their work, draw inspiration from others, and build and maintain the community's connection.<sup>7</sup> While the social aspect of this sense of community is important, having a strong sense of solidarity and unity would have been vital to a rural African American community in the Deep South facing issues such as poverty, racism, and geographic isolation.

The ancestors of the Gee's Bend quilters were among the over one million enslaved people who were moved from the eastern seaboard into the Deep South. This upheaval destroyed established communities and tore apart nuclear families. Quilting was one of the few methods of recording and materializing memory that could be brought with.<sup>8</sup> With this context, the ability to build community and remember family history and culture becomes even more important. Having the power to write one's own story is critical when communities and stories are not valued or recorded by surrounding dominant culture. This is especially true for the Gee's Bend quilters, whose lives were shaped by racism, sexism, and poverty in the Deep South. Thus, it was not only the practical knowledge of sewing that fell to women, but

also the vital role of historian and holder of culture.

Missouri Pettway and her daughter, Arlonzia Pettway, were two quiltmakers from Gee's Bend. Arlonzia was taught how to quilt by her mother, but even before learning how to sew, Arlonzia was involved in the quilt making process. She recalled that, "When I was a little girl, too little to sew, I used to thread needles for her. She couldn't see too good and she say, 'Tear the shirt sleeves and tails and pants legs,' and I would pick out all the blue pieces and stack them together, and pick out the tan pieces and stack them together, and the dark pieces. I get all the colors arranged for her in stacks so she could just reach for what she wanted in a chair in front of her."<sup>9</sup>

Quilts were practical items, especially in poorly insulated homes, but they were not only for physical warmth. They were a means of dialogue, expression, and remembrance for the women of Gee's Bend. In 1942 Missouri and Arlonzia Pettway took part in this method of remembrance when they collaborated on a quilt in memory of Nathaniel Pettway, Missouri's husband and Arlonzia's father. Arlonzia recalls, "Mama say, 'I going to take his work clothes, shape them into a quilt to remember him, and cover up under it for love.' She take his old pants legs and shirttails, take all the clothes he had, just enough to make that quilt, and I helped her tore them up. Bottom of the pants is narrow, top is wide, and she had me to cutting the top part out and to shape them up in even strips."<sup>10</sup> In the act of sustaining the love and

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<sup>7</sup> Wahlman, *Signs and Symbols*, 33-34.

<sup>8</sup> Melanie McKay and Maaja Stewart, "The Tradition of Old People's Ways': Gee's Bend Quilts and Slave Quilts of the Deep South," *Uncoverings* 26 (2005): 155-73, <https://search-ebscohost-com.umw.idm.oclc.org/login.aspx?direct=true&db=af t&AN=505097729&site=ehost-live&scope=site>.

<sup>9</sup> Souls Grown Deep, "Missouri Pettway," <https://www.soulsgrowndeep.org/artist/missouri-pettway>.

<sup>10</sup> Collins, Lisa Gail, "Cycles of Mourning and Memory: Quilts by Mother and Daughter in Gee's Bend, Alabama," *The Journal of the History of Childhood and Youth* 8, no. 3 (2015), 345, doi:10.1353/hcy.2015.0039.

memory of Nathaniel, quilting was a way to process and externalize grief and source of comfort. The shared action of creation drew Missouri and Arlonzia together and created a space for reflection, solidarity, connection, and allowed them to draw strength from each other. Arlonzia repeated this ritual when her own husband died in 1969.<sup>11</sup> In both cases the quilt making process was deeply and inextricably intertwined with grief, love, and remembrance, all expressed in a language that the women fluently spoke.

Materiality is a vital aspect in the value of these quilts. In West African culture and in African American communities, textiles were considered a form of wealth comparable to gold or precious stones. This idea was also present in Gee's Bend; limited resources meant that cloth was a valuable commodity, and fabric was sought out and reused as long as possible.<sup>12</sup> The quilters of Gee's Bend utilized flour sacks, fertilizer sacks, work clothes, and factory remnants in their quilts.<sup>13</sup>

Clothing worn by loved ones holds a particularly special meaning because it is so closely related to their living, breathing, physical presence. Missouri and Arlonzia Pettway's quilt is a striking example of this. The primary material is Nathaniel's light blue work pants, which show signs of repair and work in the fields. The quilt also incorporates his work shirts, which bring bright turquoise, white, and rusty red into the composition. Missouri and Arlonzia's quilt is made of rectangles sewn into long strips which are then sewn together to create the quilt top, pulling from West African textile traditions. The offset blocks, gently undulating lines of

seams, and the quilting on the diagonal axis also introduces geometric variation, all of which lend the quilt a protective quality. Additionally, small red squares called mojos often had religious significance. A mojo is a type of hex, charm, medicine, or charm that is used to lift spells and ward off evil, and usually takes the form of a red square.<sup>14</sup> One of Nathaniel's red work shirts has been cut into two rectangles and two squares which are incorporated into the quilt, perhaps giving the piece a powerful protective element. This inclusion may have been an especially powerful symbol since it was made from the clothing of a loved one and providing protection and safety in a period of grief.

Nathaniel's use of his clothing is evident through the wear, fading, mending, and staining that has shaped the material of the fabric.<sup>15</sup> The material of the quilt is inextricably intertwined with memory, which is shown in Arlonzia's explanation of the red clay stains present in some of the fabric in her quilt; "It got mud on the knee. Why, he used to crawl around and dig sweet potatoes."<sup>16</sup> The physicality of a quilt is also a vital aspect of the quilts' value in preserving memory, especially for a memorial quilt like Missouri and Arlonzia's. The user can "cover up under it for love," wrapping themselves up and surrounding themselves in their family's history and the presence of their loved one.<sup>17</sup>

The women of Gee's Bend have sustained a tradition of quilting going back generations, bringing together influences from West African textile traditions and from traditional American quilting to create a visual language that is unique to Gee's Bend. This visual language has been shaped by the

<sup>11</sup> Gail, "Cycles of Mourning and Memory," 348-350.

<sup>12</sup> McKay and Stewart, "'The Tradition of Old People's Ways,'" 158.

<sup>13</sup> Sohan, Vanessa Kraemer, "'But a Quilt Is More,'" 295.

<sup>14</sup> Wahlman, *Signs and Symbols*, 118.

<sup>15</sup> McKay and Stewart, "'The Tradition of Old People's Ways,'" 159.

<sup>16</sup> Gail, "Cycles of Mourning and Memory," 347.

<sup>17</sup> Gail, "Cycles of Mourning and Memory," 346.

quilters' circumstances and experiences, which has resulted in an art form that can be used to fully communicate their experiences, record history, and build community and connection in the face of great systematic disadvantage. Quilts were practical items that were necessary for physical survival and wellbeing, but are also necessary for cultural, emotional and spiritual survival and of the Gee's Bend community.

