

# JOURNAL of UNDERGRADUATE RESEARCH



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## SEDUCING *EL PUENTE*

Ediciones *El Puente* outlasted every private publishing enterprise in Cuba until Fidel Castro's cultural restrictions crushed its young poets in 1964. The final blow came from an unlikely source: a homosexual encounter between the teenage son of a Cuban poet and American Beat writer Allen Ginsberg, forever influencing both countercultures.

## OPPOSITIONAL YOUTH SUB-CULTURE

This research paper explores the phenomenon of oppositional youth sub-culture among the second generation of Mexican transmigrants in the United States, and specifically in the South Bend region. Perspectives from economics, the school, the street, and the criminal justice system are considered in an examination of the downward assimilation of youth sub-culture.

## A MAN AMONG GODS

This paper, which was also used as my senior thesis, examines and explains the five acts of deification that occurred during the rule of the emperor Hadrian. Each act of deification revealed a growing tolerance of imperial autocratic power in the early Antonine period of Roman history.

## REDEFINING DEATH

With the advent of the medical ventilator in the twentieth century, the classic definition of death changed forever in the United States. An individual was dead when her brain was dead, even if her heart was still beating. "Redefining Death" uses physiology and a philosophical understanding of personhood to propose a new, higher-brain definition of death.

## ROBYN GRANT

*Seducing El Puente: American Influence and the Literary Corruption of Castro's Cuban Youth*

## CAROLINE HAWES

Oppositional Youth Sub-Culture and the Second Generation of Mexican Transmigrants

## TRACY JENNINGS

A Man Among Gods: Evaluating the Significance of Hadrian's Acts of Deification

## JOSEPH VENTURINI

Redefining Death:  
An Argument for Person-Based Criteria

## PREVIEW FOR GREGORY BARR

John Courtney Murray,  
Aggiornamento, and Vatican II's Declaration on Religious Freedom

## PREVIEW FOR MOLLY KRING

Purifying Words to Revive Images:  
Sensory Intimations of God in Eliot's "Four Quartets"

front cover owl design by  
Georges-Philippe Toumayan

A large, light gray, stylized logo consisting of the letters 'J', 'U', and 'R' is positioned in the background. The 'J' is on the left, the 'U' is in the center, and the 'R' is on the right. The letters are thick and have a slightly rounded, modern feel. The 'J' and 'U' are connected at the top, and the 'U' and 'R' are connected at the bottom. The 'R' has a long, sweeping tail that extends downwards and to the right.

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The opinions expressed in these papers are solely those of the authors and do not necessarily reflect the view or position of the Journal of Undergraduate Research or the University of Notre Dame.

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The *Journal* draws its material exclusively from undergraduate research, and we are sincerely thankful for all the students who submitted their work for consideration. The number of papers we reviewed and the quality of submissions we received reflects favorably on Arts and Letters undergraduates and their professors. Most importantly, it is the *Journal's* readership that makes this publication possible and meaningful.

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## Note from the Editors:

The *Journal of Undergraduate Research* is a peer-reviewed scholarly publication that collects, revises, and distributes outstanding academic research and writing produced by undergraduates in the College of Arts and Letters. Six years ago, the first edition of the *Journal* represented the first student-run attempt to provide an outlet for excellent student work. Then as now, we are dedicated to expanding the scope of undergraduate research beyond the limits of the classroom. We hope to promote further and ongoing achievement in research and writing, and to bolster the already vibrant pursuit of academic excellence here at the University of Notre Dame.

Today we are proud to stand alongside several other peer-reviewed scholarly publications. In keeping with our dedication to the variety and breadth of a liberal arts education, we look forward to seeking new ways to contribute to the cohesion of our growing academic environment. Just as we are committed to promoting a sentiment of scholarly collaboration, we are dedicated to our unique mission of representing the breadth of research completed across multiple fields. Now as always, we draw from every discipline within the College of Arts and Letters in order to reflect the spirit of collectivity that characterizes a liberal arts education.

Our nineteen-member editorial board, comprising students from a diverse selection of majors in the College of Arts and Letters, has reviewed over fifty papers from nearly every department in the College. The four that are published here, and the two more that appear in the online edition of the *Journal*, particularly highlight the original and outstanding research that has been completed by Arts and Letters students in the past year. For the editors, the papers selected epitomize the determined pursuit of knowledge that is at the core of a liberal arts education. We hope that you, our readers, will find these papers as rigorous, engaging, and valuable as we do.



**ROBYN GRANT** is a junior pursuing a degree in History and Gender Studies, with a concentration in twentieth century Latin America. She wrote “Seducing *El Puente*” for her riveting history seminar, Student Protests and Activism, under Professor Jaime Pensado. After falling in love with Cuban politics as a senior in high school, she had been trying to find a legitimate reason to spend more time reading Fidel Castro’s speeches when she stumbled upon the story of the young writers of *El Puente*. When she found Allen Ginsberg’s account of his time in Cuba, she realized she could write a paper about her two favorite things: the Cuban Revolution and Beat poets. Luckily, Professor Pensado accommodated her slightly divergent topic, and this paper emerged. Among Robyn’s prospective plans after graduation are enrolling in culinary school, teaching women’s empowerment classes in Los Angeles, and, obviously, traveling legally to Cuba.

# Seducing *El Puente*: American Influence and the Literary Corruption of Castro's Cuban Youth

ROBYN GRANT

On February 16, 1965, Allen Ginsberg, notorious poet of the American Beat Generation, had sex with Cuba.

Ginsberg did not go to bed with an island but rather with a young writer, Manuel Ballagas, who idolized Ginsberg's poetry and the freedom with which he expressed the individualism of his generation. This act represented the controversial bond between Allen Ginsberg's literary collective, the American Beat Generation, and the group to which Ballagas' father belonged, Ediciones *El Puente*.<sup>1</sup> Sparked by homosexual attraction and intellectual stimulation, their intercourse produced grave repercussions for both men and led to the termination not only of their sexual relationship but also of their literary one. It personified the conflicting connection between American and Cuban political dissidence and the emergent repression of homosexuality in Cuba as "counter-revolutionary." Ginsberg's physical seduction of the young writers of *El Puente* fused individualist activity with poetry of the same nature, launching what Castro saw as a dual-edged attack on socialism. The influence of the Beat Generation emboldened *El Puente* to test the boundaries of poetic license.

This American Beatnik generation, which defined itself as a group of "swinging, sex-free, footloose, nocturnal, uninhibited, non-conformist geniuses of the human race" represented a preeminent threat to the Cuban Revolution in the early 1960s.<sup>2</sup> Allen Ginsberg and other "Beats" personified American counterculture, criticized

their country's growing materialism and conformity during the Cold War, and gained popularity among young poets in Cuba.<sup>3</sup> While the government of the United States planned assassination attempts and trained Cuban exiles, it unwittingly fueled a generation of Beat writers such as Lawrence Ferlinghetti, who claimed solidarity with the communist nation. Allen Ginsberg and the Beats' interference barely rippled the political relations between the two countries but made waves in the literary scene, offering individualism to young poets who admired their work.

*The influence of the Beat Generation emboldened El Puente to test the boundaries of poetic license.* The private publisher Ediciones *El Puente* was an outlet for Cubans as young as seventeen to publish literature without a revolutionary pre-

condition and eventually became a willing participant in the cultural exchange. The relationship between *El Puente* and the Beat movement exposed a current of young counterculture amidst militant revolutionaries in Cuba and revealed the disparity between the romanticism of American sympathizers and the realism of the country they supported. The Beat poets gave significance to the closing of *El Puente* in 1965 beyond the political exile of its founders.

### **Literature in Revolution: A Brief Historiography**

Historians have ignored the impact of American counterculture on Cuban literature, overlooking the parallels between Beat writers and *El Puente* during the 1960s. The historiography of literature, especially in mid-century Latin America, revolves around the impact of political change. Scholars assume that party ideology governed cultural expression in the wake of the Cuban revolution, either through a revolutionary consciousness or the implementation of censorship. For example, most argue that in order to sustain the nation's reformed ideals, the new Cuban government sought a departure from the cultural structures associated with the former dictatorship and embraced the "struggle for utopia," emphasizing

sacrifice for a common, revolutionary goal.<sup>4</sup> Subsequent analyses of the institutionalization of Cuban culture continue to ignore the influences outside of militant restrictions.<sup>5</sup> Scholars acknowledge socialism's impact on literature but ignore the American liberal influence, leaving a gaping hole in the understanding of young groups like Ediciones *El Puente*, who refused to pursue literary significance within a revolutionary definition. Where did young, marginalized poets find inspiration when not bound by the motivations of their fellow revolutionaries?

Literary historians only recently began to explore the identity of Ediciones *El Puente* and its influences. Accounts written before Cuba's Special Period<sup>6</sup> emphasize the role of the young poets within the context of literary repression, before the government began to restructure its cultural organizations in response to the economic pressures of the early 1990s. Historians generally consider *El Puente* to be a product of government oppression or the naïveté of youth, usually a combination of both. In 1971, Cuban literary historian Lourdes Casal blamed *El Puente's* demise on the "aesthetic, moral, and political sins" of those who "took the Revolution for granted."<sup>7</sup> Years later, another scholar called *El Puente* a casualty of "the campaign against homosexuals."<sup>8</sup> They were commonly mentioned in reference to their critics, as one historian briefly explored *El Puente* in the context of its militant literary peers who labeled it "erratic in the political sphere and deficient in the literary sphere."<sup>9</sup> The Special Period brought relaxed cultural restrictions and a general evaluation of the success of socialist institutions, and historians began to examine *El Puente* more closely. Most recently, the Cuban literary journal *La Gaceta de Cuba*<sup>10</sup> published a series of articles entitled "Revisiting *El Puente*" in which it featured former members and critics who skimmed over the group's termination in their recollections. In the introduction, fellow writer Roberto Zurbarano mourned the fact that political restrictions barred *El Puente* from contributing to the "national literary history."<sup>11</sup> Historians have over-simplified the significance of *El Puente* in pursuit of a more streamlined understanding

of Cuban literary censorship. Unfortunately for Fidel Castro, the influence of “sex-free, footloose geniuses” from across the Atlantic complicates their narrative.

Until one of these “sex-free” Beats visited Havana in 1965, causing a stir that embarrassed the Cuban regime and forced them to take punitive measures against *El Puente*, the two groups existed separately and crafted their own identities through poetry. Both faced parallel criticisms of youth, inexperience, and even laziness that prevented them from being “constructive” citizens of their respective countries. Their bohemian attitudes developed simultaneously in radically different environments, but both would find that even shared ideology could not bridge the political chasm between them called “Revolution.” Allen Ginsberg summarized the divide in a letter to Nicanor Parra, a Chilean poet, in 1965: “I certainly didn’t know what I was getting into consciously,” he said, “but I seem to have been reacting with antennae to a shit situation that everyone was being discreet about.”<sup>12</sup>

The contrast between *El Puente* and the Beat generation surfaced in the literary and political environments of each group. The United States and Cuba, apart from their radically different government regimes, established certain societal expectations for young people. The age of both the Beat generation and the writers of *El Puente* proved most significant in their public reception both as intellectuals and as citizens of their respective countries. Not only did each group produce manuscripts of literary quality, their works reflected the way they perceived their roles as youth in society. The nature of Cuba’s socialist government, committed to the preservation of revolution, made it more difficult for *El Puente* to achieve the same level of introspection or cultural doubt as the American Beat Generation. The methods, influences, and writings of the Beats had a profound effect on *El Puente*. Neither group acknowledged the revolutionary environment that would make it impossible for *El Puente* to survive in 1960s Cuba.

## **Constructing a Revolution: Cuba**

The urgency of revolution emerged on January 1, 1959, when Fulgenico Batista stepped down from the ranks of Cuban leadership and Fidel Castro, with popular support, rose to power. In a speech the next day, Castro bellowed, "Who might be the enemies of the Revolution now and in the future? We ourselves, the revolutionaries."<sup>13</sup> In an attempt to galvanize the populace, he implied the existence of a national attitude, a "spirit of selflessness" and "true willingness to make sacrifices" in the name of the Revolution. Castro sought to create a society unable to crumble from within by harnessing the collective energy present during his struggle for Cuban liberation. The ensuing cultural structures, including institutions like the Committees for the Defense of the Revolution and the Schools for Revolutionary Instruction, exhibited an adherence to this notion of a "common struggle," often at the price of individualism.<sup>14</sup> In addition, Marxist revolutionary Che Guevara's socialist rhetoric defined the role of the individual in a collectivist society. The combination of ideology and zeal created an atmosphere of loyalty unlike any other in the West and certainly contrary to the American culture emerging ninety miles away.

Fidel Castro recognized the importance of youth in his revolutionary vision. In fact, he spent the years after 1959 bolstering the system that he claimed most impacted the preservation of ideology, namely, education. He developed a new structure for the country that relied upon the principle that a revolutionary citizen must be educated. Deeming 1961 "The Year of Education," Castro sent more than five thousand young people into the mountains in "literacy brigades" to teach Cuban peasants.<sup>15</sup> He saw the population as a group of open minds, highly impressionable and waiting for his implantation of revolutionary ideology. With youth came great responsibility, as Castro called students to "be the standard bearers, the most vigorous champions of the revolution," and advised, "When any person...turns up with counterrevolutionary propaganda, you must give him his answer."<sup>16</sup> Not only did Castro expect students to

educate themselves and the surrounding countryside, he formed a special army of youth with an intensified revolutionary agenda that included the *brigadistas*, or brigadiers, of the literacy campaign and other occupations. The interests of the revolution called for tangible action to mobilize the Cuban people, leaving little room for poetry or prose apathetic to revolutionary obligations.

In support of Fidel Castro and in retaliation against emerging criticisms of socialism, Che Guevara created a model for individuals within the revolution. His essay, "Socialism and the New Man," proclaimed the need for self-education and a break with past structures. He called the youth "the malleable clay from which the new person can be built with none of the old defects."<sup>17</sup> He outlined these defects and their effects in both education and artistic expression, claiming the goal of the individual should be "to see [himself] reflected in [his] work and to understand [his] full stature as a human being through the object created, through the work accomplished."<sup>18</sup> This explanation of "work" gave great significance to the goals of artists and writers, especially the young and "malleable" such as the members of Ediciones *El Puente*.

Young Cubans sought to escape a system, to embrace *vanguardismo*, or avant-garde writing, regardless of their island's political situation. At the birth of Ediciones *El Puente* in 1961, young people bore the responsibility of keeping revolutionary ideals alive. This involved supporting the economy through work in the sugarcane fields or attending university to become a doctor or teacher, in order to staff the free health care and education institutions demanded by the socialist society. They were more than followers of a revolution: young Cubans trained to become New Men and Women. Castro defined their roles for them; the needs of the revolution, not their individual aspirations, defined their futures. The writers of *El Puente* bypassed the revolutionary agenda, seeking to express themselves through literature that did not speak in a Cuban nationalist tongue.

## **The American Dream: The United States**

The American society from which the Beat Generation emerged differed from its Caribbean neighbor in political ideology but not in practice. Both countries experienced a surge in nationalism at mid-century, though propelled by different political shifts. The American government, bolstered by postwar conservatism and the fear associated with an impending conflict with the Soviet Union, rushed to indoctrinate its youth with the principles of capitalism and a productive society. "American liberal capitalism," criticized historian Howard Zinn in 1978, "has a remarkable protective mechanism that thus far has saved it from its own extravagances."<sup>19</sup> This capitalism, he argued, manifests itself as "an obsession: to make almost anything, to do almost anything, to sell almost anything that makes a profit."<sup>20</sup> Youth interpreted this obsession as a drive to de-individualize man and re-emphasize his capability for material productivity.

In regard to educational structure, the American post-graduate experience became one of material consumption. In *Growing Up Absurd*, an account of his own countercultural youth, Paul Goodman criticized the conformist pressures of American vocational training. In the wake of a manufacturing and technical boom after World War II, he claimed:

In factory jobs the workman is likely to be ignorant of what goes on, since he performs a small operation on a big machine that he does not understand...He has the same disbelief in the enterprise as a whole, with a resulting attitude of profound indifference.<sup>21</sup>

According to Goodman, American youth sought more fulfilling work than educational and professional structures could provide. He blamed his generation's disillusionment on the system's "thriving on maximum profits and full employment without regard for utility, quality, rational productivity, personal freedom, independent enterprise, human scale...or genuine culture."<sup>22</sup> The promotion of



materialism and the pursuit of profit pervaded American society and were ingrained in the concept of the “American dream.” Historian Christopher Gair claims the Beat Generation “seemed largely uninterested” in the ability of political campaigns to solve the societal ills they encountered. Instead, they pursued “a discourse of protest that could counter the many voices championing the benefits of ‘American’ life.”<sup>23</sup> In espousing the characteristics of “Beats,” young people embraced an individualism that, while cognizant of politics and international movements, rejected materialism and primarily served their own introspection.