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# At the Junction of Gender and Divinity: A Case Study of an Indian Miniature Painting

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## *Abstract*

This case study of a late eighteenth-century Indian miniature delves into the nuances of gender within the Hindu pantheon through the expansive lens of the Gender Studies social theory. The small watercolor painting vividly depicts a religious festival that displays a plethora of social and ideological values that both implicitly and explicitly portray gender. By looking in depth at leading authors and ideas within Gender Studies, as well as primary philosophies and functions within Hinduism, constructs and consequences of gender in eighteenth-century northern India are unveiled. This paper prioritizes interdisciplinary approaches to understanding the intricacies of gender within Hindu society, carefully considering the context in which the painting was created. Dynamics of love, ritual, performance, and domestic life demonstrate the nuanced web of gender within the multifaceted society.

**Keywords:** India, art, painting, gender, Hinduism, interdisciplinary, history, love, religion

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Throughout the history of India's Hindu pantheon, gender has remained an important element in shaping religious faith, social roles, and personal identity, which in turn becomes represented and implied in numerous art forms. Through the application of the Gender Studies perspective, various cultural and artistic elements can be explored and further understood within the context of their culture. This unique perspective was established and perpetuated by authors

including Joan Wallach Scott, Gill Perry, Meg John-Barker, Jules Scheele, and Judith Butler. Gender Studies creates a dynamic, and openly-explorative method of analyzing gender in relation to both individual and cultural identification, as well as social and global impacts and implications of gender. This paper observes and analyzes the depiction of gender in the painting *The Months of Shravana and Bhadra* (1780, India), and what it may say about gender in

eighteenth-century India. This artwork depicts what are known as the months of Shravana and Bhadra, a religious acknowledgement of South-West monsoons during the fifth and sixth months of the Hindu calendar. This religious event often includes festivals, ceremonies, and fasting, one of which can be seen in this painting.

Gender Studies as an art historical perspective/theory delves both broadly and concisely into the realm of gender with consideration of gender-adjacent studies such as Feminisms, Gay and Lesbian Studies, Queer Theory, and Disability Studies. Although Gender Studies originated outside of the art history discipline, the adoption of the study has offered insight into important areas of cultural norms and their artistic motifs. Although Gender Studies lies closely related to other social theories, it should be understood that they are not to be conflated. Gender Studies looks at a broader scope of gender, focusing on its construction and constraints, while maintaining the distinction between biological sex and performative gender. Other adjacent perspectives such as Feminisms or Lesbian Studies looks more narrowly at women and their socio-political relations, or women and their experience with marginalized sexuality identities.

Gender Studies intentionally implements the application of contemporary perspectives on gender such as intersectional and interdisciplinary analyses of culture, and in this case, its presence in art history. These applications establish the very foundation of the study, as the aim is to view gender as something broad, subjective, and relevant to almost every aspect of life. Such intersectional considerations include observations of the impacts of capitalism and colonialism on the construction of gender as

well as the norms that follow. For example, for centuries men have been perceived as more capable of physical labor, which sparked the assumption that men are intrinsically smarter and more powerful. Men therefore, have not only been given, but assumed, positions of physical and intellectual power above women. This concept applies also to the influence of Hinduism on gender definitions and norms throughout the history of Indian culture. A prominent idea communicates that because gender is performative, it intersects with other performances, such as physical labor, clothing, and power.

The Merriam-Webster Dictionary defines gender as “the behavioral, cultural, or psychological traits typically associated with one sex.”<sup>1</sup> This definition of gender and its clear acknowledgement of cultural impact and implications set the stage for founding authors of writings on gender as a method for observing culture and specific relations within it. Common ideas among these authors include the view of gender as a separate, but proximate, concept from sex, and therefore subject to conform to the cultural and individual standards of identity. Born in New York in 1941, the American author and historian, Joan Wallach Scott, is a prominent founding figure and commentator of Gender Studies as well as twentieth-century Feminist ideas. She has written about this philosophy for decades with an emphasis on historical contexts, and the cultural constructs of definitions and roles. She observes impacts of history on gender, and gender on history as a method of understanding power dynamics, personal identity, and marginalization. One of her most notable, and widely read commentaries is her 1986 article “Gender: A Useful Category of Historical Analysis,”

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<sup>1</sup>*Merriam-Webster*, s.v. “gender,” accessed April 16, 2023, <https://www.merriam-webster.com/dictionary/gender>.

which illustrates an almost identical definition of gender to the Merriam-Webster definition. Though, Wallach Scott's definition starkly proposes gender not only as performative traits associated with sexes, but also "a way of signifying power differentials."<sup>2</sup> This acknowledgement of power being intertwined with gender remains an indispensable idea within the study of gender. Wallach Scott, as well as other authors of Gender Studies, clearly establish power as being one of the driving forces for the construction of gender in the first place.

American Author of Gender Studies and philosophy, Judith Butler, has had an exponential impact on the studies of gender, sexuality, and Feminism. Since the 1970's, Butler has written and commented on significant issues and ideas within the realm of gender, proposing the idea of its social construction and inherent power structure. Aligning closely with Wallach Scott's ideas of gender constructs, norms, and implications, Butler's 1990 publication *Gender Trouble* takes this idea of gender construction a step further with the claim that both gender *and* sex are socially constructed. Butler proposes that based on the construction of gender, that "sexed bodies cannot signify without gender, and the apparent existence of sex prior to discourse and cultural imposition is only an effect of the functioning of gender,"<sup>3</sup> therefore sex, too, is socially constructed. The overarching notion within these ideas is that the human tendency to identify and perform, implies that what is inherently social, is inherently constructed. This concept not only establishes a foundation for later authors exploring the

intersectionality between gender and other social performances, but also acknowledging the global subjectivity of gender throughout history.

Furthermore, later authors and commentators use these foundational ideas and values to explore individual and cultural examples of various gendered experiences, while placing notable emphasis on the intersectionality of gender. Authors Meg John-Barker and Jules Scheele in their 2019 book *Gender: A Graphic Guide*<sup>4</sup> propose that gender can mean many things at the same time, and inescapably connects with most aspects of life. This emphasis on intersectional thinking remains at the center of Gender Studies as an analytical approach, with an aim to view gender as something simultaneously personal, cultural, and malleable. Such ideas stem from Women's Studies and Feminisms during the mid to late twentieth century as a means of looking at gender identity as a concept through a broader, less static lens. The adoption of Gender Studies within art history, itself is inherently interdisciplinary, as the study emerged as a political, philosophical, and anthropological study, which has since been implemented into art history. The very core of Gender Studies proposes that gender, as different from biological sex, is a construct of cultural and individual circumstances, expectations, and philosophies, as a means of performing roles as a display of identity.

Further explanations by John-Barker and Scheele explain how this stands as cause and effect for factors that affect gender, such as capitalism, western colonialism, socio-

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<sup>2</sup>Joan Wallach Scott, "Gender: A Useful Category of Historical Analysis," *The American Historical Review*, 1986.

<sup>3</sup>Judith Butler, "Gender: A Useful Category of Historical Analysis," *The American Historical Review* 91, no. 5 (December 1986): 1053.

<sup>4</sup> Meg John-Barker, and Jules Scheele. *Gender: a Graphic Guide* (London: Icon Books, 2019).

economic class, division of labor, and religion. Further explanations of gender as a social construct include the implications of misconceptions of gender and its somewhat culturally subjective definition. This suggests that the concept of gender in one place and time may draw conclusions that seem inaccurate and exclusionary to someone from another place and time. Such conclusions, in turn, lead to a misinformed and sometimes prejudiced society. An example of this implication can be observed in the exclusion of women from academic societies and guilds for centuries because of the perception that they were less intelligent than men, and therefore incapable and undeserving of formal academic training. Race, class, citizenship, and other statuses have been proposed to overlap and influence gendered prejudices and biases. Analyzing and acknowledging such prejudices and biases remains a central value within the application of Gender Studies across disciplines, as the objective is to gain a broader understanding of gender and its interactions and relations in a multitude of settings.

Gillian (Gill) Perry is another prominent figure in the emergence of Gender Studies that elaborates further on gender construction ideas, though through an Art Historical perspective. Perry is twentieth-century American Art History professor, exhibition curator, and author, on the topics of gender and Feminism in art history. In her book *Gender and Art*<sup>5</sup> (1999), Perry looks at feminist issues in conjunction with sexual variation and constructs of masculinity as a hierarchical device. She details her own canonical history of art through the lens of gender not just as a construct, but as a device and schematic organization of classes. The extent to which gender has been ingrained in

other constructs and social performances has been amplified in Perry's work. Her examples of architectural forms having gendered associations, Freudian art perspectives on gender, and Victorian classifications (and therefore limitations) of "women art," resolidifies the argument that gender is both inescapable and intersected with most areas of life. Clear continuity between the publications of Judith Butler and Gill Perry can be observed in the argument that ingrained within the construction of gender lies a hegemonic power structure. This structure tends to place biological males, gendered men, and masculinity, above females, women, and femininity.

Historical and cultural contexts of the painting *The Months of Shravana and Bhadra* (1780), observe the stylistic traditions, culture of origin, and subjects and formal elements of the work, as important elements that establish the foundation for the later Gender Studies analysis. *The Months of Shravana and Bhadra* is an eighteenth-century Indian watercolor painting of small stature that depicts court women in a lush-forested landscape with open temples and deities of the Hindu pantheon. This painting, only 18 3/8 inches by 21 3/4 inches, falls into the stylistic tradition known as Indian miniaturism, or the Mughal Court tradition depending on the region of origin. This style classifies relatively small paintings from the regions of India, Persia, Bangladesh, and other local areas. This tradition attributes artworks not only by their size and region, but by the depicted subjects and method of formal illusion. Examples of such formal elements include linear composition, open architecture, relatively flat perspective, little shading, and vibrant hues. Much of the subject matter tends to represent iconological

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<sup>5</sup> Gillian Perry, *Gender and Art* (New Haven: Yale University Press, 1999).

and iconographical elements of the culture and religion. This particular painting is a watercolor painting made of natural, water-soluble pigments on handmade, natural-fiber paper, which is a common material combination within this tradition.

Indian Miniatures most often depict scenes from Hindu, Muslim, or Buddhist life throughout India (and surrounding local regions) between the ninth and nineteenth centuries. Author Vishakha N. Desai describes the tradition and its use of unusual color schemes consisting of “bright reds, light mauves, and saturated greens.”<sup>6</sup> This tradition has stood as a primary form of cultural documentation for centuries, as it often records and depicts womens’ court lives, religious and literary stories, as well as portraits of rulers, deities, and other important figures. Author, Paul Hamlyn elaborates on the representation of court women in his description of a painted court woman as: “a lady of quality. [It is her] her slim figure, and the pallid beauty of her features [that] reveal her rank.”<sup>7</sup> This passage communicates the representation of standards and norms of beauty, class, and gender within Indian Miniatures through identifying womanhood in relation to social rank and physical appearance. Many Indian women during the eighteenth century, both inside and outside the court, were customarily obliged into arranged, polygamous marriages. This stands as one example of cultural norms intersecting with gender as a construct, and in many cases, a device for power, as well as being possible

context for the lives of the women in *The Months of Shravana* painting.

Along with demonstrated social rank and norms, *The Months of Shravana* depicts a scene of the Hindu months of Shravana and Bhadra. Shravana, the fifth month of the Hindu calendar, is a month of divinity for Hindu practitioners. A month of divinity is a religious month of designated religious occasions that intend to celebrate, welcome, or reflect on specific circumstances, often including prayer, worship, ritual, etc. This specific month, the month of Shravana, entails welcoming the South-West monsoons as they bring rain to fertilize crops while also symbolizing celebration and prosperity. Celebratory and ceremonial practices often included religious fasting as a form of spiritual cleansing, as well as aiding in connection with the deities Shiva and Lady Parvati. Bhadra, the sixth month of the Hindu calendar, is also included in the theme of this painting. An important festival held during the month of Bhadra is the festival of Ganesha Chaturthi, a celebratory event to honor the birthday of Ganesha. Other customary traditions during the month of Bhadra include veneration of the dead, celebration of the birth of Krishna, and celebrating and honoring the deity Vishnu.<sup>8</sup>

This painting depicts the royal pair, lord Krishna and his wife Radha, sitting next to one another in the open palace drawn in the lower-right corner of the composition. Krishna, in the Hindu pantheon is a highly revered, royal incarnation of Vishnu,<sup>9</sup> the preserving deity of the Hindu triad. Within

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<sup>6</sup> Vishakha N. Desai, “Painting and Politics in Seventeenth-Century North India: Mewār, Bikāner, and the Mughal Court,” *Art Journal* 49, no. 4 (1990): 370-378.

<sup>7</sup> Mario Bussagli, *Indian Miniatures* (London: Paul Hamlyn, 1969).

<sup>8</sup> Roshen Dalal, *Hinduism: An Alphabetical Guide* (New Delhi: Penguin Books, 2014).