These young people, immersed in the notion of an oppressively conformist society, tried to define their “condition.” First coined by Jack Kerouac, the term “beat,” as the *New York Times* commented in 1952, “implies the feeling of having been used, of being raw. It involves a sort of nakedness of mind, and, ultimately, of soul: [sic] a feeling of being reduced to the bedrock of consciousness.” The article further remarked, “[The Beats] distrust collectivity.” They personified a fear of a future as “cogs” in the American capitalist machine. The generation that produced Allen Ginsberg and other countercultural literary figures defined themselves as “lost,” echoing the disillusioned youth of the post-World War I period. The Beats used writing to escape what Goodman called “the unnatural system.”<sup>24</sup> New York Times journalist John Clellon Holmes called their existence “a search for faith. ... What the hipster is looking for in his ‘coolness’ (withdrawal) or ‘flipness’ (ecstasy) is...a feeling of somewhere, not just another diversion.”<sup>25</sup> Beyond “diversions” of promiscuity and drug use, many in this generation sought meaning in a political alternative: a socialist utopia. In 1959, Cuba became their model.

### **Countercultural Connections**

The similar repressiveness in the political and social atmospheres that inspired the American Beat Generation and *El Puente* indicate a connection between the two groups, even before the emergence of

the American New Left.<sup>26</sup> The political structure and methods used to ensure youth participation of each country mirror the other, even across ideological boundaries and ninety miles of ocean. The connection to the American Beats, so influential in Western counterculture and the incipient sixties revolutions, corroborates *El Puente* and its cadre of young intellectuals.

Whether implicitly or explicitly, both countries oriented the structure of education toward nationalism. Though the United States' Bill of Rights permits artistic freedom, the social restrictions of the conservative right staunchly opposed youth expression. Looking back in 1968, historian Theodore Roszak called post-war American society a "technocracy" that demanded "efficiency, social security, large-scale coordination of men and resources...even higher levels of affluence and even more impressive manifestations of human power."<sup>27</sup> From a more ideological than economic perspective, the Cuban government sought to control cultural expression directly and to a more extreme extent. In his "Words to Intellectuals" speech of 1961, Fidel Castro remarked, "The Revolutionary Government is creating the conditions so that the culture and the level of cultural training of the people will have been raised greatly."<sup>28</sup> Though Cuba's restrictive structures derived from government demands, American capitalist pressures emanated from a market-based, materialistic society that the government supported, both socially and through legislation.

As Cuba and the United States recognized that the preservation of their social and political structures relied upon the complacency and obedience of youth, they took similar measures to ensure their cooperation. Both Fidel Castro and American conservative political leaders relied upon the educational model to enforce their expectations for youth participation. According to University of Havana faculty member Andres Valdespino, Castro established cadres of youth militia within the Federation of University Students.<sup>29</sup> He also established the Union of Communist Youth and required that all students studying political science at the University subscribe to communist ideology in their party membership. Some members of *El Puente*

subscribed to Cuban education, including Nancy Morejón, a graduate of the University of Havana. By creating these pockets of revolutionary ideology, Castro hoped to curb juvenile delinquency and establish socialist loyalty at an early age.<sup>30</sup>

The United States also recognized the potential in interfering in higher education. The university provided an atmosphere of intellectual exploration that encouraged men like Allen Ginsberg to expand their knowledge. Despite these intellectual expectations, Ivy League schools like Columbia University embraced a more conservative method of education in 1943, when Ginsberg attended and was subsequently suspended. Besides imparting an interest in literature through courses such as “Great Books,” Columbia unwittingly exposed Ginsberg to an environment of homosexuality that, despite being discouraged by the university, was still present. Expectations for young, intelligent American men did not include sexual experimentation. When the dean suspended Ginsberg in 1945, he cited the transgression as “giving overnight housing to a person who is not a member of the college and whose presence on campus is unwelcome.”<sup>31</sup> Jack Kerouac stayed in Ginsberg’s bed that night, and the university decided that this image did not represent the kind of principled man they aspired to create. Dean Ralph Furey protected the reputation of the college in 1945, just as Che Guevara alluded to homosexuality as a phenomenon of the “decadent” bourgeoisie that socialism rejected.<sup>32</sup>

### **Creating Controversy: The Beginning**

In response to a perceived need for young artistic expression, writers in the United States and Cuba exerted their energy through literary collectives. Though the Beat generation chose to challenge social expectations through explicit criticism, the youth of *El Puente* chose an implicit method: they avoided revolutionary production. The origins of both groups demonstrate their similar methods of rebellion.

### **Ediciones *El Puente***

José Mario, a Cuban poet, founded Ediciones *El Puente* during a period that cultural counselor Lisandro Otero called the “First Stage,” characterized by “bewilderment, development of national conscience, emotional and fervent patriotism, and...the united front of the intellectuals.”<sup>33</sup> The novelty of the new Cuban government permitted outside cultural influences, operating under Castro’s 1961 speech “Words to Intellectuals” that provided ambiguous guidelines for artistic expression.<sup>34</sup> His vague statements, coupled with the revolutionary fervor that enveloped the nation, provided a space for creativity and a foundation for the establishment of the private publishing house in 1961. Mario wanted to create an editorial for “all young people, all new people. [They] wanted to find new talents with quality work within the Cuban culture, that’s what most interested [them].” As for the name of the publishing house, he quipped, “What better thing than a bridge to allow many people to cross?” Mario intended *El Puente* to serve as an educational tool, a method of exposure for youth with limited financial resources.<sup>35</sup>

Initially, these motives seemed pure, in the sense that *El Puente*’s founders did not demand adherence to either revolutionary ideals or countercultural experimentation. “It was the first disinterested editorial,” poet Nancy Morejón recalled of the group that facilitated her emergence on the Cuban literary scene, “[*El Puente*] wanted to publish my poems without second or third intentions.” The group claimed to function as an innocent space, an alternative to what Morejón called “the power of distribution and omnipresence” of more socialist-bent publications.<sup>36</sup>

Ana María Simó, one of the founders of *El Puente*, marks 1962 as the year the group developed a “literary conscience.” They published their first anthology, *Novísima Poesía Cubana I*, with a prologue that outlined the poets’ motives and methods. After describing the different themes of each poet, Simó and co-founder Reinaldo Felipe closed with the affirmation that “the conscience of young poets [aspires] to a poetry that reflects man through what he has in

common with other men...a man that exists, imagines, and reasons.”<sup>37</sup> Their view of poetry not only alluded to the artistic methods of the previous era<sup>38</sup> but embraced the same individualism that the Beats espoused.<sup>39</sup>

Young writers like Gerardo Fullea León, now a noted playwright and theater director in Havana, developed their talents in a publishing house that encouraged them to explore literary greats of the period and develop their own styles of poetry and prose. León recalled the authors he “devoured with satisfaction,” including Borges, Rimbaud, and Proust. “We discovered other treasures,” he recalled, “Not a day passed when [José Mario] didn’t try to dazzle us with another *rara avis* [rare bird].”<sup>40</sup> While Mario exposed the young writers to some of the most prominent literary intellectuals of his time, writers in the United States gathered to share ideas and find an outlet for their work.

### **City Lights Publishing**

Lawrence Ferlinghetti entered the publishing industry much like his Cuban counterpart, José Mario. Like Mario, he saw a gap in the publication opportunities for lesser known young writers and in public accessibility to their work. In 1953, Ferlinghetti aspired to create a literary atmosphere by opening City Lights Books in San Francisco,<sup>41</sup> to be inclusive in an “elitist” industry. He recalled,

One of the original ideas for [City Lights Bookstore] was for it not to be an uptight place, but a center for the intellectual community, to be non-affiliated, not tied up with, not belonging to any official organization...We seemed to be responding to a deeply felt need.<sup>42</sup>

Due to the success of the store’s paperback sales, Ferlinghetti possessed the necessary capital to publish. Like the young Cuban poets of *El Puente*, most did not have the financial resources to publish their poems and stories.

In 1955, Ferlinghetti defined the trajectory of *City Lights* when he met Allen Ginsberg, who was already in pursuit of what the publisher called “the most significant single long poem to be published in this country since World War II.” The result was *Howl*. When Ginsberg read *Howl* on an October night at San Francisco’s Six Gallery to an audience that included Jack Kerouac, Ferlinghetti sent him a telegraph. “I greet you at the beginning of a great career,” it allegedly read, and continued, “When do I get manuscript of *Howl*?”<sup>43</sup> In the poem, published under *City Lights* in 1956, Ginsberg opened with the lines, “I saw the best minds of my generation destroyed by madness, starving hysterical naked...” With these words, he identified a group of young people oppressed by a culture of consumption, those “who[m] he had seen fall victim to the apathy of modern society,” in a form he called “elegy for the generation.”<sup>45</sup> The publication of *Howl* only marked the beginning of the Beats’ reevaluation of American society, a process that included acknowledgement of racism and sexism, among other social ills.

### **Finding Fault**

In addition to sharing a distinctively youthful and avant-garde perception of their respective societies, the Beat Generation, as represented in the publications of *City Lights*, and the writers of *El Puente* elicited similar criticism. Both Cuban and American society, through fellow writers and representatives of the national media, denounced the lifestyle, methods, and message of each group and lamented the misdirection of a generation, finding fault in all the same places.

### **Preserving a Revolution**

In 1961, Castro delivered a speech to an audience of Cuba’s most prominent literary and intellectual figures in which he spoke the words, “Within the revolution, everything; against the revolution, nothing.”<sup>46</sup> This phrase served as the oft-quoted justification

for literary censorship. Castro also implied that writers are artists and should view their positions as cultural historians:

You can be actors in the revolution, writing about it, expressing yourselves about it... You might produce magnificent artistic works from a technical point of view, but if you were to tell someone from the future generation, 100 years from now, that a writer, an intellectual, lived in the era of the revolution and did not write about the revolution, and was not a part of the revolution, it would be difficult for a person of the future to understand this.

Castro effectively removed his regime from the burden of literary criticism and placed it in the hands of other writers and artists, creating a collective to publicize the revolution. In the last lines of his *“Palabras a los intelectuales,”* he advised, “let us not hasten to judge our work...other judges far more severe should be feared: the judges of posterity, of the generations to come.”<sup>47</sup> These “judges of posterity” would not only remember the literary quality of Cuban literature but the revolutionary character of its creators.

One of the most vitriolic criticisms of *El Puente’s* came from Jesús Díaz, a member of the Cuban Communist Youth and editor of their newsletter, *El Caíman Barbudo*. In an interview that invited Cuban writers to “define their generation,” Díaz blamed *El Puente* for misrepresenting his literary generation, calling them “hatched by the most dissolute and negative fraction of [his] actual generation” as well as “a political phenomenon and aesthetically wrong.”<sup>48</sup> Ana María Simó responded to his accusations and explored his notion of “dissolution.” She claimed:

It is dangerous to group under a single puritanical label an editorial process that spanned four years and included a group of people that radically disagreed with one another... Dissolute is the individual who cares only for the pleasures [and believes them to be] the main aims of his existence. Its

synonyms are dissipated, licentious, vicious, and profligate. These ideas are akin to corruption, depravity, perversion, immorality, and sin...It is a qualifier of moral order (in its most restrictive sense, it includes sexual morality). To characterize a group of writers with this word...is an intellectual act of betrayal.<sup>49</sup>

Their ideological conflict demonstrated the importance of a revolutionary lifestyle, even if Simó alleged that subjective criticism such as Díaz's did not belong in the pages of a literary journal. Socialist ideologues like Díaz insisted upon adherence to revolutionary doctrine. Fidel Castro and Cuban officials rarely confronted individual writers and literary groups like *El Puente*, but their principles trickled down through state-sponsored organizations and into journals such as *La Gaceta de Cuba*.

In addition to accusing *El Puente* of an immoral and counter-revolutionary lifestyle, critics attacked the style and themes of the group's poetry. Critics denounced both their refusal to unify under a common motif and the aesthetic nature of their poetry, most of which avoided the revolutionary scenes that populated Cuban literature in the early 1960s. These critiques came from members of the literary community who cited the words of Fidel Castro and Che Guevara to support their censorship.

Che Guevara also addressed the purpose of artistic expression in "Socialism and the New Man." Claiming, "no great artists have great revolutionary authority," he said:

What is sought then is simplification, something everyone can understand, something functionaries understand. True artistic experimentation ends, and the problem of general culture is reduced to assimilating the socialist present and the dead (therefore, not dangerous) past.<sup>50</sup>



He denounced decadence in art as “the stench of a corpse” and advocated the creation of “a human being of the 21<sup>st</sup> century” who avoids moral perversion and “animal needs.”<sup>51</sup>

*El Caíman Barbudo*, the journal published by the Cuban Communist Youth, accepted its responsibility to expose *El Puente* as a detriment to the revolutionary cause and chose the group’s literary style as its primary victim. In “*Nos Pronunciamos*,” its writers abandoned the aesthetic, avant-garde tones of *El Puente* and claimed, according to Linda Howe, that “bad” or aesthetic poetry “alienates a man from his circumstances.” The writers stated, “[P]oetry should be a terrible testimony of happiness, sadness, and hope for Cuba’s permanency in the world; otherwise, there is nothing.” All Cubans could access the poetry that Díaz extolled. It served a purpose: to chronicle the realization of their utopia. Any attempts to complicate this goal only obscured the revolution and promoted “decadence” and “populism.”<sup>52</sup> Victor Casaus, another writer associated with *El Caíman Barbudo*, claimed that *El Puente* was “seen as being afflicted by individualism and liberalism, two unforgivable sins for a true revolutionary.”<sup>53</sup> *El Puente’s* publications were too self-interested, too diverse, to be considered beneficial to the revolution.

For example, Nancy Morejón’s language in *Amor, ciudad atribuida*, published in 1964, explored the techniques of synesthesia, or the amalgamation of different senses in a single description. The words “el olor a sorda casona” refer to the scent of deafness, a complicated literary sensation discouraged by the politically driven poets of the generation. The style and vocabulary of their poetry spoke louder volumes than the innocent messages they attempted to convey: Morejón captured urban chaos, not a counterrevolution, and her critics interpreted this exploration as an attempt to escape.<sup>54</sup>

*El Puente’s* first and only anthology, *Novísima Poesía I*, described the diverse themes that governed each poet who contributed in 1962. Reinaldo Felipe and Ana María Simó called some poetry “firmly anti-heroic” while others had “an undeniable debt to Surrealism.” All employed some degree of imagery through aesthetic poetic devices.<sup>55</sup>

The poets demonstrated introspection and an impassioned curiosity about their own identities, both as Cubans and as young people maturing in a revolution. Miguel Barnet emphasized Afro-Cuban religious symbols in his early verses. In "Poema 1," a selection from the 1963 publication of *La piedra fina y el pavorreal*, he writes,

Las luces son blancas en La Habana de noche el malecón es propicio al amor y junto a Yemayá un barco se hunde lentamente ante mis ojos:

The lights are white in Havana at night  
The boardwalk is conducive to love  
And next to Yemayá  
A ship is slowly sinking in my eyes<sup>57</sup>

Barnet refers to Yemayá, the goddess the sea and fertility in Afro-Cuban religion in this vivid description of the sensual Cuban nightlife. According to Linda Howe, "Since officials sought to obliterate religious practices in order to forge Cuban society into a more modern socialist nation, Barnet... may have seemed frivolous and even suspect."<sup>58</sup> By encouraging Barnet's original contribution to "the literary tradition almost inexistent in Cuba" and publishing his African-inspired poetry, the editors of *El Puente* embraced controversy and transcended the revolutionary themes that the Cuban literary world agreed upon after 1959. Critics feared the unknown and indecipherable in poetry, especially that produced by young people with the potential to challenge their socialist system.<sup>59</sup>

### **An Alternative "American Dream"**

The Beat Generation endured the most public criticism for their activities outside their work on paper, though these experiences did translate into the poetry and prose that impacted American literature. Lawrence Lipton, the man who chronicled his experience as a Beat and called his companions "swinging, sex-free geniuses," related tales of "heroin and booze and sex" in his book *The Holy Barbarians* in 1959.<sup>60</sup> In an attempt to define the "juvenile delinquent," Lipton

made a statement that addressed the primary criticism of his generation. “The violence of the delinquent is usually directed against older people,” Lipton claimed. “The beatnik would not commit such acts of violence. He would write a poem about it.”<sup>61</sup> Newspaper reporters attempted to characterize the generation and raise suspicions about the direction of youth culture. In a *New York Times* review of Lipton’s book, Harry T. Moore wrote, “How seriously can we take the work of the minority of hipsters who are attempting to produce something creative?” He blamed their spontaneous approach to poetry on their propensity for drug use and sexual promiscuity.

The Beats’ refusal to be “productive” members of a capitalist society showed in their poetic styles. Moore claimed the Beats’ “spontaneity” in verse “doesn’t necessarily bring it alive in contrast with that of other poets. The voice of true poetry can be conveyed in print,” he said, criticizing their penchant for the vocal word, “even the best poems of these hipsters are no more than watered-down 1912 Pound.”<sup>62</sup> These writers changed the way the public received their poems. Instead of writing traditionally, as an occupation or with an aesthetic or political purpose, poems became cathartic expressions of the writer’s perspective. For example, Allen Ginsberg often experimented with drugs as he composed his poems. His first publication of *Howl* was not a written but an oral one: at the reading in San Francisco, he drunkenly took the stage to read his “wildest work.”<sup>62</sup>

Literary critics struggled to relate not only to the staccato nature of Beat poetry but to its controversial themes as well. Beat writers questioned the “American dream” that citizens had fought to attain during the Great Depression and the Second World War, and had achieved in the early 1950s. The public saw the Beats’ criticism of American wealth and consumption as nihilism and cynicism, characteristics that festered among youth and paralyzed their productive capabilities. According to Jack Kerouac, critics misunderstood the Beats’ message. “The Beat generation believes there will be some justification for all the horror of life,” he claimed in 1958. “I prophesy,”

he said, "that the Beat Generation which is supposed to be nutty nihilism in the guise of new hipness, is going to be the most sensitive generation in the history of America."<sup>63</sup>

Both *El Puente* and the Beat Generation expressed an individualistic hope that perturbed their critics, most of whom were of a previous generation with different experiences. If American, they witnessed a global depression and war that influenced their perspective, while aging Cubans fought for a revolution they were reluctant to dilute. Shared struggles against the traditional perceptions of youth and poetry converged after the birth of the Cuban Revolution, when the Beats sought international experiences and looked beyond American borders for examples of the values they embraced, many of which were socialist. These points of convergence influenced both groups and ultimately led to the closure of *El Puente* in 1965 and the reevaluation of the American cultural intervention in revolutionary Cuba. As Ginsberg and other Beats realized the restrictions of Cuban socialism and as Fidel Castro witnessed the social deviance of the young American writers who visited the island, the connections between the Beats and Cuba began to deteriorate into disillusionment.

### **A Mutual Attraction**

The Beat Generation watched the island of Cuba throw off the chains of Batista and embrace revolution in 1959, even before the young poets of *El Puente* picked up their pens in written expression. Shortly after the United States adopted an oppositional policy in regard to Cuba, writers associated with the Beat Generation and the political left published accounts of the Cuban situation that influenced American literature. The first, C. Wright Mills' *Listen, Yankee*, took the form of letters from a revolutionary to an ignorant American. He claimed to provide "something of their optimism, their exhaustion, their confusion, their anger, their ranting, their worries, and... the reasonable tone which does pervade the revolutionary argument when it is discussed seriously and in private."<sup>64</sup> Another, published

in 1963 called *Cuba: Tragedy in Our Hemisphere*, exposed the United States' interference in Cuban independence and its long history of imperialism. "The Cuban crisis," the authors stated, "epitomizes the failure and dangers of much of our foreign policy."<sup>65</sup> These works lent weight to the suspicions of the Beat Generation: that socialism could provide an alternative to the oppression of American society.

Organizations developed in the United States to support the claims of these authors. Fair Play Cuba, to which Lawrence Ferlinghetti claimed membership, "distributed literature, made available motion pictures and speakers and hold rallies," as well as "sponsored all-expense ten-day tours of Cuba," according to the *New York Times*.<sup>66</sup> Many members faced federal inquiry in regard to their participation in the group in 1960 when the Senate Internal Security summoned them for testimony. When probed about their involvement with the group, members refused to respond.<sup>67</sup> The perception of the revolution in the United States, even among Cuban sympathizers, demonstrated a disconnect between the events in Cuba and the extent of American solidarity. Even the New York chapter of Fair Play for Cuba or an all-expense-paid tour could not adequately bridge the contrasting experiences of American and Cuban citizens.

Literary visitors to Cuba experienced the disconnect in a different way, hailing Cuban society as an artistic utopia. When Lawrence Ferlinghetti traveled to the Caribbean in 1960, he wrote a poem on Fidel Castro to be read at a Fair Play for Cuba rally. Drawing a connection between Castro and Abraham Lincoln as "one of your boyhood heroes," he expressed his opposition to his country's plans to assassinate the leader. Claiming to be "struck by the freedom and cohesiveness of the Cuban people," Ferlinghetti romanticized the revolution.<sup>68</sup>

Meanwhile, in 1961, the writers of *El Puente* acknowledged the American presence and the support of its counterculture. One of the group's first publications was Ferlinghetti's "Tentative Description of a Dinner Given to Promote the Impeachment of President

Eisenhower,” first penned in 1958. Ana María Simó characterized *El Puente* as “romantic and vaguely populist” when they published the Beat’s work.<sup>69</sup> *El Puente* also supported the Beats’ denunciation of the American role in Vietnam by publishing Ginsberg’s *Howl*. The group gained government support in their embrace of anti-imperialism, but they trapped themselves between a desire to identify with burgeoning American creativity, as manifested in the Beat Generation, and maintaining political separation between the island and American hegemony. Gerardo Fullea León recalled the stigma associated with their embrace of American culture:

We were so sinful and dissolute that hell would be little for us, we love hoarse shouting, we read certain authors, we listened to all the Beatles we could get, we sang songs of “feeling” and we wore extravagant clothing.<sup>70</sup>

The Cuban government looked warily upon the young poets who exhibited the characteristics of American counterculture despite their political sympathies. Officials even discouraged the performance of Thornton Wilder’s *Our Town*, calling it “reactionary.”<sup>71</sup> The open homosexuality of José Mario and Ana María Simó also strengthened the case against *El Puente*. However, it was not until the group had aligned with the Union for Cuban Writers and Artists (UNEAC) and became involved in its poetry competition in 1965 did the youth of *El Puente* truly encounter an American poet who would forever change the course of their association.<sup>72</sup>

In January of 1965, Hayden Santamaría, director of Casa de Las Americas,<sup>73</sup> invited Allen Ginsberg to judge a literary contest. According to his biography, Ginsberg “at last...would be able to see a socialist society firsthand, and was looking forward to it with enthusiastic optimism.” Upon arrival in Havana, three members of *El Puente* “bumped into” Ginsberg at a nightclub, including José Mario and Manuel Ballagas. Over drinks, the young Cuban men shared stories of “the government’s crackdown on homosexuals and

the random arrests of ‘beat’ types on the streets.” The men’s tales of repression surprised Ginsberg, but “he left them with an open mind, thinking that maybe he had managed to find the only disgruntled Cubans around.” After that night, Mario and Ballagas continued to meet with Ginsberg in secret, informing him of the persecution they faced and connecting with him over their shared sexuality.<sup>74</sup> He began to grow disillusioned with the regime but still explored the island with other writers and continued his conversations with the young poets, who told him of “the young writers and poets who comprised *El Puente*.”<sup>75</sup>

In addition to his clandestine meetings with *El Puente*, Ginsberg scandalized his Cuban hosts in other ways. He recalled “laying in bed masturbating to sexual fantasies about Fidel Castro and the dashing young Che Guevara,” according to his biographer. Ginsberg also discussed the legalization of marijuana and openly mentioned his own homosexuality until “his hosts began to cancel his university lectures...It was obvious that they couldn’t afford to let [him] make any more public statements.”<sup>76</sup>

Ginsberg entered a dangerous situation when he had sex with Ballagas in Mario’s apartment in mid-February, unwilling to restrain his sexual desire any longer. In a letter to Nicanor Parra, a Chilean poet and friend, he described what happened next:

I woke up with knock on my door and 3 *miliciano*<sup>77</sup> entered and scared me...Told me pack my bags the immigration chief wanted to talk to me, and wouldn’t let me make phone call...told me they were putting me on first plane out.

When he inquired about the reason for his deportation, officials replied, “Breaking the laws of Cuba.’ ‘But which laws?’ ‘You’ll have to ask yourself that,’ he answered. Officials rushed Ginsberg off the island, only explaining, “We have to do things fast in a revolution.”<sup>78</sup> In later contact with Manuel Ballagas, Ginsberg reported, “Castro

at university has spoken badly of *El Puente* and now *El Puente* is dissolved and [Manuel] is depressed.”<sup>79</sup>

## **Conclusion**

Ginsberg's visit to Havana had repercussions in the United States and Cuba while impacting both *El Puente* and the Beat Generation. It instigated a sense of disillusionment that pervaded Cuban culture and drove a wedge between the socialist government and its American sympathizers, whose literature and countercultural tendencies were deemed to have corrupted Cuban youth. After the censure of *El Puente*, the government committed José Mario to a UMAP labor camp (Military Units to Aid Production), established to eliminate currents of Cuban counterculture, evident in homosexuality and other symptoms of “bourgeois” society. The Cuban press covered the scandal by claiming that Castro had expelled Ginsberg “for smoking pot...[that he] brought into the country from the decadent United States.”<sup>80</sup>

Back in the United States, Allen Ginsberg and other Beat poets realized the faults of the Cuban socialist utopia. Ginsberg remarked on the country's “communist brainwashing,” calling it “puritan, conformist, and pervasive.”<sup>81</sup> He recognized that “since the revolution had to succeed at any cost, most Cubans were willing to go along with less freedom,” though for him, “curtailing freedom of speech was too great a price to pay for the revolutionary state.”<sup>82</sup> In a later interview he backtracked, claiming,

I just gave [the Cuban government] the benefit of the doubt, understanding that I was like a pawn. It was a fight between the liberal groups and the military bureaucracy groups... though I don't think Castro was very tactful on the question of homosexuality. There was an excessively macho thoughtlessness on his part, and insensitivity.<sup>83</sup>

*El Puente* disappeared from the history of Cuban literature, and Allen Ginsberg's visit to Havana only gained notoriety when José



Mario published his testimony in 1968 by a Spanish language journal from Paris called *Mundo Nuevo*. All that remains of the intersection of the American Beat Generation and Ediciones *El Puente* is the ghost of young optimism, the experimentation that worried Americans and Cubans alike. The parallel journeys of the two groups add a new dimension to the historiography of the Cuban Revolution and the global impact of American counterculture. Though their attempt to forge a tangible relationship fell prey to Cuban censorship, the Beats profoundly impacted not only Cuban cultural restriction but also the existence, however short-lived, of one of the first organizations to question the role of poetry in a revolution.

## Endnotes

- <sup>1</sup> “Ediciones *El Puente*” translates to *The Bridge* Publications.
- <sup>2</sup> Lawrence Lipton defined his own generation of poets with these words in his book, *The Holy Barbarians* (New York: Julian Messner, Inc., 1959), 315. “Sex-free” refers to a lack of gender identification.
- <sup>3</sup> For a comprehensive introduction to the Beat response to post-WWII culture, see Christopher Gair’s *The Beat Generation: A Beginner’s Guide* (Oxford: One-world Publications, 2008).
- <sup>4</sup> Fulgencio Batista (1901-1973) served as Cuba’s highest leader through a combination of direct office and puppet presidents from 1933 to 1959. He ascended to his final term of presidency in 1952 through a military coup and enacted martial law, refusing to hold elections to contest his position. Fidel Castro and Che Guevara used peasants engaged in guerrilla warfare to oust Batista in 1959. See “Fulgencio Batista y Zaldívar,” *Dictionary of Hispanic Biography*, <http://galenet.galegroup.com.proxy.library.nd.edu/servlet/BioRC> (accessed February 22, 2010).
- <sup>5</sup> Richard R. Fagen, *The Transformation of Political Culture in Cuba* (Stanford: Stanford University Press, 1969), 11.
- <sup>6</sup> The Special Period denotes the atmosphere in Cuba after the collapse of the Soviet Union in 1989. Castro imposed rationing and economic reforms to stabilize Cuban production, intending, as he claimed, to “improve and perfect socialism.” See Richard Gut’s *Cuba: A New History* (Yale University Press, 2004), 189.
- <sup>7</sup> Lourdes Casal, “Literature and Society,” in *Revolutionary Change in Cuba*, ed. Carmelo Meso-Lago (Pittsburgh: University of Pittsburgh Press, 1971), 451.
- <sup>8</sup> Seymour Menton, *Prose Fiction of the Cuban Revolution* (Austin: University of Texas Press, 1975), 133.
- <sup>9</sup> Tzvi Medin, *The Shaping of Revolutionary Consciousness* (Boulder: Lynne Rienner Publishers, 1990), 116.
- <sup>10</sup> *La Gaceta* began in 1962 as a publication of the Union of Cuban Writers and Artists, the primary artistic organization that, after the censure of Ediciones *El Puente*, became the only sanctioned publishing house in Cuba.
- <sup>11</sup> Roberto Zurbano, “Re-pasar El Puente,” *La Gaceta de Cuba* 4 (2005): 2.
- <sup>12</sup> Allen Ginsberg, Letter to Nicanor Parra, in *The Letters of Allen Ginsberg*, ed. Bill Morgan (New York: Da Capo Press, 2008), 302.
- <sup>13</sup> Fidel Castro, “Speech at Camp Columbia, Havana,” in *Fidel Castro Reader*, ed. David Deutschmann and Deborah Shnookal (Melbourne: Ocean Press, 2007), 134.
- <sup>14</sup> The Committees for the Defense of the Revolution, enacted in 1959, collected intelligence on counter-revolutionary activity. Castro created the Schools for Revolutionary Instruction in 1961 after declaring allegiance to Soviet communism, to train youth in Marxist-Leninist theory. See Julie Marie Bunck, *Fidel Castro and the Quest for Revolutionary Culture in Cuba* (Pennsylvania State University Press: 1994), 9, 27.

- <sup>15</sup> Castro, "Closing of Revolutionary Youth Students" Castro Speech Database, <http://lanic.utexas.edu/project/castro/db/1961/19610328.html>, accessed December 3, 2009.
- <sup>16</sup> Ibid.
- <sup>17</sup> Che Guevara, "Socialism and the New Man in Cuba," *Manifiesto* (New York: Ocean Press, 2005), 158.
- <sup>18</sup> Ibid., 159.
- <sup>19</sup> Howard Zinn, *Postwar America: 1945-1971* (New York: Bobbs-Merrill Company, Inc., 1973), 150.
- <sup>20</sup> Ibid., 108.
- <sup>21</sup> Paul Goodman, *Growing Up Absurd* (New York: Random House, 1956), 20.
- <sup>22</sup> Ibid., 15.
- <sup>23</sup> Christopher Gair, *The American Counterculture* (Edinburgh: Edinburgh University Press, 2007), 26.
- <sup>24</sup> Goodman, 15.
- <sup>25</sup> John Clellon Holmes, "This is the Beat Generation," *New York Times*, November 16, 1952.
- <sup>26</sup> Van Gosse examines the role of the Cuban Revolution in the revival of American liberalism in his book, *Where the Boys Are: Cuba, Cold War America, and the Making of a New Left* (New York: Verso, 1993). Gosse suggests "years before *The Port Huron Statement* was issued in August 1962...disparate US citizens...had taken up the revolutionary cause championed by CBS News in a primetime May 1957 special called 'Rebels of the Sierra Maestra: The Story of Cuba's Jungle Fighters.'"
- <sup>27</sup> Theodore Roszak, *The Making of a Counter Culture* (New York: Doubleday, 1968), 5.
- <sup>28</sup> Castro, "Words to Intellectuals" 235.
- <sup>29</sup> Sam Dolgoff, *The Cuban Revolution: A critical perspective* (Quebec: Black Rose Books, 1976), 108.
- <sup>30</sup> Julie Marie Bunck, *Fidel Castro and the Quest for a Revolutionary Culture* (University Park: Pennsylvania State University Press, 1994), 36.
- <sup>31</sup> Bill Morgan, *I Celebrate Myself: The somewhat private life of Allen Ginsberg* (New York: Penguin Group, 2006), 63.
- <sup>32</sup> Guevara, 163.
- <sup>33</sup> Menton, 124.
- <sup>34</sup> Castro, "Words to Intellectuals," 221.
- <sup>35</sup> Reinaldo García Ramos, "El deseo permanente de libertad," *La Habana Elegante* (2002): 3. Translation my own.
- <sup>36</sup> María Grant, "En los sitios de Nancy Morejon," *Opus Habana* 1 (2002): 18.
- <sup>37</sup> Reinaldo Felipe and Ana María Simó, prologue to *Novísima Poesía Cubana I* (Havana: Ediciones El Puente, 1962), 13.
- <sup>38</sup> *El Puente's* most prominent critics denounced the group's similarities to *Orígenes*, a literary journal first published in 1944 by Jose Lezama Lima, a member of the "Generación del 40" that relied upon extended metaphors and aesthetics in their poetry. In an interview in *Gaceta de Cuba*, Jesus Diaz, editor of *El Caiman Barbudo*, a rival and markedly revolutionary journal claimed *El*

*Puente* was preoccupied, just as the generation preceding them, with theory instead of content (*La Gaceta de Cuba* 50 (1966): 9). In the prologue to *Novísimia Poesía Cubana I*, however, published in 1962, Simó refers to Lima as “*terminante*,” or strict, in his definition of “Origenista” poetry and denotes the methods by which *El Puente* diverges from his example (*Novísimia Poesía Cubana I*, 8).