<sup>9</sup> Edward Tyomkin, Vorob’eva-Desiatovskaia M. I., and Rosemary Crill, *The Hindu Pantheon: An Introduction Illustrated with 19th Century Indian Miniatures from the St. Petersburg Collection* (Reading, UK: Garnet, 1994).

the Hindu pantheon, a deity structure known as the Dashavatara, a group of ten incarnates or avatars of Vishnu, which includes Krishna as the eighth incarnate. This status of Krishna, both in connection to the Hindu pantheon, as well as human high society, establishes a sense of duality of identity, which includes gender performance. The dominant theme of this painting, known within the Indian miniature tradition as Barahmasa, paints a poetic scene of longing, romance, and intimacy. Krishna, both historically and contemporary, has been associated with sexuality, as he is liminally present between the gender and sexuality constraints placed on human society, as well as the fluidity within the pantheon.<sup>10</sup> Most often, Krishna is depicted with his lover, Radha, in a sacred, religious context.

*The Months of Shravana and Bhadra* observes and aids in identifying the constructed roles, norms, and implications of gender in eighteenth-century Indian culture and religion. By viewing gender in this specific point in history, through this painting, and through the lens of modern gender philosophies, the understanding of intersectional relations between gender and other elements of culture becomes apparent. Aspects depicted within the painting such as traditional womens' garments and festival performances, named figures, figure grouping, and body language, offer a glimpse into the roles and performances women during that time would have experienced due to their gender, and the norms attributed.

When applying Gender Studies as a theory to the *Months of Shravana and Bhadra*

painting, it is important to keep the proposed malleability of gender at the core of the analysis. Historically, gender in India has been both performed and perceived as something simultaneously fixed and adaptable between the Hindu pantheon, and human society. The specificities of these ways of gender determine the implications and hierarchies that are implied and integrated into Indian society. The northern region of India has historically, like many other places in the world, been patriarchal, which establishes the hegemonic placement of men over women in areas of politics, education, religious involvement, and public treatment.<sup>11</sup> This societal construction of roles between men and women contrasts greatly with the functions of gender within the Hindu pantheon. Gender in Hinduism has been not only adaptable, meaning deities often switched between two or more constructed genders, or simultaneously embodied numerous genders. Many deities conformed to more than one gender at a time, or sometimes deviated from the confines of gender altogether; performing as a being devoid of gender, or existing in a liminal space between genders, sometimes to more clearly embody brahman, or animalistic traits.<sup>12</sup>

Although Hindu deities conform to, and deviate from, their own gender norms, these norms apply very differently to the human practitioners of hinduism. It should be clarified that despite the observation of the fluidity of gender within the pantheon, gender hierarchy, hegemony, norms, or roles, are not negated from the religion's structure. Many deities including gods, demi-gods,

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<sup>10</sup> Holly Walters, "Fluid Masculinity: The Case of Krishna," *The Familiar Strange*, March 24, 2019. <https://thefamiliarstrange.com/2019/03/11/fluid-masculinity/>.

<sup>11</sup> Anu Aneja, *Women's and Gender Studies in India: Crossings* (Abingdon: Routledge, 2019).

<sup>12</sup> Nic Beech, "Liminality and the Practices of Identity Reconstruction," *Human Relations* 64, no. 2 (2010): 285-302.

incarnates, and demons, still have gender roles, norms, and attributes. Some of these gendered attributes deviate from those in human society, and some remain similar, such as female deities being associated with fertility and nurturing qualities, like that of human females.

A core concept within Hinduism is Brahman, the highest absolute, or eternal truth, within the religion. Although this idea is not a deity or personification, it establishes a core belief that remains unattributed from gender. Compare Brahman (highest truth), to the Christian God (though somewhat personified, also the highest truth), and observe how gender does, or does not, play a role in spiritual hierarchy. This is not to suggest that Hinduism does not partake in spiritual gender hierarchy, though it does suggest that the core of the religion may focus less on gender than impersonal enlightenment. Other sects, or branches of Hinduism, embrace God, or the pure energy of brahman, as female, such as the Shakti tradition. Gender constructs and performances appear much more within Hinduism's deity structure. This seemingly obvious, or abstract, idea goes back to Judith Butler's concept of gender being qualified by a body, and a body being qualified by gender.

Within eighteenth-century Indian culture, men held power in their home, politics, and religion, while women were customarily married off, served the men in

their courts and homes, and designated to serve and worship within the religion.<sup>13</sup> Historical analyses have observed that this male hierarchy over females emerged after the Vedic age of India, ending around 600 BC, and worsened throughout the Colonial Period (1752-1933).<sup>14</sup> During the eighteenth-century, India stood under Colonial Rule, which greatly impacted societal relations with cultural customs, as well as religious practices. This socio-political shift can be observed through many artworks of the time, including *The Months of Shravana and Bhadra*. Although Colonial Rule is more widely known to have impacted political climates, this does not denote its impact on religious and gendered experiences. Seen throughout the landscape painting, women congregate in a dance called Nautch. During the eighteenth-century, groups of women called "Nautch girls" would be called to perform this dance in political courts for both Indians and British colonizers and tourists.<sup>15</sup> This popular performance became not simply a dance, but a performance of status, gender, and servitude.

Moreover, author Mattison Mines expands on this understanding of societal implications for individuals due to their gender, as well as other identities. Mines articulates that "self-representation, therefore, voices an individual's explanation of his or her social relations in a particular moment and presents that person's perspective on the social rules that govern

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<sup>13</sup> Alex Buckley, "Gender Oppression, Inequality and Gender Roles In India and Southwestern United States: How British Colonial Rule and American Internal Colonialism Perpetuated Gender Roles and Oppression," *Edge of Empire*, Published April 30, 2015, <https://people.smu.edu/knw2399/2015/04/30/gender-oppression-inequality-and-gender-roles-in-india-and-southwestern-united-states-how-british-colonial-rule-and-american-internal-colonialism-perpetuated-gender-roles-and-oppression/>.

<sup>14</sup> Kaustav Chakraborty and Rajarshi Guha Thakurata, "Indian Concepts on Sexuality," *Indian Journal of Psychiatry* 55, no. 6 (January 2013): 1-250.

<sup>15</sup> Tilly Kettle, *A Woman of the Court at Faizabad, India 1772*, Oil on canvas, 76 ¾ × 47 ¾ inches, Yale Center for British Art, <https://collections.britishart.yale.edu/catalog/tms:872>.

them.”<sup>16</sup> This passage not only acknowledges historical interactions with personal identity, but also reinforces the modern proposition that gender is both a construct of the self, and a product of a society. This perspective on personal identity correlates the values of Gender Studies, with Feminist theories, in that many women were subject to the normative, and often compulsory, gender expectations within their society, despite their rank or status. Although the concept of self-identity remains present in the works of Gender Studies authors, maintaining historically considerate observations is important. Throughout history, including that of eighteenth-century India, gender identity was viewed not as a malleable aspect of the self, but rather a fixed, cardinal, truth that came with expectations and norms. Such expectations demanded that women serve men, care for the home, and worship a variety of deities as part of their rites. Mines articulates this idea of identity as a ‘still-life,’ or a response to one’s social environment, which accurately represents the role of art in communicating culture and identity.