- <sup>39</sup> Literary historians often compare the aesthetic styles of *El Puente* to those of the journal *Orígenes*, edited by José Lezama Lima and founded in 1944. The “Generation of ‘40” was known for their use of metaphors and symbolism, and according to Lezama, “apparent discontinuity...and prolongation of speech.” The writers endured criticism for their incomprehensible language. See Felipe and Simó’s “Notas” in the prologue to *Novísima Poesía Cubana I*, 14.
- <sup>40</sup> Gerardo Fullea León, “Aquella luz en la Habana,” *La Gaceta de Cuba* 4 (2005), 4.
- <sup>41</sup> Biographies of Ferlinghetti and historical depictions of City Lights are auspiciously absent from the historiography of American literature, primarily due to Ferlinghetti’s reluctance to cooperate with historians. The descriptions in this paper come from one of two biographies of the writer, Larry Smith’s *Lawrence Ferlinghetti: Poet-at-large* (Carbondale, IL: Southern Illinois University Press, 1983).
- <sup>42</sup> *Ibid.*, 21-22.
- <sup>43</sup> According to Ginsberg’s biography, “Allen couldn’t remember if Ferlinghetti had really sent a telegram or not...but Lawrence distinctly remembers sending it via Western Union.” Though the existence of the message is disputed, its implications for Ginsberg’s future are apparent. See Morgan, 209.
- <sup>45</sup> Morgan, *I Celebrate Myself*, 203.
- <sup>46</sup> Castro, “Words to Intellectuals” in *The Fidel Castro Reader*, 220.
- <sup>47</sup> *Ibid.*, 238-9.
- <sup>48</sup> “Encuesta generacional,” *La Gaceta de Cuba* 50 (1966), 9. Translation my own.
- <sup>49</sup> Ana María Simó, “Respuesta a Jesús Díaz,” *La Gaceta de Cuba* 51 (1966), 4. Translation my own.
- <sup>50</sup> Guevara, “Socialism and the New Man in Cuba, 162.
- <sup>51</sup> *Ibid.*, 163.
- <sup>52</sup> Linda S. Howe, *Transgression and Conformity: Cuban writers and artists after the Revolution* (Madison: University of Wisconsin Press, 2004), 39.
- <sup>53</sup> Casal, 451.
- <sup>54</sup> Nancy Morejón one of the few young poets who remained on the island and changed her literary style to reflect the goals of the revolution. For a broader analysis of Nancy Morejón’s work in *El Puente* in comparison to her later poems, see Linda Howe’s *Transgression and Conformity*.
- <sup>55</sup> Felipe and Simó, 12-13.
- <sup>56</sup> Miguel Barnet, “Poema 1,” *La piedra fina y el pavorreal*, Cuba Literaria, [http://www.cubaliteraria.cu/monografia/literatura\\_revolucion/barnet.htm](http://www.cubaliteraria.cu/monografia/literatura_revolucion/barnet.htm) (accessed February 23, 2010), lines 31-34.

- <sup>57</sup> Ibid.
- <sup>58</sup> Howe , 150.
- <sup>59</sup> Felipe and Simó, 11.
- <sup>60</sup> Lipton, 139.
- <sup>61</sup> Ibid., 139.
- <sup>62</sup> Harry T. Moore, "Cool Cats Don't Dig the Squares," review of *The Holy Barbarians*, by Lawrence Lipton, *New York Times Book Review*, May 24, 1959, 1-2.
- <sup>63</sup> Morgan, 208.
- <sup>64</sup> Jack Kerouac, "Lamb, No Lion," *The Portable Jack Kerouac*, ed. Ann Charters (New York: Viking, 1995), 564.
- <sup>65</sup> C. Wright Mills, *Listen, Yankee: The Revolution in Cuba* (New York: McGraw-Hill, 1960), 8.
- <sup>66</sup> Maurice Zeitlin and Robert Scheer, *Cuba: Tragedy in Our Hemisphere* (New York: Grove Press, Inc., 1963), 9.
- <sup>67</sup> Peter Kihss, "Pro-Castro body reports U.S. gain," *New York Times*, November 20, 1960.
- <sup>68</sup> See reports from Senate Committee on the Judiciary, *Fair Play for Cuba Committee: Hearings before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary*, 87<sup>th</sup> Congress, 1<sup>st</sup> sess., April 29, 1960-June 15, 1961.
- <sup>69</sup> Smith, 35.
- <sup>70</sup> Simó, "Respuesta a Jesús Díaz," 4. Translation my own.
- <sup>71</sup> León, "Aquella luz en la Habana," 4. Translation my own.
- <sup>72</sup> Ramos, "El deseo permanente de libertad," 6.
- <sup>73</sup> Due to financial destitution and in reaction to *El Puente's* controversial prologue in *Novísimia Poesía Cubana I*, UNEAC stepped in to oversee publication of *El Puente* in 1964, though they retained their identity as a literary group. See Simo's "Respuesta a Jesus Díaz" in *La Gaceta de Cuba* 51 (1966) or Ramos' "El deseo permanente de libertad" in *La Habana Elegante* (2002).
- <sup>74</sup> Casa de las Americas was the literary publishing arm of UNEAC. In addition to publication, the organization produced a journal of the same name that continues to showcase Cuban talent today.
- <sup>75</sup> Morgan, 398-403.
- <sup>76</sup> José Mario, "Allen Ginsberg en la Habana," *El Mundo Nuevo* 34 (1969), 49.
- <sup>77</sup> Morgan, 400.
- <sup>78</sup> *Miliciano* translate to *militants*, or government officials.
- <sup>79</sup> Ginsberg, Letter to Nicanor Parra in *The Letters of Allen Ginsberg*, 301.
- <sup>80</sup> Ibid., 302.
- <sup>81</sup> Morgan, 403.
- <sup>82</sup> Ibid., 400.
- <sup>83</sup> Ginsberg, "Gay Sunshine Interview" with Allen Young in *Spontaneous Mind: Selected Interviews*, ed. David Carter (New York: HarperCollins, 2001), 330.



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# Oppositional Youth Sub-Culture and the Second Generation of Mexican Transmigrants: Applications to the South Bend Area

CAROLINE HAWES

Personal interviews conducted with four juvenile offenders at South Bend Juvenile Correctional Facility and informal conversations with two employees at South Bend Juvenile Correctional Facility. Details are confidential.

## Introduction

Juan and I had met three or four times for our weekly mentor session at South Bend Juvenile Correctional Facility before the quiet, respectful juvenile offender opened up to me and shared the circumstances surrounding his current incarceration. Carrying a metal bar and a knife, Juan approached a particular member of a rival gang. A one-on-one confrontation ensued, followed by a brutal fistfight. The rival gang member soon fell to the concrete sidewalk and Juan began to hit him repeatedly with the metal bar. After a few minutes, the rival gang member ceased moving; his body lay flaccid. Juan walked away, assuming that he was dead. However, the rival gang member did not die; he was picked up and taken to the emergency room where he identified his assailant, Juan, to the South Bend Police Department. A warrant was issued for Juan's arrest and several days later he was pulled over by the police for speeding and identified as the suspect. Several grams of marijuana were also found upon the search of his vehicle.<sup>1</sup>

I was shocked after hearing Juan's account. I could not possibly imagine how or why this seemingly affable juvenile offender sitting next to me could have committed such a brutal crime. He had acted with the intent to kill, and I would postulate that this was not the first time. Interestingly, understanding Juan's story requires



an appreciation of his individuality in conjunction with the structural factors of economics and environment. Like Juan, the second generation of Mexican transmigrants is at a distinct risk of creative proliferation and downward assimilation into an oppositional youth sub-culture. Relation and tension between structural violence and individual agency construct and determine an oppositional youth sub-culture, which resists education and perpetuates poverty. One must consider economics, the school, the streets, and the criminal justice system for a full critical view of the description, interpretation, and understanding of this sub-culture.

Inspired by my experiences at South Bend Juvenile Correctional Facility (SBJCF), I will attempt to describe, interpret, and understand oppositional youth sub-culture among male Mexican transmigrants in the second generation and beyond.<sup>2</sup> The term “transmigrant” can be used more or less interchangeably with immigrant, but it draws attention to the transnational nature of contemporary immigration in which “persons, although they move across international borders and settle and establish social relations in a new state, maintain social connections within the polity from which they originated.”<sup>3</sup> Immigrants today – henceforth termed transmigrants – live their lives across international borders in the sense that the political, economic, social, and cultural processes that shape their lives are not confined to any particular state or national identity.<sup>4</sup>

In particular, throughout my research with Mexican transmigrants in the second, third, fourth generations and beyond, I delve into the challenge of articulating the association of structural violence and individual agency. Three research questions guided my inquiry: (1) What form of oppositional youth sub-culture exists in the Mexican transmigrant community among members of the second generation? (2) Why and how do sub-cultures develop and what needs are met by participation in this phenomenon? (3) What is the role of gangs and violence in oppositional youth sub-culture? I explored these topics through extensive secondary research, formal interviews with Rita Kopczynski of Saint Adalbert’s Catholic

Church and Professor Jaime Pensado of Notre Dame; four second-generation Mexican transmigrants currently detained at SBJCF, two of whom were from Elkhart and two from South Bend, and SBJCF coordinator Tony Cunningham; and a series of informal conversations with two additional security guard employees of SBJCF.

Oppositional youth sub-culture is by no means a recent emergence of deliberate resistance to the mainstream, nor is it a cultural experience unique to the second generation and beyond of Mexican transmigrants in the United States. It is, however, important to focus on this subpopulation since their impact on the fate of the United States has increased significantly and will continue to do so. According to research conducted by the Pew Hispanic Center, there are currently 29,189,000 Mexicans residing in the United States, of which 39.9% are foreign born. This means that 17,542,589 Mexicans residing in the United States are native born; that is, they are members of the second generation and beyond.<sup>5</sup> In South Bend specifically, there are approximately 11,324 Latino residents, of which 40% are foreign born.<sup>6</sup> This means that 6,794 of South Bend's Latino residents are members of the second generation and beyond.

Overall, demographic studies supported by the Pew Hispanic Trust, a member organization of the Pew Charitable Trusts, predict that by the middle of the 21<sup>st</sup> century Latino immigrants and their children and grandchildren will account for more than one third of working-age adults in the United States. Latinos (of which Mexicans constitute nearly 65%) are the "majority minority" in the United States, currently accounting for 15.8% of the total population.<sup>7</sup> Research pertaining to this increasingly numerous demographic group can be used to shape effective public policy and community organization, resulting in a more peaceful and prosperous incorporation of Latino transmigrants. Oppositional youth sub-culture is perhaps the antithesis of peace and prosperity. Increased comprehension through research may be the groundwork needed to affect change.

## Theory and Definitions

What do I mean by the phrase “oppositional, resistive youth sub-culture?” The anthropological theory is that of cultural production. In the words of Paul Willis:

Cultural production is the process of the collective creative use of discourses, meanings, materials, practices, and group processes to explore, understand, and creatively occupy particular positions, relations, and sets of material possibilities. For oppressed groups this is likely to include oppositional forms.<sup>8</sup>

The production of a sub-culture is, in its essence, the process of making meaning and the creative action of social agents in disrupting or differentiating mainstream ideology and structure. Willis’ ethnography of working class “lads” during the 1970s in England and their production of an oppositional, counter-school culture is the foundational literature on this subject. His main argument is that there is an element of self-damnation in the acceptance of subordinate roles in Western capitalism that is experienced as “true learning, affirmation, appropriation, and as a form of resistance.”<sup>9</sup> The young men are in fact exercising agency by *choosing to fail*. In doing so, they produce a culture that in turn reproduces their class position in society.

Since the 1970s, the work of Paul Willis has been built upon, updated, contested, and applied to a wide range of cultures and circumstances.

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Philippe Bourgois, for example, spent several years during the 1990s living in “El Barrio” of East Harlem, a predominantly Puer-

to Rican community. He explored the informal economy of this impoverished inner-city neighborhood, a complex, thriving drug

manufacture, sale, and distribution enterprise. His description of street culture is worth noting:

The anguish of growing up poor in the richest city in the world is compounded by the cultural assault that El Barrio youths often face when they venture out of their neighborhood. This has spawned what I call “inner-city street culture:” a complex and conflictual web of beliefs, symbols, modes of interaction, values, and ideologies that have emerged in opposition to exclusion from mainstream society. Street culture offers an alternative forum for autonomous personal dignity. In the particular case of the United States, the concentration of socially marginalized populations into politically and ecologically isolated inner-city enclaves has fomented an especially explosive cultural creativity that is in defiance of racism and economic marginalization. This “street culture of resistance” is not a coherent, conscious universe of political opposition but rather, a spontaneous set of rebellious practices that in the long term have emerged as an oppositional style.<sup>10</sup>

Bourgois parallels the logic of Willis by emphasizing the way in which cultural production is an active response, never specifiable in advance, by humans to the structures, institutions, and processes that form them.

In addition, immigration scholars have recently taken into consideration the existence of oppositional youth sub-culture as it relates to downward assimilation among contemporary transmigrants. Alejandro Portes and Min Zhou define assimilation today as a segmented occurrence. One of these segments is the process of downward assimilation into the permanent poverty of the underclass and an oppositional culture already established by native, marginalized youth.<sup>11</sup> Joel Perlmann and Roger Waldinger further describe oppositional youth sub-culture particularly among the children of

transmigrants – a “second generation revolt,” as it were – as a means of protecting self-worth. It is a response to mainstream society’s rejection by outright and often violently rejecting the values and culture of the mainstream. In oppositional youth sub-culture, it is considered a betrayal of one’s ethnic group to succeed in the “white” mainstream. Solidarity can thus be a leveling mechanism that prevents educational and economic advancement and a better standard of living.<sup>12</sup>

Two final side-points need to be made before moving on from theory and definitions to a discussion of broader issues. First, as I was cautioned during my interview with Professor Jaime Pensado, the terms “opposition” and “oppositional culture” are not to be used lightly, nor do they apply to every form of youth sub-culture. All types of young people of different classes, cultures, ethnicities, and communities develop their own sub-cultures that are often propagated from above by larger societal institutions such as the media. Such sub-cultures may or may not be in deliberate opposition to the mainstream. Second, a focus on the self-defeating rebellion among youth who participate in an oppositional cultural form obscures the reality that the majority of Mexican transmigrants and their children and grandchildren are making it as law-abiding residents. Moreover, when the problems of poverty, violence and suffering seem overwhelming, it is important to remember the certain and sustainable probability of positive outcomes.<sup>13</sup>

### **The Economics of Opposition**

Since the work of Paul Willis in the 1970s, the study of economics and oppositional youth sub-culture has focused on what happens to the working class when work disappears. During the later parts of the 20<sup>th</sup> and into the 21<sup>st</sup> century, structural conditions of capital have shifted dramatically, relocating to free trade zones and Third World countries.<sup>14</sup> The United States is now, for the most part, reaching a state of post-industrialization. The lack of manufacturing jobs and globalization of the economy of the United States have

resulted in the disappearance of intermediate opportunities to fill the growing gap between minimum wage jobs at the bottom of the service sector of the economy and high-tech or professional jobs occupied by the college-educated elite. The term “hourglass economy” describes the current state of the economy in which the poor and working class are in a “race” against the narrowing middle class.<sup>15</sup>

Today’s working class in the United States is most often employed in low-wage service sector jobs that offer little opportunity for advancement. The population working such jobs is overwhelmingly African American and Latino, and many of those are transmigrants. More so than other immigrant groups, Mexican transmigrants occupy the bottom-most rungs of the economy. Research conducted by the Pew Hispanic Center as well as by Joel Perlmann and Roger Waldinger indicate meager improvements in education (high school completion and attainment of higher education) and higher-paying jobs in the second generation as compared to the first generation of Mexican transmigrants. Currently, the median household income for Mexicans in the United States is \$40,274 and 20.8% of Mexicans/Mexican-Americans are living in poverty.<sup>16</sup> In South Bend, the median income of Latinos is significantly lower, at \$30,000, and this number has increased only approximately \$5,000 in the past fifteen to twenty years.<sup>17</sup>

The second generation of Mexican transmigrants, then, seems to be losing the race against the ever-narrowing hourglass economy. The second generation is frustrated by the lack of economic progress of their parents as well as the lack of career choices to match their aspirations, having been exposed to higher wage and consumption standards from the start of their lives in the United States.<sup>18</sup> These frustrations motivate members of the second generation to assimilate downward into the oppositional youth sub-culture already established by native, marginalized youth. There, the second generation proliferate their own forms of resistance. Rather than work nine-to-five minimum wage jobs in restaurants, retail, construction, cleaning, fields, or factories, the second generation of Mexican

transmigrants may be more inclined to work in the informal economy selling drugs or guns. Such illegal activities provide the material means for oppositional youth sub-culture.

Philippe Bourgois expresses surprise at the number of young men and women who remain in the legal economy:

Millions of dollars in business takes place within a stone's throw of the youths growing up in East Harlem tenements and housing projects. Why should these young men and women take the subway to work minimum wage jobs – or even double minimum wage jobs – in downtown offices when they can usually earn more, at least in the short run, by selling drugs on the street corner in front of their apartment or school yard?<sup>19</sup>

When I interviewed four young men detained at SBJCF, I asked about their parents' jobs as well as whether or not they had ever held a formal job and what kind of jobs they perceived to be available to themselves. Two of the four had fathers who were in prison and mothers who worked in a nursing home, hotel, or restaurant. The other two had at least one parent who worked full time in a factory while the second parent stayed home or worked part time. None of the four young men, aged sixteen and seventeen, had ever held a formal job, but all of them had participated in the informal economy, accumulating monetary or material income through theft or drug and gun sales.

Significantly, each of the four juvenile offenders that I spoke with had a somber outlook on the jobs they perceived to be available to them. Most cited construction, landscaping, or working in restaurants as possible future careers. Most also admitted that they were more than likely to continue selling guns or drugs in order to meet their material needs and those of their families. However, when I asked for "one thing they would do or be if they could do or be anything," all four young men described middle-to-upper class

jobs including a traveling journalist for a big-name newspaper, a restaurant and bar owner in New York City, a professional soccer player, and a professional artist such as a painter or musician. The disconnect between aspiration and reality for these young men is blatantly obvious, especially to them. They have big dreams but have decided not to take these dreams seriously, perhaps out of frustration or hopelessness, having been confronted by the structural violence of a capitalist system that includes a large pool of low-wage, easily-exploitable laborers.

### **School: Resistance and Indifference to Education**

The public education system in the United States is predicated on the basis of providing equal, integrated education to all children and youth. Contrary to this foundation, the current public education system upholds economic inequality and reinforces social stratification.<sup>20</sup> Willis points out that students are not passive receptacles of these dominant capitalist and stratified ideologies. He juxtaposes the school as the zone of the formal and the street as the zone of the informal in the lives of working-class youth. The young men of his ethnographical study reject school because they reject the “myth” of meritocracy that the school broadcasts all around them. These youth know that they are members of the working class and that there is little chance they will enter the middle class. To them, school is not relevant and not worth the effort. There is an oppositional youth sub-culture ready to embrace them upon rejection. As a result of this rejection of knowledge,

authority, stripped of its educational justifications, can appear very harsh and naked. That is why it is opposed. The teaching paradigm is seen more and more in its coercive mode. The total experience of school is something [the young people] most definitely want to escape from.<sup>21</sup>



Schools are in constant competition for the hearts and minds of youth with a powerful oppositional youth sub-culture in which knowledge becomes devalued or worthless.

More recently, the public education system has become an expanded version of the free marketplace with increased privatization and “choice” through vouchers, magnet schools, and private schools. The policy initiative of high-stakes standardized tests that students must pass in order to be promoted or graduate fits nicely into a capitalist logic of competition, hard work, and the quantification of “official knowledge.” In reality, privatization and standardized testing have reinforced social stratification along class and ethnic lines. Impoverished students remain crowded into the poorest schools, and testing failure detracts further from the already meager funding and encourages dropouts.<sup>22</sup> Currently in the United States, 22.8% of Hispanics between 16 and 24 dropped out of high school. Of this percentage, 25.5% or 4,150,000 are Mexicans.<sup>23</sup> Even for those to whom school is seen as relevant, many children of Mexican transmigrants and their parents have a difficult time in school because they do not understand the work and are hesitant to ask for help, if any is even available. Such misunderstanding may stem from the movement from school to school, the use of English as a second language, the lack of a culturally relevant curriculum, and large class size (which in turn means little student-teacher interaction). Whatever the reason, the difficulties of misunderstanding may quickly transform relevance into resistance.

This resistance becomes contagious while success in school becomes synonymous with “acting white” and, thus, with being disloyal to one’s ethnic group. Rita Kopczynski sees this attitude among the youth at Saint Adalbert’s parish and school in South Bend:

“Do you wanna go all white?”- That’s what they say. They bring each other down. If a Latino starts to really succeed he gets negative pressure, that he’s becoming white, that he’s

in some way doing something wrong by excelling in school.  
How can we stay down and bring each other down?<sup>24</sup>

In my interviews with the four Mexican and Mexican-American offenders at SBJCF, I specifically asked about attitudes toward school. Responses ranged from “I don’t care” to “I do what I want” to “I know I can succeed but I choose not to” to “I have better things to do.” Interestingly enough, later in the interviews, I asked about long-term and short-term goals. Each of the four young men stated that they wanted to at least finish high school; three of the four also expressed the desire to continue on to higher education at Ivy Tech or Indiana University of South Bend. This discrepancy between attitude, behavior, and performance in school and education-related goals is paralleled in a report recently published by the Pew Hispanic Center, “Between Two Worlds: How Young Latinos Come of Age in America.” Despite delinquency and low enrollment and attainment rates, Latinos are just as likely as other youths to say that education is important for success.<sup>25</sup>

Dissonance between expectation and achievement may reflect the strong pull of oppositional youth sub-culture. While young second-generation Mexican transmigrants likely do theoretically understand and believe that education is of substantial value, the tangible reality is that it is far easier to maintain solidarity with the social group of the oppositional youth sub-culture than it is to resist the resistance. When such an established, powerful sub-culture prevails on the streets, the individual youth is subject to the strong influence of social networks, peer pressure, and the need to “look cool,” which defines masculinity and earns respect. How could the school even stand a chance?

### **Street: Gangs, Violence, and Substance Abuse**

The street is the zone of the informal social group in the paradigm of oppositional youth sub-culture. Willis explains that the informal social group is the basic unit of oppositional youth sub-

culture, the fundamental source of resistance that makes possible all other elements of the culture.<sup>26</sup> Along the same lines, violence in the informal zone is the ultimate source of revolt that breaks completely with the rules that are imposed from the mainstream. Violence momentarily disbands boredom and asserts masculinity. The flow of time is disrupted as the anticipation and fear of the fight translate into a climax of emotional energy and violent action.<sup>27</sup> The ensuing high is addicting: "Violence is one of the most intensely lived experiences and, for those capable of giving themselves over to it, is one of the most intense pleasures."<sup>28</sup> While Willis does not necessarily use the terms "gang" or "gang violence" to define the informal social group or the violent acts perpetuated by this group, in applying Willis' theory to impoverished, marginalized minority youth of low socioeconomic class living in urban environments, the terms "gang" and "gang violence" are synonymous with the informal social group and subsequent violence of oppositional youth sub-culture.

The gang, then, is the infrastructure, the element of organization underlying such a sub-culture. The word "gang," however, is subject to murky definitions and manipulation by the political mainstream. As stated by Joey Leary and Sophia Cortez:

Anthropologist Malcom Klein defines a gang as any identifiable group of youngsters who (a) are generally perceived as a distinct aggregation of others in a neighborhood, (b) recognize themselves as a denotable group (almost invariably with a group name), and (c) have been involved in a sufficient number of delinquent incidents to call forth a consistent negative response from neighborhood residents and/or law enforcement agencies.<sup>29</sup>

Gangs provide a social structure that forges a pathway around the normal confrontational tension and fear that tend to prevent interpersonal violence. Gang violence may be best understood not by searching for its individual determinant but by exploring the social

networks of action and reaction that propagate it. Basically, the gang itself in relation with other gangs becomes an institutionalized network of conflict and violence that is distinct from individual motive.<sup>30</sup> Suitably, several of my interviewees, namely Rita Kopzcynski and the guards from SBJCF, describe those youth who do not “make it” as *getting lost*, lost in the gangs and the overall oppositional youth sub-culture.

If the gang is the basic unit (the informal social group) that cultivates violence on the street and underlies oppositional youth sub-culture, then the sale, use, and abuse of illegal substances provides the material support for such a sub-culture. The street is a place of enormous innovation, ambition, and creativity, often expressed as the entrepreneurship of illegal enterprise, namely, the business of drugs and guns. Significantly, the sale of drugs and guns is organized around the gang network. Hispanic gangs in the United States – the most prevalent of which is the Latin Kings – assume a large and currently increasing role in wholesale drug trafficking across the border and distribution throughout the United States.<sup>31</sup> Data compiled by the Pew Hispanic Center provide additional information on the well-established presence and impact of Hispanic gangs such as the Latin Kings. Perhaps most significant is the variance in gang exposure and involvement with the progress of generation. American-born Latinos are twice as likely as foreign-born transmigrants to have a friend or family member in a gang. Smaller increases are seen in gang membership, fighting, possession of a weapon, and the use of illegal substances from the first to the second generation. Within the Latino population, Mexicans – who constitute six of every ten Latinos – were nearly twice as likely to report gang exposure or involvement.<sup>32</sup>

Such statistics are disheartening because they point to definite downward assimilation into and creative proliferation of oppositional youth sub-culture among Mexican transmigrants in the second generation and beyond. Robert Courtney Smith explicates the social disorganization associated with transmigration and the need for new

institutions of belonging and settlement, such as gangs. He posits that gangs provide one way of adapting to a new world in which Mexican manhood or “machismo” seems challenged and compromised. Gang membership commands respect and fear; entering a gang is a way of affirming manhood when other means – such as school, a good job, or a career – that could be used to constitute manhood through respect seem impossible and therefore not worth the time or effort.<sup>33</sup> Bourgois echoes this sentiment. He explains that oppositional youth sub-culture is ultimately not about drugs, violence, or gangs, but rather it is about the struggle for survival, subsistence, and dignity at or below the poverty line. It is about an active response, never specifiable in advance, by humans to the structures, institutions, and processes that formed them. It is about a search for respect.

Family dysfunction also plays an important role in the choices the children of Mexican transmigrants make to become involved in gangs. While it is not necessarily the case in all or even most situations, a lack of paternal presence and support may motivate youth to start looking to their peers to fulfill the basic needs for attachment and community. More often than not, these peers are gang members. When one or both parents are working long hours just to survive and provide for their family’s basic needs, there is little time left to be present together as a family.

The importance of a consistent, positive adult influence in the life of a youth cannot be underestimated. I spoke with each of the four young detainees from SBJCF about their parents, siblings, friends, and role models. Two of the four had fathers in jail for gang-related offenses. The other two had parents who were working low-wage jobs with long hours. All four of the young men identified themselves as gang members, and stated that their parents did not support gang membership and had tried to stop them from participating. Each of the young men spoke about his parent(s) with utmost respect and many vocalized the desire to help provide a better life for their moms and younger siblings, but none identified a

parent as a role model. In fact, when I asked about role models, the general reaction was one of hesitation and confusion. The offenders had a difficult time identifying someone in their lives who they looked up to and wished to model their lives after.

Friendship was a subject that evoked a much greater conversational response. When asked to identify who their closest friends were and why, without fail the answer involved fellow gang members and sometimes siblings who were also gang members. For these Mexican and Mexican-American youth, gang members are those who support and give advice, mutually respect and trust one another, and offer help with whatever is needed. Interestingly enough, these “closest” and “best” of friends are gang members who three of the four juvenile offenders said would threaten to hurt or kill them if they were to leave the gang. In an oppositional youth sub-culture, solidarity is an enforced self-destructive trap. Violence is directed toward the self, fellow gang members, rival gang members, or immediate community rather than the structural oppressors of society at large.<sup>34</sup>

### **Pathway: Leading into the Criminal Justice System**

In the United States, more than ever before, the oppositional youth sub-culture as manifested in the school and on the street is a pathway leading into the criminal justice system. Since 1980, there has been an overall increase of 258% in incarceration, including both the juvenile and adult criminal justice systems. This is an era of mass incarceration and increasing poverty in the United States. The richest nation in the world leads an escalating number of its citizens to impoverishment and imprisonment.<sup>35</sup> Kathleen Nolan and Jean Anyon point out that today, resistive or oppositional youth are learning to do time rather than learning to work, as was the case for Willis’ young men in the 1970s. Increases in incarceration, Nolan and Anyon argue, are connected to the need to manage and control a population that has become economically superfluous as a result of deindustrialization and globalization. A type of school-prison

continuum has emerged in which public policy has shaped schools to become more like prisons. Many schools now work in close contact with the police to enforce criminalization of truancy, fighting, and any gang-related activity. Zero-tolerance policies in schools channel resistive, oppositional students into probationary alternative trade schools and then into juvenile detention facilities.<sup>36</sup>

The most immediate cause of the era of mass incarceration has been the “war on drugs” that began in the 1980s. Increased poverty in the inner cities and cuts in the availability of social services have most likely led to increased drug sale, use, and abuse. Policy-makers seized upon stepping up the criminalization of drugs as a way to indirectly respond (or to avoid responding) to deep-rooted economic and social problems.<sup>37</sup> Thus, the oppositional sub-culture of minority, marginalized youth – whether in the school and on the streets – has become a well-traveled pathway leading into the criminal justice system. Currently in the United States, between 3% and 4% of Hispanic males are incarcerated as compared 1.3% of white males. Research shows a consistent trend of increased incarceration in the second generation and beyond of Hispanics in the United States.<sup>38</sup> While the reasons for such a trend are variable, it is likely that the persistence of oppositional youth sub-culture as an option for downward assimilation and creative proliferation has had significant influence.

Once a male youth enters the criminal justice system at a location such as SBJCF, he may spend many years in a pattern of rehabilitation, release, and recidivism, which may eventually land him in the adult prison system. One of the four juvenile offenders I interviewed had never attended a real high school; at seventeen, he has progressed through his first three years of high school in different detention facilities. The focus of the juvenile justice system is on the rehabilitation of offenders such that they become contributing members of society. Programs including counseling, intervention and treatment groups, school, tutoring, recreation, community service, and family visits are intended to accomplish “rehabilitation.” Unfortunately,

recidivism rates range from a low of 30% to a high of 70%. Several juvenile offenders residing in SBJCF have described the facility as a form of “day care,” meaning that they can do more or less whatever they want. Gang members connect with other gang members in detention and learn about other gangs and criminal skills. Sometimes, new gangs can form in juvenile detention facilities.

In light of oppositional youth sub-culture, the alarmingly high recidivism rates of repeat juvenile offenders are not surprising. To isolate the juvenile offender from the environment and culture in which he committed the crime disregards the collective and structural nature of some delinquent behavior. Upon release into the same environment, the youth reunites with his gang or informal social group and easily slips back into the oppositional youth sub-culture. Prevailing attempts to rehabilitate the individual juvenile offender treat only the symptom of a much deeper and broader problem. The tension and relation between structural violence and individual agency create an oppositional youth sub-culture that rejects education and perpetuates poverty.

## **Conclusions and Outlook on Change**

In considering this violent oppositional youth sub-culture relative to the young second generation Mexican transmigrant community, I want to give power to the voices I heard and the words I listened to. The power is in the choice. I asked these four young men directly about why they joined a gang, why they committed a crime, and why they acted violently. I also asked them whether or not they felt they had a choice; the response was a resounding yes. While feedback varied regarding regret for these choices and a view of such decisions as detrimental, each of the four readily and actively acknowledged individual choice. The difficulty for these juvenile offenders was in articulating why they made the choices they had made – “I don’t

*I want to give power  
to the voices I heard and  
the words I listened to.*



know” or “because I wanted to” were the common responses – and in admitting that many of these empowered choices have led them to where they are confined today: locked within the walls of a correctional facility, now stripped of the freedom to choose. My thoughts often return to the evenings I spent tutoring and mentoring Juan at SBJCF. At this point, he has been adjudicated, “rehabilitated,” and released, and I can only hope that I never see him again within the walls of the detention facility.

The prospects look bleak for the peaceful and prosperous incorporation of Mexican transmigrants in the United States as generations progress, and American-born youth become entangled within oppositional youth sub-culture. There is clear hope, however, in the individual agency involved in such a sub-culture. As emphasized by Willis, Bourgois, and the Mexican and Mexican-American males I spoke to firsthand, the element of choice entails the relative freedom to choose either that which is self-defeating and self-destructive or another, more positive choice. Willis describes “sparks of creativity and aspiration” or “moments of penetration” which are brief and often lost moments that could be seized upon to redirect opposition in a more productive, positive manner.<sup>39</sup>

While choice is still an important factor, combating structural violence requires more than affecting individual agency. The United States needs to level the playing field in terms of the distribution of public funds, particularly for education. The neo-liberal idea that the unregulated marketplace is the purest expression of freedom has only resulted in further stratification and marginalization.<sup>40</sup> Concrete economic opportunities in the form of jobs that provide a living wage and a route out of poverty must be created and promoted if we expect youth to abandon the economic logic of criminal enterprise.<sup>41</sup> Overall, justice and equality must be defended and enforced across class and ethnic lines.