Although painted by an unnamed artist, *The Months of Shravana* illustrates a clear image of some of the roles in Indian court life, as well as in religious settings. Women can be seen congregating during a performance nautch dancing, with mehendi painted hands and vibrantly decorated saris. These aspects of self-expression exemplify the points made by John-Barker and Scheele, that personal gender identity is performed by cultural norms, expectations, and standards. Further connections can be made with Butler and Wallach Scott’s idea that gender inherently hegemonizes one group over another, given that these women were likely performing customarily for the more elite viewers, Krishna and Radha. The royal

couple, lord Krishna and Radha, illustrates a clear view into the intersectionality between gender and social rank. Both Krishna and Radha sit lavishly in the top floor of their palace, engaging quietly and intimately with one another. The depiction of their romance is amplified by pairs of animals throughout the artwork. Romance and sexuality in most cultures, including Indian culture, has been an inherently gendered concept, which is where overlap between Gender Studies and Queer Theory remains notable. Although the morality and inclusion of homosexuality are debated between different individuals and sects of Hinduism, the religion, and culture surrounding, are predominantly heteronormative; meaning heterosexuality remains the compulsory standard for sexuality, romance, and kin. This standard is true not just within Indian society, but also within the pantheon. The most primary examples of sexual variation within Hinduism are those of biologically heterosexual deities who shift between various genders, deities who deviate entirely from gender, or deities who embody multiple genders at once. Despite an extent of variation within the pantheon, gendered kinship within human society remains heteronormative, which is demonstrated by the kinship of Krishna and Radha.

Further observations of gender performance within *The Months of Shravana* and *Bhadra* include the painted figures’ worn attire. The most apparent attire visible in this painting are the vibrant saris worn by all the women as they dance and swing around the landscape. The sari can be traced back as far as 2800 BCE from the Indus Valley, which indicates its presence in women’s wardrobes for thousands of years. Still today, the sari is recognized as one of the oldest unstitched garments in the world, and is now commonly

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<sup>16</sup> Mattison Mines, “Courts of Law and Styles of Self in Eighteenth-Century Madras: From Hybrid to

Colonial Self,” *Modern Asian Studies* 35, no. 1 (2001): 33-74.

worn by India's recognized "third gender." The garment has such deep roots in tradition, mixed with religious symbolism, different colored saris represent different attributes. For example, white saris often represent purity, while yellow represents courage.<sup>17</sup> Saris, throughout history, have been adapted to different cultural customs, such as social rank, special occasion, and religious event, making it a performance item that not only signifies gender, but also class and occasion.

Finally, through the analytical lens of Gender Studies, in depth observations can be made about gender within eighteenth-century Indian culture, class, and religion. The Months of Shravana and Bhadra has offered a visionary perspective into this world, with its physical depiction of gender in relation to Hinduism, socio-political rank, clothing attire, performances, and brief iconography. Connections have been made between Gender Studies and Feminist ideas, and the historical placement of women within their culture, as well as Queer ideas within Indian sexuality norms. Historical evidence observes Colonial impacts on gender norms and exoticism within Indian courts, especially those placed on Indian women. Other correlations between strict, cultural gender norms, and more malleable gender norms within the Hindu pantheon. These points and observations have been made in connection with founding Gender Studies authors such as Gillian Perry, Judith Butler, and Joan Wallach Scott, with mentions of later authors Meg John-Barker and Jules Scheele. Such authors have established a broad, considerate, and intentional, gender philosophy which has been adopted within the Art Historical discipline in an attempt to

understand various cultures' gender ideas through art and history.

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<sup>17</sup> Sarah Lamb, *White Saris and Sweet Mangoes: Aging, Gender, and Body in North India* (Berkeley: University of California Press, 2000).

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# Corruption and Economic Development in Haiti

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For PSCI 351: International Political Economy

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## *Abstract*

This paper explores the connection between corruption in the government and the rate of economic development in an attempt to prove that in the presence of significant corruption, economic development can not be achieved in its entirety. After defining corruption in terms of this research, the author takes a three-pronged approach to address how significant aspects of said development (investment, infrastructure, and access to credit) are hindered or halted by the direct and indirect effects of corruption. Through the use of data and studies collected and completed by previous researchers, this paper proves 1) Haiti is in a state of corruption 2) Haiti has not reached its full economic potential due to problems in the three previously mentioned sectors, and 3) those problems are amplified by corruption.

**Keywords:** Economic development, Haiti, corruption, foreign direct investment, infrastructure

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Economic development in Haiti remains an issue to this day. Since its colonial period under Spanish and then French rule, Haiti has been exploited and left with industries not suited for economic independence. After winning sovereignty from Napoleon's forces in 1804, Haiti was left with no clear structure of government, massive debt, and industries designed to benefit France and not Haiti. The newly

formed nation struggled to become "recognized as a sovereign nation state, ... form strategic alliances, to get access to foreign loans, and to safeguard trade interests."<sup>1</sup> After two decades of economic issues, France agreed to recognize Haitian sovereignty in return for 150 million francs, this fee was later reduced to 90 million francs in 1838, which adjusted for inflation, would be equivalent to approximately 33 billion US

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<sup>1</sup> Ewout Frankema and Adrien Masé, "An Island Drifting Apart: Why Haiti is Mired in Poverty While the Dominican Republic Forges Ahead." *Journal of International*

*Development* 26 (2014): 128-148.  
<https://doi.org/10.1002/jid.2924>, 145.

dollars (USD). These issues and debt only worsened over the next two centuries, with Haiti becoming the poorest country in the Western Hemisphere with a massive dependency on foreign aid to survive. The political turnover in Haiti, marked by dictatorships and corrupt regimes, has created “predatory political and economic corruption that enable [criminal gangs which] have made the country’s plight immeasurably worse.”<sup>2</sup> These politics have stunted economic development and continually created poverty traps within the country. Transparency International shows Haiti has had a low perceived corruption score (the closer it is to zero, the more corrupt it is seen) for the past decade<sup>3</sup> and is the eighth most corrupt country in the world.<sup>4</sup>

The prevalence of corruption, which is the mishandling of a public office to facilitate private gain, is “a reflection of a country’s legal, economic, cultural and political institutions.”<sup>5</sup> Examples of such an action would be embezzlement of government funds into a private bank account or accepting bribes. Corruption is both a symptom and a cause of limited economic development. Weak institutions caused by environmental disasters and poor governance

establish a breeding ground for corruption. Once it takes root, corruption causes “low income and is believed to play a critical role in generating poverty traps.”<sup>6</sup> This decreases the genuine wealth per individual, a big factor in tracking economic development which is often achieved through a variety of strategies to promote industrialization.<sup>7</sup> This industrialization supposedly stimulates economic growth through the establishment of more jobs and increased efficiency which helps prevent a trade deficit by creating more exports equivalent to the import rate. However, corruption often interferes with this by adversely affecting “investment in manufactured and human capital... and creating a lack of political accountability and with disrespect for property rights, factors which themselves tend to be obstacles to economic growth.”<sup>8</sup> While corruption has numerous effects on economic development, this paper’s primary focus is the dissuasion of potential investors, the deterioration of infrastructure, and the limitation of access to credit in Haiti.