Far more realistically, we should focus on sustainable programs and policies at the local level that provide consistent, positive adult influences and social support for youth in developing a healthy sense

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of self-confidence, self-dignity, and self-respect. Ideally, these programs may serve to motivate youth into completing high school and continuing on to higher education. Programs in South Bend such as the South Bend Police Department Youth Boxing Program, the Business Plan Program at Robinson Community Learning Center, Take Ten, and a variety of programs and classes for youth and families at La Casa de Amistad and Saint Adalbert's may be a start in transforming oppositional youth sub-culture among the second generation and beyond of Mexican transmigrants in South Bend.

Individuals and organizations working to combat poverty and injustice need to network with one another in pursuit of common goals. If change is to occur and oppositional youth sub-culture is to be challenged, the knowledge distinguished in this research may be a starting point. Any effort to impact sustainable change in the lives of Mexican youth in the second generation and beyond must consider the tension between individual agency and structural violence in the overlapping categories of economics, the school, the street, and the criminal justice system. Such a consideration must include the perspectives of the youth themselves as well as that of the Mexican transmigrant community. Asking further questions and conducting extended research is necessary in order to gain a more nuanced apprehension of these issues.

Personal interviews conducted with four juvenile offenders at South Bend Juvenile Correctional Facility and informal conversations with two employees at South Bend Juvenile Correctional Facility. Details are confidential.

## Endnotes

- <sup>1</sup> Names have been changed for privacy reasons.
- <sup>2</sup> It is important to note that throughout this project I restricted my investigation to male youth. This is not to say that female youth take no part in oppositional youth sub-culture, but rather, the female gender was simply not the subject of research or an element of analysis in this project.
- <sup>3</sup> Nina Glick Schiller, "Transmigrants and Nation-States: Something Old and Something New in the U.S. Immigrant Experience," *The Handbook of International Migration* (New York: Russell Sage Foundation, 1999): 96.
- <sup>4</sup> *Ibid.*, 100.
- <sup>5</sup> Pew Hispanic Center. <http://pewhispanic.org>.
- <sup>6</sup> Tavarez, Kimberly, Jenna Adsit, and Smilie Prot. "Latino Immigrants in South Bend," *Student Research Series: University of Notre Dame Institute for Latino Studies* 1 (2008).
- <sup>7</sup> Pew Hispanic Center.
- <sup>8</sup> Paul Willis, *Learning to Labor* (Farnborough: Saxon House, 1977), 109.
- <sup>9</sup> *Ibid.*, 3.
- <sup>10</sup> Phillipe Bourgois, *In Search of Respect: Selling Crack in El Barrio* (New York: Cambridge University Press, 2002), 8.
- <sup>11</sup> Alejandro Portes and Min Zhou, "Should Immigrants Assimilate?," *Public Interest* (1994) 116.
- <sup>12</sup> Joel Perlmann and Roger Waldinger, "Immigrants, Past and Present: A Reconsideration," *The Handbook of International Migration* (1999), 235.
- <sup>13</sup> Jaime Pensado, Personal Interview, December 1, 2009.
- <sup>14</sup> Nadine Dolby and Greg Dimitriadis, "Learning to Labor in New Times: An Introduction," *Learning to Labor in New Times* (New York: RoutledgeFalmer, 2004), 7.
- <sup>15</sup> Portes and Zhou 116.
- <sup>16</sup> Pew Hispanic Center.
- <sup>17</sup> Alisha Wilkinson and Nicole Yergler, "Latino's Housing Dilemma and Their Absence in the Homeless Community of South Bend," *Student Research Series: University of Notre Dame Institute for Latino Studies* 2 (2008).
- <sup>18</sup> Portes and Zhou 116.
- <sup>19</sup> Bourgois, 4.
- <sup>20</sup> Kathleen Nolan and Jean Anyon, "Learning to Do Time: Willis' Model of Cultural Reproduction in an Era of Postindustrialism, Globalization, and Mass Incarceration", *Learning to Labor in New Times* (New York: RoutledgeFalmer, 2004), 133.
- <sup>21</sup> Willis, 77.
- <sup>22</sup> Nolan and Anyon, 141.

- <sup>23</sup> Pew Hispanic Center.
- <sup>24</sup> Rita Kopczynski. Personal Interview. December 1, 2009.
- <sup>25</sup> Pew Hispanic Center.
- <sup>26</sup> Willis, 34.
- <sup>27</sup> Ibid., 34.
- <sup>28</sup> Bill Buford, *Among the Thugs* (New York: WW Norton & Co. Inc., 1992), 205.
- <sup>29</sup> Joey Leary and Sophia Cortez, "Mexican Gangs in South Bend," (Student Research Series: Volume 2, Issue 3, University of Notre Dame Institute for Latino Studies, December 2008).
- <sup>30</sup> Andrew V. Papachristos, "Murder by Structure: Dominance Relations and the Social Structure of Gang Homicide," *American Journal of Sociology* 115 (2009), 74.
- <sup>31</sup> National Gang Threat Assessment, <http://www.fbi.gov/publications/ngta2009.pdf>.
- <sup>32</sup> Pew Hispanic Center.
- <sup>33</sup> Robert Courtney Smith, *Mexican New York: Transnational Lives of New Immigrants* (New York: University of California Press, 2005), 213, 231.
- <sup>34</sup> Bourgois, 326.
- <sup>35</sup> Ibid., 318.
- <sup>36</sup> Nolan and Anyon, 142.
- <sup>37</sup> Ibid., 138.
- <sup>38</sup> Pew Hispanic Center.
- <sup>39</sup> Dolby and Dimitriadis, 6.
- <sup>40</sup> Nolan and Anyon, 140.
- <sup>41</sup> Bourgois, 322.

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# A Man Among Gods: Evaluating the Significance of Hadrian's Acts of Deification

TRACY JENNINGS

From 117-138 AD, when Publius Aelius Hadrianus (Hadrian) ruled the Roman empire, five individuals received divine honors through the will of this man:<sup>1</sup> his predecessor Trajan, Trajan's wife Plotina, his mother-in-law Matidia, his "favorite" Antinous, and his wife Sabina all became gods. By this period, it was not unusual for an emperor to deify his predecessor after a smooth transition of power, but Hadrian was exceptional in the number of people he deified and truly extraordinary in his deification of a person outside the imperial family. The five acts of deification that occurred under Hadrian illuminate the nature of Hadrian's rule and the nature of emperors during the early Antonine period. As a non-violent imperial strategy, these acts consolidated his power as emperor both in Rome and in the provinces.

## **What is the general significance of deification?**

Deification itself was significant but not uncommon in the second century. Over the duration of the Roman empire, thirty-six out of the sixty emperors were named *divus*, from Augustus to Constantine.<sup>2</sup> This term, once synonymous with *deus* (god), became used exclusively for deified imperial members after the deification of Julius Caesar in 42 BC.<sup>3</sup> In the first recorded act of deification in Roman history, the Senate awarded Julius Caesar divine honors two years after his death, and from this point to Hadrian's rule, six other emperors were deified.<sup>4</sup>

By the time of Hadrian's rule, each *divus* had a state-sponsored cult that was well-established in religious and political institutions. The Arval Brethren, a traditional college of priests reinstated by Augustus to honor the emperor, sacrificed offerings for the emperor's health on his birthday and also kept a list of the *divi*. The *Feriale Durarum*, a papyrus that preserves a calendar of feast days celebrated by the army during the rule of Severus Alexander, shows how integrated the imperial cult had become in official proceedings, with honors continuing generations after deification occurred. In the eastern provinces, Hellenistic ruler cults had conditioned people to honor the emperor as a living divinity, but Republican Rome rejected the institution of kingship with strict rules limiting the duration of leadership. When the Republic collapsed, Augustus took public measures to distance the emperorship from a monarchy and rejected deification while he was still living.

Augustus, as the first and longest-reigning emperor, set the standard for future rulers to hold supreme religious, military, and political power. Imperial authority was based on control of these three arenas in Roman society, although Augustus ceremonially downplayed the authoritarian elements of the emperorship. In public monuments and iconography, he was represented as the first among equals, the best citizen (*civilis princeps*). A name the Senate bestowed upon Augustus late in his rule was *pater patriae* ("father of the fatherland"), which appropriated the patriarchal and hierarchical social structure to the system of governance.

At the same time, this system was held in tension by what Andrew Wallace-Hadrill calls "the autocratic reality" and "the elaborate and yet transparent republican façade."<sup>5</sup> He theorizes that imperial behavior was shaped by two precedents: first, Hellenistic ruler cults, which required an active display of rulers' elevation over ordinary people, and second, the traditional Roman ideas of the Senate's political supremacy, such as *libertas* ("liberty" or political freedom), leaders as private citizens, and the patronage system. The *civilis princeps* and *pater patriae* concepts appeared to defer to the latter system,

despite the autocratic structure of government. Thus, early Roman emperors worked within the Republican paradigm in a way that still asserted their absolute authority. The emperors most infamous for their authoritarianism were not deified. This exclusion of despots indicates that the requirements for Roman deification were not associated with a high level of absolute power. Rather, deification of an emperor depended highly on the attitude toward him at the time of his death.

Thus, understanding the institution of emperorship is important for considering any act of deification, because deification transgressed the traditional norms of Roman politics. Furthermore, because the emperor held the highest position in both government and religious affairs, he brought these spheres together. The way it became an accepted practice during the principate is remarkable. The inseparable tie between the religious and political systems enabled the political act of deification, and the polytheistic Roman state cult could assume new gods into its pantheon without heterodoxy. While the creation of divinity is unfathomable in view of modern monotheistic religions, in the Roman world, the *divus* designation was considered “a logical step on from the religious honors accorded the emperor in a lifetime,” according to Simon Price.<sup>6</sup> The famous line by the Flavian emperor Vespasian, “Ah, I think I’m becoming a god!” reflects the well-established tradition of deifying emperors by the time of Hadrian.<sup>7</sup>

Likewise, granting divine status to individuals besides the emperor had precedent but sparked more controversy. Before Hadrian, nine people, all members of the imperial family, were deified, including seven women.<sup>8</sup> Tacitus reports that Tiberius forbade the deification of Augustus’ wife Livia, but Claudius later deified her a decade after her death.<sup>9</sup> Tacitus also writes that upon Nero’s request to deify his second wife, Poppaea, one senator refused to vote, which illustrates two points about deification during the Julio-Claudian dynasty. First, deification of women was uncommon and second, the Senate still had some authority in the approval process.<sup>10</sup> The



deification of imperial family members had a powerful effect, reaching the emperor himself, for his status gained further distinction by association. Hadrian's treatment of his acts of deification shows that emperors used their relationships with *divi* to secure and solidify power.

The process of deification developed over the centuries, but apart from its connection with Hellenistic monarchy, its roots sprang from the elaborate Republican funerals for the upper class. The ceremony of a public funeral preceded the Senatorial recognition of deification, called *consecratio*. In the beginning, a prophetic phenomenon was needed to mark the individual's ascent to heaven; for example, the sight of a comet was the sign for the apotheosis of Julius Caesar. In a manner akin to the Roman Catholic process of canonization, the Senate heard eyewitness accounts and deliberated over whether it was a sign from the gods and what resultant action should be taken.<sup>11</sup> Ultimately, the Senate would issue a decree recognizing the divinity of the individual in question. The order of the entire deification process became more convoluted as time progressed, but generally *consecratio* came after the imperial funeral.

Increasingly under the emperorship, the public funeral that preceded deification had an important political function for the emperor not only as commemoration, but perhaps more importantly, as a public display of virtue and power. To coordinate the necessary proceedings, the new ruler needed unity and cooperation from the Roman elite.<sup>12</sup> Traditionally, deification could not, and did not, occur unless the new emperor had sufficient support or authority. Literary accounts by two third-century Greek writers, Cassius Dio and Herodian, provide minute details about the elaborate procedure involved.

Dio describes how he and other senators awarded Pertinax divine honors and named Severus emperor.<sup>13</sup> These events occurred "upon [Severus] establishing himself in power," a significant time after Pertinax's death.<sup>14</sup> It seems that the passing of the decree by the Senate preceded the public funeral; the order had changed since the

beginning of the imperial period. Because the ritual events that occurred in a funeral for a *divus* provided the evidence for the Senatorial decree, in the new order, “religious tradition ceased to be relevant and the decision became more of a political formality,” according to Price.<sup>15</sup> When the climax of deification was no longer dependent on the input of the Senate, the emperor gained the authority to determine when and whom to deify.

While the burial of *divi* was not exceptional, the pageantry of the funeral had such a high cost that only emperors had adequate resources to finance it.<sup>16</sup> A *iustitium*, which halted business and civic activities (even the daily baths), was declared for imperial funerals.<sup>17</sup> Both Dio and Herodian witnessed the proceedings for deification, and their firsthand accounts emphasize the large number of participants in the ceremony. Senators and their wives sat at the viewing of a wax effigy of the emperor, the equestrian cavalry and infantry paraded around the funeral pyre, and “every province, every city, every man of honor and distinction” offered final gifts.<sup>18</sup> The most illustrious family member, usually the emperor himself, held the most prominent role as the speaker of the funeral address. Thus, the prospective *divus* shared the spotlight with the emperor. While the effigy was on display, a doctor reported on the “health” of the former emperor until “death” approached, and after that, a procession carried the bier from the Rostra in the Forum Romanum to the Campus Martius, an inversion of the triumphal route. If the viewing lasted for seven days, as Herodian reports, such time commitment and unanimous support publicly demonstrated the emperor’s supreme power to control daily life and determine which events and people were significant.<sup>19</sup>

The proceedings for deification had symbolic elements to distinguish the event from typical cremation and to represent the apotheosis of the spirit. After the emperor’s successor climbed the pyre to light it, an eagle released through a trapdoor mechanism rose from the flames to signal the flight of the emperor’s soul to heav-

en. "Thereafter the emperor is worshiped with the rest of the gods," Herodian states.<sup>20</sup>

### **What evidence exists for these acts of deification?**

Any study of ancient history requires a construction of the past based on a fragmented record of evidence. In comparison with historians of the modern era, classicists draw conclusions from a more varied body of evidence, often founded upon whatever materials that have lasted through the centuries. For example, ancient Roman coins from the imperial period provide information about the chronology of events and ideology because each emperor issued new series with their likeness and unique graphics. The study of ancient coins (numismatics) and historical literature are the two main sources that directly refer to Hadrian's acts of deification. The sculpture and architecture of the period will also inform my investigation, albeit in a more oblique manner. In the following sections, I will evaluate the information in these sources relevant for each individual deified by Hadrian. First, however, I will assess the evidence to establish a foundation for the later analysis.

For the Hadrianic period, the *Scriptores Historiae Augustae* and Cassius Dio's *History* are the primary historical sources, in Greek and Latin respectively, but neither offers comprehensive accounts of Hadrian's acts of deification. Because Hadrian did not treat the deification of each individual in the same way, the disparate character of these acts reduces our ability to make uniform comparisons among them. The numismatic record complements the personal literary accounts by supplying a chronology for these acts and a record of their official public presentation.

Although the historian Tacitus was writing during Hadrian's lifetime, no contemporary accounts of Hadrian's rule survive. From the literature relevant to Hadrian's acts of deification, the most contemporary is Cassius Dio's *History*, begun after the death of the emperor Septimius Severus in 211. Of his eighty-volume comprehensive history of Rome, only Books 36-54 remain in full, and an abridgment

by an eleventh-century monk yields his account of the Hadrianic period. The monk preserved Dio's text irregularly, reproducing some full passages but omitting others.<sup>21</sup> Regardless of its incompleteness, the extant text of Dio offers a glimpse into Hadrian's treatment of the deaths of Trajan, Plotina and Antinous.

Although Cassius Dio was born in Bithynia and wrote in Greek, he actively participated in the Roman political system of the third century, and his account of Hadrian gains credibility from his personal experience. He became a member of the Senate, eventually gaining a provincial governorship under the Severan dynasty. Dio uses varied sources, and he even refers to Hadrian's autobiography, which could have informed his discussion of Hadrian's prophetic dreams and opinions. He interjects his opinions into his writing, but this work still provides useful information about the deification of three individuals through the lens of an experienced Roman politician.

The other literary source for Hadrian's acts of deification, the *Scriptores Historiae Augustae* (SHA), mentions four out of the five people deified. This series of imperial biographies begins with Hadrian and concludes with Carinus in 285, and it is the primary historical source written in Latin for the late second and third centuries. The reliability of the SHA is debatable, both because of its late date of composition and questions of authorship. A citation of the SHA in the letters of Symmachus gives 425 as the latest possible composition date, three hundred years after Hadrian's rule. The authors of these narratives are unknown, but a large part of the writings on Hadrian seems to have been adapted from the imperial biographies of a third-century Latin writer, Marius Maximus.<sup>22</sup> His writings are no longer extant, but like the monk's adaptation of Dio, the SHA paraphrases Marius' verbose account.<sup>23</sup> While outside data has proven other sections of the SHA to be entirely falsified, the section on Hadrian is still a valuable source for this examination because of its use of Marius' extensive work.