Investors are seeking stability and insurance so that they know their money is going where they want it and that it will have the impact they expect it to. When corrupt

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2 Robert Muggah, “Haiti Is on the Brink of State Failure,” *Foreign Policy*, February 17, 2023,

<https://foreignpolicy.com/2023/02/17/haiti-crisis-corruption-criminal-gangs-violence-humanitarian-assistance-state-failure-sanctions/>.

3 Transparency International, “Corruption Perception Index Score of Haiti from 2012 to 2022,” *Statista*, January 25, 2023,

<https://www.statista.com/statistics/811736/haiti-corruption-perception-index/>.

4 Transparency International, “Most Corrupt Countries Worldwide 2022, According to The Corruption Perception Index.,” *Statista*, January 31, 2023, <https://www.statista.com/statistics/235847/most-corrupt-countries/>. Transparency International.

5 Jakob Svensson, “Eight Questions about Corruption,” *Journal of Economic Perspectives* 19, no. 3 (August 1, 2005): 19-42, <https://doi.org/10.1257/089533005774357860>, 20.

6 Toke S. Aidt, “Corruption, Institutions, and Economic Development,” *Oxford Review of Economic Policy* 25, no. 2 (June 1, 2009): 271, <https://doi.org/10.1093/oxrep/grp012>.

7 Thomas H Oatley, *International Political Economy*, 7th ed. (Routledge, Taylor & Francis Group, 2023), 5.

8 Toke S. Aidt, “Corruption, Institutions, and Economic Development,” 272.

regimes are in place or even the idea that the government could be corrupt, there is mistrust. This lack of faith forces investors to either go forth with a potentially risky investment, pick another way of investing in the country, or not invest at all. Haiti, “with its relatively isolated geographic location and lack of leadership to provide inclusive social services for citizens through institutions, has struggled to develop a viable economy and civil society,”<sup>9</sup> forcing it to rely heavily on foreign aid and investment. Despite not having a single democratically elected official,<sup>10</sup> foreign aid and investment still come in because foreign governments are afraid to let Haiti fail.<sup>11</sup> However, Haiti should be wary of continuing to use this as a lifeline because, after \$13 billion of aid, Haiti's institutions have not strengthened, so it is uncertain how long this aid will continue to flow if its objectives are not achieved.<sup>12</sup>

A more reliable, and perhaps, useful measure is investment. The most important type of investment for Haiti is foreign direct investment (FDI). This cross-border investment “in which a resident or corporation based in one country owns a productive asset located in a second country... [is often] made by multinational corporations (MNCs)... [and examples

include the] construction of a new, or the purchase of an existing plant or factory.”<sup>13</sup> FDI is one way for poorer countries like Haiti to accumulate capital goods like new factories, farms, mines, or wells which the country itself cannot afford to spend money on.<sup>14</sup> FDI creates jobs, helps jumpstart industries, and ultimately promotes economic growth if the right regulations are in place to direct the benefits toward the host country and not the country of origin for the MNC. However, those regulations are created and enforced by the government. So the lack of overall success of FDI in Haiti, despite significant amounts of it, is not due to how much money is invested, but the lack of infrastructural controls that could protect and secure the effectiveness and distribution of the allocations by FDIs.<sup>15</sup>

Investors who wish to remain working in Haiti must find innovative ways to ensure their effectiveness. There has been some success for FDIs that focus on a bottom-up approach and create a self-governance system with a public-partner partnership relying on a variety of different stakeholders.<sup>16</sup> However, the effects of a weak or corrupt government will still be felt despite this workaround. If the government is weak or corrupt, there will be inefficiencies

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<sup>9</sup> Beverly Barrett, “Domestic Institutions and Foreign Assistance in Haiti: Requisites for Economic Development,” *Development Policy Review* 36, no. S1 (December 4, 2017): 513–40, <https://doi.org/10.1111/dpr.12252>, 514-515.

<sup>10</sup> Muggah, “Haiti is on the Brink of State Failure.”

<sup>11</sup> Maria Abi-Habib, “Why Haiti Still Despairs after \$13 Billion in Foreign Aid,” *The New York Times*, July 8, 2021, <http://www.nytimes.com/2021/07/08/world/haiti-foreign-aid.html>.

<sup>12</sup> Abi-habib, “Why Haiti Still Despairs after \$13 Billion in Foreign Aid.”

<sup>13</sup> Thomas H. Oatley, *International Political Economy*, 379.

<sup>14</sup> Joshua S. Goldstein and Jon C. Pevehouse, “The North-South Relations,” essay, in *Principles of International Relations*, 8th ed. (New York City, New York: Pearson Longman, 2009), 283–94, 283.

<sup>15</sup> Vladimir D. J. Lena, “An Assessment of How Widespread Corruption and a General Lack of Institutional Governance Structure Impact the Inflow of Foreign Direct Investment and Overall Economic Growth in Haiti” (dissertation, North Central University, 2022 ), 48, Pro Quest (AAT 28969028).

<sup>16</sup> Lena, *An Assessment of How Widespread Corruption*, 51.

because it is through those inefficiencies that corrupt individuals create a system that will allow them to earn bribes. When this unproductivity diminishes profits, “entrepreneurs choose not to start firms or to expand less rapidly, ... shift part or all of their savings toward the informal sector, or organize production in a way that the need or demand for public services is minimized.”<sup>17</sup> If the MNCs are not growing their positions in Haiti, reducing their holdings, or even switching to working more informally, then jobs and the associated benefits will decrease. This decrease results in more poverty and reduces the speed at which Haiti develops economically.

One way that FDI helps an economy is by building up infrastructure (incorporating, but not limited to, the backbone of transportation, healthcare, communication, and education). Roads, bridges, ports, and energy networks help facilitate trade, attract investments like FDI, and create job opportunities. Essential services like healthcare and education, which also require functional infrastructure, directly impact the quality of life for citizens. These services factor into sustainable economic development, which uses the establishment and upkeep of these as a starting point for further development, but the plague of poverty and political unrest has hindered significant progress in this regard for Haiti.<sup>18</sup> Constant exchanges of political regimes that have different governmental goals and regular environmental disasters have left the current infrastructure in ruin and no clear

process for improving it. This failure of the government is, at least partially, because of corruption. As “bribery, extortion, fraud, embezzlement, nepotism, cronyism, misappropriation of public funds and property, and influence peddling,”<sup>19</sup> corruption has diverted resources away from essential public projects. Funds for infrastructure projects are often stolen and pocketed by corrupt individuals instead of going to their intended purpose. The lack of transparency and accountability in the allocation of resources has led to substandard infrastructure, hindering economic activities and perpetuating poverty. It also negatively affects public view of and trust in the Haitian government.

Looking at the devastating Port-au-Prince earthquake in 2010 which destroyed roads and schools, and ultimately ruined the infrastructure of the area, there is a marked refusal by foreign parties to give aid directly to the Haitian government. Instead, aid was funneled through non-government organizations (NGOs), independent contractors, and other corporations with “less than 1 percent [of humanitarian aid going] to the government of Haiti.”<sup>20</sup> This lack of direct aid to the government was due to the prevailing opinion of the donors that the Haitian government either lacked capacity and/or was too corrupt to handle the funds.<sup>21</sup> Despite these donors' efforts to circumvent corruption, the government's overall lack of proper oversight allowed for corrupt practices to thrive, resulting in inadequate housing, unreliable energy supply, and

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<sup>17</sup> Jakob Svensson, “Eight Questions About Corruption,” 37.

<sup>18</sup> Dwinell Jean-Louis, “A Culture of Corruption: A Case Study of the National Culture Affecting the Socioeconomic Outcome of Haiti,” (dissertation, Nova Southeastern University, 2021), 40-41, Pro Quest (AAT 28649931).

<sup>19</sup> Lena, An Assessment of how Widespread Corruption, 148.

<sup>20</sup> Vijaya Ramachandran and Julie Walz, “Haiti: Where Has All the Money Gone?,” *Journal of Haitian Studies* 21, no. 1 (March 2015): 26–65, <https://doi.org/10.1353/jhs.2015.0003>, 33.

<sup>21</sup> Ramachandran and Walz, 35.

damaged transportation networks. This mismanagement not only slowed down the recovery process but also deepened the economic challenges faced by the Haitian people. Corruption creates a vicious cycle where impoverished communities lack access to basic amenities due to deficient infrastructure. This lack of access limits economic opportunities, making these communities vulnerable to corrupt practices, such as bribery for essential services. Breaking this cycle requires addressing both corruption and infrastructure deficiencies simultaneously. Anti-corruption measures can ensure funds are directed toward legitimate infrastructure projects, fostering economic growth and uplifting communities. To promote economic development in Haiti, there must be a concerted effort to combat corruption and prioritize transparent, accountable investments in infrastructure. By channeling funds efficiently into critical projects, Haiti can break free from corruption, improve living standards, and create a foundation for sustainable economic growth.

Another key way of improving the quality of life in Haiti and boosting economic development is by providing credit to Haitian citizens. However, corruption also impacts the banking system and can lead to loans being distributed based on bribery or the bank not having enough money to give credit to the poor. Often this limited access to credit services acts as a significant obstacle to the development and sustainability of

microenterprises in Haiti,<sup>22</sup> which ultimately limits the country from lifting itself out of poverty at the grassroots level. The main issue with the current banking structure is the interest rates. Currently, they are too high for Haitian citizens to pay.<sup>23</sup> Poverty is rife and the unemployment rate is “believed to be as high as 70 percent,”<sup>24</sup> meaning most citizens do not have a reliable source of income or a high one. As such, high-interest rates would destroy their chances of obtaining loans. The government has formed an extraction economy, which, similar to an extractive institution, “allocates power very narrowly to a small ruling elite and systematically excludes other segments of society from access to power.”<sup>25</sup> The structure of the banking system allows for only the economic elite to obtain loans which are crucial in the start-up and maintenance of businesses. Ultimately, corrupt individuals are unlikely to change this design and will continue to extract resources or quash any type of independent economic activity that “threatens themselves and the economic elites...[resulting in] economic stagnation.”<sup>26</sup> The failure of the government to provide viable and reliable access to banking to all its citizens has led to other organizations stepping in to fill its role.

For example, “Fonkoze, a Haitian non-governmental organization (NGO), has graduated over 6,000 Haitian women out of ultra-poverty through its Chemen Lavi Miyò (CLM) programme,”<sup>27</sup> by providing microcredit (small loans handed out in a

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<sup>22</sup> Guy-Robert Pierre, “Poverty in Haiti,” *Open Journal of Political Science* 10, no. 03 (July 2020): 407–27, <https://doi.org/10.4236/ojps.2020.103025>, 416.

<sup>23</sup> Pierre, 416.

<sup>24</sup> Carol Adelman, “Haiti: Testing the Limits of Government Aid and Philanthropy.” (The Brown

*Journal of World Affairs*, Spring, 2011), 91, Pro Quest

<sup>25</sup> Oatley, *International Political Economy*, 159.

<sup>26</sup> Pierre, “Poverty in Haiti,” 418.

<sup>27</sup> Martin Greeley, “Targeting the Ultra-Poor: Lessons from Fonkoze’s Graduation Programme in Haiti,” *Brighton: Institute of Development Studies*, 2019, 1.

group funding method instead of relying on collateral and that are repaid more regularly) that allows these women to improve their quality of living and establish businesses that will bring in long-term gain. The success of this program is wonderful, yet that it was needed points to an overall deficiency within the government.

In the heart of Haiti's struggle for economic development lies the pervasive influence of corruption, a force that has hindered progress, marginalized communities, and perpetuated poverty traps. Corruption dissuades potential investors, deteriorates essential infrastructure, limits access to credit, and ultimately acts as both a symptom and cause of limited economic growth. The consequences of this deeply ingrained corruption are far-reaching, leaving Haiti heavily reliant on foreign aid and investments to sustain its fragile economy. Despite its long-lasting effects, little success has been made in the way of limiting or eliminating corruption. However, corruption control has appeared to be getting slightly better in the last few years when compared to how it was in the late 1990s and early 2000s.<sup>28</sup> In response to this, the United States of America and other foreign powers may be needed to help Haiti out of poverty and corruption.