Because these primary literary sources are questionably reconstructed accounts written after Hadrian's rule, the extensive record of coins issued under Hadrian contributes a more comprehensive and concrete set of evidence for his acts of deification. Roman emperors frequently authorized releases of new coinage, and the rich numismatic catalog of the Roman imperial mint in the Hadrianic period includes more than a thousand different combinations of images and legends for coins.

As everyday objects in people's lives across the empire, coins were an ideal medium for emperors to convey ideological and political messages. The obverses of coins commonly depicted the head of the emperor or an imperial family member; the reverses, personified virtues or gods. The legends often recorded the name of the current emperor and an attribute that corresponded to the subject. With changing iconography, new coin issues alerted people all over the empire of imperially sponsored events in Rome, including deification.

By the time of Hadrian, the right to produce coins fell under imperial control at Rome; even the senatorial mint, with its right to issue ordinary coins, was located in imperial courts.<sup>24</sup> Mints in the Eastern provinces still operated under a different currency system, and Hadrian restored provincial mints in Asia and Bithynia.<sup>25</sup> New issues from the imperial mint recognized the divinity of all members of the imperial family deified by Hadrian, and the Eastern mints commemorated the deification of the one individual outside the imperial family with medallions and coins.

This numismatic evidence found in contemporary coins provides a basis for comparison of the way Hadrian publicized the different deification acts. The chronological studies of the numismatic evidence provide more specific dates for the acts of deification than the literary sources do. The legends progressively shortened over Hadrian's rule, and, halfway through, the imagery of Hadrian's coinage adopted a new artistic style, "gracious and noble, and touched with idealism and poetry" that contrasts with Trajanic style of "stately

dullness.”<sup>26</sup> Whatever the reason for the stylistic shift, the numismatic record signals a drastic change in Hadrian's self-presentation and provides an alternative source for examining the context of Hadrian's acts of deification.

The art and architecture of the Hadrianic period offer a third means for evaluating Hadrian's acts of deification. The array of material evidence pertaining to these acts stretches from Britain to the Black Sea, but I will focus on what I have seen myself. Monumental buildings and commemorative reliefs provide the most information about the deification of imperial family members, and statues depicting the non-imperial deified figure are uncommonly pervasive. Like the coinage, the material evidence informs our understanding of the public presentation of these acts. The physical evidence, paired with the subjective perspectives from two literary accounts, underscores the non-violent nature of Hadrian's rule and the autocratic system of government.

### **What is the background to Hadrian's emperorship?**

Whether Hadrian witnessed any acts of deification prior to his accession is unknown, but he was born in 76 AD during the rule of Vespasian, who was deified upon his death in 79. Other acts of deification by the Flavian emperors (Domitilla, Titus, Domitian's son Titus Flavius, and Julia Augusta) occurred during Hadrian's early life, which he probably spent in his hometown of Italica in the province of Baetica (Spain). His father, a senator and praetor, died when Hadrian was ten years old, and two fellow Italians, P. Acilius Attianus and M. Ulpius Traianus (Trajan) became Hadrian's guardians, responsible for his estate and education.<sup>27</sup>

Despite their provincial background, Hadrian and Trajan, whom the SHA calls Hadrian's *consobrinus* (cousin), established themselves in Roman politics during the reigns of Domitian and Nerva.<sup>28</sup> In 94, Hadrian became a *decemvir*, his first step towards a senatorial career, and Trajan assumed a variety of prestigious military positions. After the assassination of Domitian in 96, the elderly Nerva took

the emperorship and a year later appointed Trajan as his successor because “Nerva did not esteem family relationship above the safety of the State,” according to Dio.<sup>29</sup> Trajan’s military power outweighed his provincial background. Nerva secured the transfer of power by announcing his adoption of Trajan, whom he then appointed as Caesar.<sup>30</sup> This act went against the previous tendency to name a family member, however distant, as the imperial successor, but Trajan’s ascension avoided the bloody conflict that had stained prior transitions between unrelated rulers.<sup>31</sup>

Hadrian was the first person to announce Nerva’s death to Trajan and enjoyed his favor afterwards.<sup>32</sup> Although Dio and the SHA recount that Hadrian interacted with Trajan quite familiarly (*familiarius*) and that there were signs that Trajan was preparing him as his successor, Trajan never adopted Hadrian as Nerva had adopted him.<sup>33</sup> Dio, as if to settle the question from the start, begins his account of Hadrian’s rule by saying, “Hadrian indeed had not been adopted by Trajan.”<sup>34</sup> On the other hand, the SHA mentions that Hadrian was adopted two days before Trajan died, although it was a move orchestrated by Trajan’s wife Plotina and Hadrian’s former guardian Attianus.<sup>35</sup> Regardless, it is evident that Hadrian became emperor under dubious circumstances because the sources highlight the uncertainty surrounding this significant event.

Because Trajan was childless and had not publicized his wish for a successor, his sudden death in the eastern provinces necessitated an immediate solution. Trajan had fallen ill on a military expedition in Mesopotamia and, wishing to return to Italy, he left Hadrian in command of the troops in Syria. The empire, swollen with the recent Parthian conquest and the creation of new provinces, was at a critical point at which a battle for imperial power could erupt. Hadrian announced the events of his adoption and ascension to emperor within two days of each other, and his troops in Syria proclaimed him *imperator*. Dio mentions a dream Hadrian had the night before Trajan’s death that he believed indicated he was Trajan’s heir. Although the Senate had not confirmed his authority, within a week

he ordered troops to withdraw from east of the Tigris and Euphrates, where Trajan had been campaigning.<sup>36</sup> Hadrian spent the next year reinforcing control of the eastern provinces, and while he was away from Rome, the Senate ordered the controversial execution of four prominent senators who were said to be plotting to murder him. Both Dio and the SHA note that Hadrian denied responsibility for the violent response, which highlights the unrest and uncertainty at the beginning of Hadrian's rule.

### **Whom did Hadrian deify and what does it reveal about the emperor and emperorship?**

#### *Trajan*

Not long after Trajan's death, Hadrian visited his remains at Selinus and sent an imperial convoy carrying Trajan's remains with a letter addressed to the Senate. In the letter, Hadrian apologized for seizing *de facto* power and asked for divine honors for Trajan. The SHA reports that the Senate responded by freely granting Trajan honors that surpassed Hadrian's request.<sup>37</sup> Dio does not include this anecdote but says that Trajan's bones were placed in the monument now known as Trajan's Column and that the Parthian games, which had been instituted in Trajan's honor, were maintained for about a hundred years.<sup>38</sup> There is no further information about Trajan's funeral or apotheosis in literary sources.

Based on convention, Trajan's deification should not have occurred until Hadrian, as Trajan's apparent heir, returned to Rome. Numismatic evidence shows that Trajan's divinity was recognized before Hadrian's arrival in July 118. A coin series dating to the early fall of 117, following closely upon the transition of rulers, is the first material source that indicates Trajan's deification. Analyzing the content and context of their messages illuminates the shadowy gaps in the literary record.<sup>39</sup>

While images vary, the common legend for this series has IMP CAES TRAIAN HADRIAN[O] OPT AUG GER DAC (Imperator



Caesar Trajan Hadrian Optimus Augustus Germanicus Dacicus) on the obverse and PARTHIC DIVI TRAIAN AUG F P M TR P COS P P on the reverse (Parthicus, Son of Divine Trajan Augustus, Pontifex Maximus, Power of the Tribune, Consul, Pater Patriae).<sup>40</sup> Coin issues from previous emperors had commemorated the divinity of their predecessor, although Trajan never struck coins calling Nerva divine. While Trajan broke away from the pattern, Hadrian returned to it, highlighting all of Trajan's distinctions.

We do not know who developed the legends and iconography for the coins, but as Hadrian was away from Rome for this first issue, it is likely that another member of the imperial administration controlled this series. This would suggest that the Senate was willing to support Hadrian's ascension by publicizing his assumption of Trajan's titles. Another set of coins from September-October 117 lacks the titles "Optimus," "Germanicus," "Dacicus," "Parthicus," and "Pater Patriae" but includes mention of Nerva.<sup>41</sup> The change signals a conscious decision to emphasize Hadrian's relationship to many *divi*.

The second issue of coins under Hadrian helps to identify the date of Trajan's funeral and his official deification. This series depicted Trajan on one side and a bust of Hadrian or a member of the imperial family on the other. The earlier 117 issue never featured Trajan by himself, and it seems logical that gold medallions with the legend DIVO TRAIANO PARTH AUG PATRI (For Divine Trajan Parthicus Augustus Father) were produced to celebrate the funeral for the empire's figurehead. On the reverse of these valuable tokens are symbols related to triumphs and deification.<sup>42</sup> These coins date to 118, which supports the view that Hadrian returned to Rome in the summer of 118.<sup>43</sup>

These icons provide all the information numismatics offers about the proceedings to deify Trajan, but other than the unusual posthumous triumph, Trajan probably had a typical imperial funeral ceremony. His burial place, however, was atypical. As Dio mentions, Trajan's remains were placed in the monumental column at the head

of the imperial forum he constructed.<sup>44</sup> He was the first deified emperor not to be buried in Augustus' mausoleum. In addition, this site was within the sacred boundary of the city, within which burials were not usually permitted. This exception was perhaps one of the additional distinctions the Senate granted. A temple for the cult of Divine Trajan was constructed near Trajan's market. There are no definitive archeological finds to confirm its position, but its existence is attested to by an anecdote in the SHA and by an inscription, both of which refer to a "Temple to Divine Trajan and Plotina."<sup>45</sup> Such a building project would have occurred under Hadrian and was an obvious way to honor a deified emperor.<sup>46</sup>

Overall, Hadrian's actions surrounding Trajan's deification did not draw criticism for breaking precedent. This fact heightens the significance of these exceptional circumstances. The swift acceptance of Trajan's divinity, proven by the early coin issue, suggests the *consecratio* proceedings were modified; who would have testified to have witnessed Trajan's deification? Instead, the Senate, having accepted Hadrian's seizure of de facto power, granted his request for divine honors and quickly struck coins to establish the connection between the two leaders.

The recognized divinity of Trajan and the cooperation of the Senate contributed greatly to the stability of Hadrian's ascension to power. Hadrian's deft management of the process of deification substantiated his dubious adoption by Trajan. As Herodian says a century later, "It is customary for Romans to deify the kings who leave behind children as successors."<sup>47</sup> Hadrian acted in the role expected from a dutiful son by deifying his father. Indeed, prior acts of deification had occurred only in transitions between father and son, so Hadrian's divine honors for Trajan presented him in public as Trajan's son, which justified his tenuous authority.

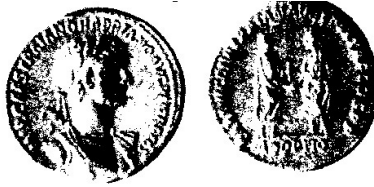


Figure 1.

The early coins issued in 117 not only promoted Trajan's divine status but also his adoption of Hadrian. The legend ADOPTIO (adoption), unique to this early Hadrianic coinage, sent a definitive statement in support of the legitimacy of Hadrian's adoption. The situation after Trajan's death was volatile, and this coin directly responded to the ambiguity. The coin's image of Trajan and Hadrian clasping hands further reinforced the message (see Figure 1).<sup>48</sup> Another coin shows Trajan handing a globe over to Hadrian, signaling the transfer of power of a world empire. A third type portrays *pietas* personified, which reflects a preoccupation with proper filial behavior.<sup>49</sup> Indeed, portrayals of Hadrian as Trajan's son had much significance: their relationship made Hadrian the son of a god.

The link between emperors and divine favor dates back to Julius Caesar's recognition of his ties to Venus, but the emperor's connection to divinity became particularly important during the Antonine era. Because the emperorship was granted through adoption, not through inheritance, the elaborate funeral ceremony and deification became an important public expression of filial piety. The act confirmed the relationship between the predecessor and the successor, and the divinity of the predecessor further elevated the emperor.

Prior to this, Rome had never had a bloodless transition of power when the emperor's successor was not predetermined, but Hadrian successfully navigated his way to power. Although the senatorial murders in the first year cast a dark shadow on the beginning of his rule, Hadrian was not considered a usurper of the throne. He stabilized the succession of power between non-related rulers in an

innovative way with the public promotion of his adoption, which legitimized his use of the deification process. The line of Antonine emperors, despite the lack of immediate family connections, all became *divi* (except Commodus, 180-192) and established a dynasty renowned for its comparative stability and peace.

### *Matidia*

The increasing distinction of the imperial court characterized the developing Antonine dynasty. Hadrian's deification of Matidia in December 119 reflects this trend. She was Trajan's niece and became Hadrian's mother-in-law as well. Hadrian married her daughter Sabina in 100, and Matidia, widowed early, traveled with the imperial family under both Trajan and Hadrian. The SHA mentions that she was one of the individuals who carried Trajan's remains back to Rome.<sup>50</sup>

Information about Matidia has been found across the empire, but the majority of the data comes from inscriptions and coins.<sup>51</sup> The SHA is the only literary source that mentions her. The text has two references to extravagant honors Hadrian granted upon her death, which expresses how prodigious his response was.<sup>52</sup> His way of honoring Matidia, with a perfume dole and gladiatorial games, appealed to plebeians of Rome and turned commemoration of her death into a public event.

An inscription found at Tibur, a town outside Rome where Hadrian vacationed, confirms that Matidia's death merited special attention from the emperor.<sup>53</sup> Ancient historian Theodor Mommsen identified the fragmented text as a funeral oration delivered by Hadrian himself. Other theories have classified it as a base to a dedicatory statue or Hadrian's request to the Senate for *consecratio*.<sup>54</sup> Christopher Jones, in the most recent epigraphic analysis, reconstructs the final line as "...a noble title in accordance with her merits, I ask that you confer upon her the...[honor of consecration]."<sup>55</sup> Hadrian also praises Matidia's virtuous relationship with her family members and notes her chastity, modesty, and obedience.<sup>56</sup> While the incomplete

text is subject to interpretation, it is a remarkable source for Hadrian's authentic words and exhibits his extraordinary commitment to honoring his mother-in-law.

The public presentation of Matidia centered upon her relationship to other divine figures. When her mother Marciana, Trajan's sister, died in 112, Trajan deified Marciana and simultaneously granted her mother's honorific *augusta* to Matidia.<sup>57</sup> This title, like *augustus*, distinguished its holder for extraordinary religious virtue and perhaps indicated eventual deification. A Trajanic coin issue honors Marciana with her bust and the legend MARCIANA AUG SOROR IMP TRAIANI (Marciana Augusta, Sister of Emperor Trajan) on the obverse, and the reverse legend reads CAES AUG GERMACOS VI P P – MATIDIA AUG F (Caesar Augustus Germanicus Dacicus, Consul for the sixth time, Pater Patriae – daughter of Matidia Augusta), which introduces Matidia as an important figure in the imperial family. The accompanying image shows Marciana seated between two children, expressing the fertile future for Trajan's line.<sup>58</sup> This coin spotlights the powerful imperial family, marking its female members as exceptionally blessed.

Trajan continued to promote the fertility of three generations in another coin issue similar to the issue with the image of Matidia and two children. On this series, Matidia stretches her hands over her children, Matidia the Younger and Sabina. The obverse legend connects Matidia to Marciana, MATIDIA AUG DIVAE MARCIANAE F (Matidia Augusta, daughter of Divine Marciana).<sup>59</sup> This coin illustrates Trajan's hope for a dynasty relayed through his female relatives, and Hadrian, who had married Sabina by this time, would have welcomed the distinction granted to this line of women for the same reason.

While neither the SHA nor this inscription explicitly states that Matidia received divine honors, the numismatic record is clear and adds a chronological context. An issue dated to 119-20 corresponds to the Arval Brethren's archives, which noted a perfume dole and *consecratio Matidiae Aug* on December 23, 119.<sup>60</sup> These coins are

stamped with the legend DIVA AUGUSTA MATIDIA—CONSECRATIO (Divine Augusta Matidia), and the iconography of an eagle and *pietas* recalls similar images used for Marciana's commemorative issue (see Figure 2).<sup>61</sup>



Figure 2.

Hadrian embraced the divinity of Marciana in his public commemoration of Matidia in a way that had a much greater visual impact than coins. He constructed a temple complex in the Campus Martius to honor Matidia and Marciana.<sup>62</sup> While the evidence is “scrappy and enigmatic,” finds of cipollino and other colored marble echo the polychromatic fashion of the Pantheon, a concurrent building project.<sup>63</sup> A medallion from 120-121 shows a row of columns, a pediment, and a woman—probably Matidia—standing in the center; the legend is dedicated to DIVA MATIDIA. This evidence, along with a citation in the *Regionary Catalog*, a fourth-century list of buildings in Rome, indicates the presence of the Basilicae of Matidia and Marciana and the Temple to Divine Matidia.