Taking the recommendations from the Committee on Foreign Affairs, House of Representatives, One Hundred Seventeenth Congress, First Session, March 12, 2021,<sup>29</sup> it is clear that a government with strong structures and public support is needed. To achieve public support, more transparency should be encouraged so that the people can

see how the Haitian government acts and where their money goes. Foreign parties can collaborate with Haitian authorities to bolster law enforcement agencies, enhance judicial independence, and establish transparent and accountable mechanisms for public administration. They can do this by providing technical expertise, training, and resources that will support the Haitian government in creating an environment where corruption is swiftly penalized and deterred. However, any security strategies aimed at these endeavors must combine “critical law enforcement support with a host of other measures, not least community policing, criminal justice reform, and anti-corruption programs.”<sup>30</sup> Transparency and accountability must be at the core of Haiti's development agenda. The Haitian government to implement robust systems for financial transparency, ensuring that funds are allocated efficiently and ethically. Public awareness campaigns can educate citizens about their rights and foster a culture of civic responsibility, promoting grassroots movements against corruption. The international community can, in tandem, promote accountability and encourage ethical investments from MNCs, which should ensure that economic resources are channeled toward projects that directly benefit Haitian communities. This includes promoting accessible credit facilities and microfinance initiatives, all empowering local entrepreneurs, and small businesses to thrive. Implementing these suggestions, theoretically, would help improve and speed up economic development which will ameliorate the quality of life for Haitian citizens.

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<sup>28</sup> World Bank, “Estimated Corruption Control Score in Haiti from 1996 to 2021,” Statista, May 10, 2023, <https://www.statista.com/statistics/1390648/estimated-corruption-control-score-haiti/>.

<sup>29</sup> Committee on Foreign Affairs, report, Policy Recommendations on Haiti for the Biden Administration § (2021).

<sup>30</sup> Muggah, “Haiti is on the Brink of State Failure.”

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## Meet Our Staff

### *Organizational Board*

**Emily Nolan** is a senior Anthropology major with a minor in English Literature. She is the President of Columns and the Outreach Coordinator for the Sociology and Anthropology club. She is currently interning with the Patawomeck Tribal Center, helping them create a traditional Three Sisters Garden. Emily is beyond excited to graduate and sleep for months, ignoring the looming presence of applying to graduate schools.

**Elisa Luckabaugh** is a senior Geography major in the honors program. She is the Vice President of Columns, as well as the President of the Geography Club. She particularly enjoys studying physical geography and Earth processes and is also completing the Geographic Information Sciences Certificate. She also enjoys geography trivia and exploring new music!

**Laura E. Connors** is a sophomore History major with an Applied Statistics minor in the Honors Program. She is thrilled to be a part of her first Columns issue as the Outreach Coordinator. Outside of Columns, Laura is a member of the Undeniably Adjacent and volunteers with the Old Dominion Humane Society in Fredericksburg and Hope Multiplied in Washington, D.C.

**Makayla Bowman** is a sophomore anthropology & historic preservation major and museum studies minor. She is passionate about ethnic architecture and culturally relative conceptions of identity. In her small amounts of spare time, she loves to volunteer at the Fredericksburg Area Museum, go antiquing, and visit National Parks. She is also Treasurer of the Sociology & Anthropology Club, as well as manager of the UMW Varsity Volleyball team. Mozzarella is her favorite type of cheese.

**Catherine Northedge** is a freshman in the honors program who intends to major in sociology. She loves doing humanitarian work, and is currently an intern for the community of outreach and resources at UMW. In her free time she enjoys playing piano and guitar, crocheting doilies, and running. Most of all, Rin loves editing for Columns!

**Ricky Muñoz** is a senior History and Geography double major. His scholarly interests include Latin American history, placemaking geographies, and as of late, studies of the Dominican diaspora in the US. When he is not busy buying books he will never read, he likes to spend his free time cooking, fearing insects, and cursing in Spanish. He is a co-founder of Columns, and has served as an officer for the UMW International Relations Organization and The Undeniably Adjacent, UMW's improv comedy team. He is immensely grateful for the opportunities that the various organizations he has participated in have granted him, especially Columns, and he wishes the journal and those who work tirelessly for its advancement nothing but growth and success in the future.

## ***Editorial Board***

**Kelly Deppmeyer** is a senior, (finally) graduating in December, who joined Columns this semester. She is a proud English literature major who will brag about the fact that she has thirteen-thousand hours on Sims 4 (not a typo). She is passionate about supporting women, philosophy, and creating positive impacts in the spaces she loves. Kelly is looking forward to the summer where she will be able to read more and maybe eat a kiwi for the first time (she has never eaten a kiwi).

**Jahnavi Haryani** is a freshman who is double majoring in Applied Economics and Business Administration. She is passionate about reading, eco-sustainability and law. When she's not reading murder mysteries at 5am, you can find her painting, throwing shot-put, or exploring new cities. Outside of Columns, Jahnavi is an intern at Parrish Snead Franklin Simpson and volunteers for Zooniverse.

**Nicholas Macklin** is a junior Cultural Anthropology major. He is deeply passionate about understanding the relationship between individuals and social structures, and is thrilled to be part of the Columns editorial team this year!

**Eiman Mahboob** is a freshman at UMW, majoring in philosophy pre-law. A dedicated night owl, she relishes sleeping in and dreads her morning classes. Outside of academics, she finds joy in attending club meetings and socializing with friends. Her recent obsessions include the color pink, despite severe pollen allergies, springtime, and Coke Zero. Eiman joined Columns driven by her love for trying new things and is excited to explore all that awaits!

**Zoe Mueller** is a sophomore International Affairs major with a minor in law and philosophy. As member of the UMW honors college and the performing arts company she loves to be involved on campus. She is passionate about reading and literature and is so excited to be a part of this issue of Columns as an editor this year!

**Tabitha Robinson** is a senior English and Religious Studies double major. Her research interests include first century Christianity in Graeco-roman context. In addition to being a Columns editor, she serves as Interreligious Dialogue Research Coordinator for UMW's Khatib Program in Religion and Dialogue, and she's also a publishing assistant and editor at a local publishing company called MPC Publishing. When she's not reading, hiking, or sewing, you can probably find her playing Stardew Valley.

**Eleanor Weber** is an Anthropology major and an editor for Columns. She is a current senior counting down the days to graduation. In her free time she can be found walking the beautiful trails of Richmond while questioning the state of the world. Though, most of the time she can be found taking a nap.

*A Note From the Staff*

*Columns*: The Mary Washington Humanities and Social Science Journal was founded in the Fall of 2022 by Kathleen Gruber, Erin Mahoney, Liam Kiely, and Ricky Munoz, as part of an effort to showcase exceptional undergraduate research at UMW. Since then, three more editions have been published, including the very one you are reading! This journal would not be possible without the hard work and dedication of Organizational and Editorial Boards from previous years. We thank them for their tireless efforts and their immense contributions to our success.

Each work included in *Columns* is selected not only on its academic merit, but on the quality of its scholarship, and its original contribution to its respective field. All works submitted to *Columns* undergo a rigorous peer review process by multiple editors on our entirely student-run editorial board and go through an extensive review and editing process before their final publication. All works published in *Columns* represent what we believe to be the best of original undergraduate scholarship at UMW.



# C O L U M N S

UMW HUMANITIES JOURNAL