In the style of Hadrianic basilicae in the area, it is probable that the basilicae were more like porticoes, covered passageways connected to the central temple, linking the commemorative structures of both Matidia and Marciana. This area outside the pomerium held great significance for its plethora of Augustan monumental architecture, and literary and material evidence tells us Hadrian took an active role in refining its appearance. Hadrian's temple to Divine Marciana was exceptional because it was the first public structure

in Rome built to honor a deified woman.<sup>64</sup> Presumably, contemporaries would have been astonished to see a temple dedicated to women and their matronly virtues amidst monuments to war victories and emperors in the Field of Mars.<sup>65</sup>

The changing expectations for imperial women during the Antonine period affected the significance of their deification. In a close study of imperial women under Trajan and Hadrian, Mary Boatwright argues that they held a new role to exemplify feminine virtues of domesticity and submissiveness.<sup>66</sup> Pliny, a writer and Senator during this time, says in his panegyric for Trajan, “[Such virtue] is the work of her husband who has fashioned and formed her habits; there is glory enough for a wife in obedience.”<sup>67</sup> Women’s behavior reflected the quality of leadership by the head of the household, and in this way, contributed to his honor and glory.

In particular for the imperial family, the expression of *concordia* (harmony) not only applied to the family but to all of Rome. The women in the imperial family became representations of the empire’s integrity, and on coins and statues of the Antonine period, they personified virtues of *concordia* and the types of virtues Hadrian listed for Matidia. In his speech for her *consecratio*, Hadrian framed his praise of Matidia in reference to her subservient behavior towards members of the imperial family. For him, Matidia’s matronly virtues were sufficient to merit deification. Hadrian’s public response displayed an unprecedented esteem for a woman of the imperial court, and furthermore, it became a political statement.

Boatwright concludes that the celebration of virtuous behavior rather than family lineage seems to parallel the new meritocratic standard for imperial succession, and Hadrian’s recognition of Matidia’s virtues reflects admirably on his authority. At the same time, he also recognizes and honors the importance of Trajan’s lineage.<sup>68</sup> His continued celebration of Marciana’s divinity is unusual, for new emperors normally discontinued honors for previous *divi* unrelated to them, and although Claudius and Nero divinized their wives, they did not issue coins with a legend of *consecratio*.<sup>69</sup> Hadrian’s unique

emphasis on adoption and *consecratio* on coins reveals his motive to reinforce his position as emperor.

Because Matidia's death occurred in the early, volatile years of Hadrian's rule, this attention marks a continued interest in the connection to Trajan and the adoption that legitimized his imperial power. As with his treatment of Trajan's death and deification, Hadrian used the publicity of deification to reinforce his connections to this family. The buildings, coins, and funerary oration all signify his *pietas* as well as his control of the empire.

Another effect of deification was the elevation of the imperial bloodline. Adding another divinity to Trajan's family further distinguished Hadrian himself and his legacy: he was the son of a god and was married to the daughter of a *diva*. Hadrian's demurral of circus-games in honor for himself sharpens the significance of the gladiatorial games hosted in Matidia's honor.<sup>70</sup> While Hadrian himself might have wished to appear as the *civilis princeps*, he did not have to exhibit the same restraint for imperial family members. In this way, the increase in honors granted to imperial family members other than the emperor indicated a corresponding increase in the acceptance of autocratic rule.

The absence of a marker of Senatorial approval differentiates the commemorative coins for Matidia and Marciana. Many of the *consecratio* coins for Marciana have EX SENATUS CONSULTO (By the approval of the Senate) or its shortened form, S C.<sup>71</sup> The interpretation of this message has been debated but seems to have a political dimension that asserted the senatorial share of imperial power.<sup>72</sup> None of Matidia's coins, however, feature this marker. The lack of S C raises questions about whether Matidia's deification received Senatorial approval. Hadrian could have orchestrated the public largesse and temple complex independent of the Senate, but the persuasive tone of the speech implies that the act was not done without consideration from another authority. Additionally, the elaborate funeral ceremony and official *consecratio* necessitated Senatorial cooperation. It seems that it would have been in Hadrian's interest to have



the Senate's support in such a situation. On the other hand, with limited Senatorial input into the deification of Matidia, the act itself confirmed and amplified the power of the emperorship. Public acceptance (or lack of dissent) of Hadrian's actions highlights the autocratic power Hadrian wielded without negative consequence.

### *Plotina*

The death of Trajan's wife Plotina presents a case to compare with Hadrian's response to the death of Matidia. Along with Matidia, Plotina received the title *Augusta* and a commemorative coin issue in 112. While the literary sources do not discuss the nature of Hadrian's relationship with Matidia (though the inscription records the utmost respect Hadrian had for his mother-in-law), both Dio and the SHA have colorful accounts of how Plotina and Hadrian interacted.

In the first section introducing Hadrian, Dio claims that Plotina was in love with Hadrian and that she forged his adoption letters.<sup>73</sup> The SHA has a similar viewpoint and mentions the favor she had for him that led to his appointment as the governor of Syria.<sup>74</sup> These sensationalist accounts, regardless of their veracity, suggest that Hadrian and Plotina had a close relationship before she died, and she probably grew close to Hadrian when Trajan became his guardian in 86 AD. Hadrian and Plotina were of similar age and would have frequently been in each other's company as part of Trajan's court.

Extant correspondence between Plotina and Hadrian, preserved as translation exercises in a schoolbook, place an emphasis on Hadrian's filial piety to Plotina, his adopted mother, rather than his birth mother, who had remarried early.<sup>75</sup> Another letter, separate from the Latin primer, has a description of Hadrian by Plotina, who calls Hadrian "very dear in every way as both an outstanding guardian and a loyal son."<sup>76</sup> This evidence suggests that their close relationship was public, which at first consideration, makes the lack of evidence for Plotina's *consecratio* highly surprising.

Plotina did not receive divine honors immediately because Hadrian was away from Rome at the time of her death; he toured the provinces between 122 and 125. Between his travels from Britannia to Bithynia, Hadrian stopped at Nemausus, Plotina's birthplace, in 122 after Plotina had died.<sup>77</sup> Here, in modern Nîmes, Hadrian constructed a magnificent basilica to honor Plotina in her hometown.<sup>78</sup> Dio also refers to a structure built in her honor:

Upon the death of Plotina, the woman through whom he had secured the imperial office because of her love for him, he honored her exceedingly, wearing black for nine days, erecting a temple to her and composing some hymns in her memory...<sup>79</sup>

No definite epigraphic evidence identifies archeological remains at Nîmes as this structure, but James Anderson's re-examination of the famous *Maïson Carrée* determined a new construction date from the Hadrianic period. Anderson shies away from associating this temple with Plotina, but he suggests that it was one of Hadrian's "imperial donations...to the city's architectural glorification" as part of his efforts to commemorate Plotina's death.<sup>80</sup>

While these sources illustrate how Hadrian honored Plotina upon notice of her death, no explicit evidence of her *consecratio* exists. Nowhere in literary sources is Plotina referred to as *diva*. The list of the *Feriale Duranum* from 183 AD includes both Plotina and Matidia among the *divi* honored by the army,<sup>81</sup> but the absence of coins commemorating Plotina's *consecratio* makes it difficult to assign a date to her death and deification. An inscription from Hadrian's temple to Trajan and late Hadrianic gold medallions indicate that Plotina was considered divine during Hadrian's rule. The temple dedication, emended to Divine Trajan *and* Divine Plotina, shows a recognition of her divinity by the Senate and people. The date of the medallions ranges from 128-138, and they celebrate the divinity of both of Hadrian's parents.<sup>82</sup>

As with Trajan and Matidia, Plotina's divinity distinguishes Hadrian's adopted family and the emperorship in general. The minimal evidence for her deification in Rome might contradict the earlier argument for Hadrian's particular concern for the public presentation of his acts of deification, but the evidence in Nemausus extends and supports this conclusion. Hadrian utilized Plotina's hometown connection and established the imperial cult's strong presence in this provincial town by building a temple in commemoration of her divinity. Solidifying control of the provinces was a characteristic concern for Hadrian, and the Basilica of Plotina that he established is a standing reminder of the town's relationship to Rome.

While most scholars believe otherwise, the possibility that Plotina never received the *consecratio* designation from the Senate should not be ignored.<sup>83</sup> As the missing S C legend for Matidia might signal the first step away from the *civilis princeps* model, the absence of evidence might reflect a further progression towards the Senate's acceptance of Hadrian's autocratic authority. Based on the deification of earlier *Augustae*, Plotina's divinity was presumed before she died. Hadrian may never have sought official divine honors for her after he returned from his travels years later. After a four-year absence from the capital, his top priority may not have been orchestrating the elaborate proceedings of deification, however important Plotina was to him. As the case of Antinous will illustrate next, Hadrian was not opposed to creating deities independently of Senatorial approval.

### *Antinous*

Of all Hadrian's acts of deification, that of Antinous stands out as the most unorthodox. Antinous was a young man from modern-day Turkey who drowned in the Nile while he was traveling in Egypt in 130 in Hadrian's company.<sup>84</sup> Nothing is recorded of him before his death; the ambiguous circumstances surrounding his drowning have inspired many writers to put forth their personal theories, and his image remains one of the most ubiquitous and memorable figures in classical art. The literary tradition and Hadrian's background

imply that the two men had a homosexual relationship, which Christian writers in late antiquity used as a stock example of the dissolute behavior of pagan Romans.<sup>85</sup> The cause of his death and his relationship with Hadrian raise questions that the historical record can never answer. I will discuss the fact that is clear: in a matter of years after his death, Antinous became a god. His deification has astonished historians of antiquity for ages. Hadrian's act of deifying a non-imperial family member remains an anomaly in Roman history, for Antinous was the last pagan god created before Christianity became the new official religion.

Although the record of material evidence on Antinous is especially extensive, rivaling only that of Augustus and Hadrian in the amount of statuary, the contemporaneous literary sources provide minimal background on Antinous. Dio says that he was from Claudiopolis, a trade-oriented town in the province of Bithynia.<sup>86</sup> The SHA only discusses Hadrian's feminine (*muliebriter*, a disparaging description) reaction to his sudden death, and Dio presents the opposing theories that his

*His deification has astonished historians of antiquity for ages.* drowning was an accident or a purposeful sacrifice.<sup>87</sup> Some historians believe that Antinous joined the

imperial court as early as 124 when Hadrian was on his first tour of the provinces, but Anthony Birley, the author of the most recent biography of Hadrian, does not settle on a specific date for their first meeting.<sup>88</sup> Hadrian was touring Egypt in 130 on a second tour of the provinces, and at some uncertain point, Antinous must have joined the traveling party. An inscription found at Heraclea Pontica dating to 130 certifies that his death must have occurred before the end of the year. In this town on the Black Sea, an acting guild recorded in stone its new name, the "Sacred Hadrianaic-Antinoan... Synodos," which indicates that knowledge of Antinous' death and deification had been disseminated by this time.<sup>89</sup>

Indeed, a profusion of signs of the cult of Antinous occurred between 131 and 138 around the Empire. A circular relief that shows Hadrian boar hunting is the only source that might not be posthumous: some critics argue that a background figure represents Antinous.<sup>90</sup> This sculptural piece, one of eight tondos found on the Arch of Constantine, is the only material evidence that (perhaps) depicts Hadrian and Antinous together. A complementary literary source to the hunting motif is a Greek poem written by the Alexandrian Pankrates, who retells the experience of Hadrian and Antinous on a lion hunt.<sup>91</sup>

Whether or not these sources legitimately predate Antinous' death, the majority of statuary, coins, temples, and other relevant evidence is posthumous. The honorary material evidence for this individual is vast in extent, number, and form. Some reference to Antinous can be found in every Roman province.<sup>92</sup> More than one hundred marble statues of Antinous exist, from Carthage to Cyprus.<sup>93</sup> Thirty-one cities, all in Greece and Asia Minor, issued coins in honor of Antinous, and gold medallions, bowls, and other tokens feature various representations.<sup>94</sup>

The godhead of Antinous took a more varied form than the *divi* of the imperial cult. Royston Lambert identifies four main representations of Antinous. The first, the "divine epebe," conceptualizes him as a naked innocent with minimal signs of divinity. This appropriates tropes of the Greek god Dionysus, commonly portrayed as an adolescent with a laurel wreath or thyrsus. Coins from five cities and more than sixty statues depict him without markers of divinity. In twenty-two cities, coins commemorate Antinous as a hero, the second form. The Greeks conceive a hero as a lower-level deity, a human being who attained immortality through virtue, such as Achilles or Herakles.<sup>95</sup> Third, Antinous most commonly assumes the image of a full god, often being assimilated to well-known local divinities. Osiris-Antinous was particularly popular in Egypt, but he became Hermes at Rome and Iacchos-Antinous at Adramyttion. The final form, "a full divinity entirely in his own right," appears at

major cult centers and in later literature that recognize him as “the god Antinous.”<sup>96</sup>

Within a week after Antinous' death, Hadrian made a decision to found a city in Egypt where Antinous drowned. The eponymously-named Antinoopolis became the primary cult center dedicated to espousing Hadrianic ideology and the divinity of Antinous. There, Hadrian arranged that the *Megala Antinoeia*, memorial games in the Greek tradition, were to be held every spring, and they continued until the fourth century.<sup>97</sup> Hadrian's city plan imposed the idea that Antinous was divine by putting him in a category of well-established divinities of Roman, Greek, and Egyptian religion. Hadrian controlled the components of such projects, and the names chosen for Antinoopolis' neighborhoods particularly reflect Hadrian's interests. They derive from different categories but include references to Trajan, Matidia, Sabina, and other divine relatives; deities from foreign and traditional Roman religions, such as Zeus, Athena, and Eleusis; and ideals of peace and security.<sup>98</sup> In the midst of this integration, Hadrian established a place for Antinous' divinity.

In the same way, the architecture at Antinoopolis had a medley of styles that incorporated the new deity. Elements from the original town Hir-Wer and its old temples shared space with a fantastic colonnade of 1344 Doric columns.<sup>99</sup> Hadrian plotted the city on Greek-style plans and adopted constitutional policies for it from the oldest Greek settlement in Egypt, Naucratis. To encourage settlement, he also granted new privileges, notably a grain dole and permission for Greeks and Egyptians to intermarry.<sup>100</sup> Statues of Antinous decorated streets and temples, and his presence was inescapable. A colossal bronze statue of Antinous lasted until 375, and Hadrian's city for his new god remained an active cult center centuries after its founder died. Today it stands in ruins, but as the printmaker Pierre Jornard captured in his seventeenth-century drawing, Antinoopolis “even in empty dilapidation remained breathtaking in scale and beauty.”<sup>101</sup>

In addition to the city founded in commemoration, the wealth of honors Antinous received is astounding. Why did Hadrian respond

in such an extravagant way? Dio offers an explanation based on the idiosyncrasies of the emperor:

For Hadrian, as I have stated, was always very curious and employed divinations and incantations of all kinds. Accordingly, he honored Antinous, either because of his love for him or because the youth had voluntarily undertaken to die (it being necessary that a life should be surrendered freely for the accomplishment of the ends Hadrian had in view).<sup>102</sup>

The “ends Hadrian had in view” probably refer to the theory that Hadrian was seeking to restore his health and believed mystic Egyptian practices could assist him.<sup>103</sup> The SHA also refers to the same two reasons for Antinous’ deification.<sup>104</sup>

At this point in his life, Hadrian was fifty-four years old but still childless. The term that Dio uses to refer to Antinous, *παιδικὰ*, means “child” but also “darling” or another term of endearment. Irrespective of the degree to which their relationship was sexual, Hadrian and Antinous were close. If the claim is true that Antinous died for the emperor’s well-being, it partially rationalizes the extreme honors Hadrian granted in gratitude for Antinous’ self-sacrifice.

At the same time, the deification of Antinous broke all conventions for these acts. The swift actions on the part of Hadrian left no time to gain Senatorial approval in Rome. Hadrian, quite autocratically, advanced his plans in Egypt and the eastern provinces. The Arval Brethren have no records of Antinous, so he must not have been recognized as one of the *divi*, and it was unlikely that the Senate would have granted *consecratio* or a public funeral.<sup>105</sup>

The SHA claims that the Greeks deified Antinous because of Hadrian’s wish, based on their (false) belief that Antinous gave oracles.<sup>106</sup> In addition to the statues and city Antinous received as honors, Dio says that Hadrian believed reports of Antinous’ becoming a star through a phenomenon known as *catasterism*. These accounts

explain how Hadrian deified and spread the cult of Antinous by means independent of the Senate in Rome. The addition of this explanation reflects how unconventional Hadrian's behavior was, and both sources convey that Hadrian was responsible for making Antinous into a god. When he tried to arrogate elements of traditional deification, such as the sight of a new star, he garnered ridicule for its obvious artificiality. Hadrian's method worked regardless and the cult quickly spread.

Hadrian's lack of communication with the Senate on this matter shows disregard for the normal appearance of a balance of power. He now assumed the right to deify whomever he wished, which contrasts with his treatment of Trajan's deification at the inception of his rule. After a decade of ruling the empire, Hadrian would have known the limits of his political strength. While Antinous' deification does not seem to be caused by megalomania, the way he honored Antinous was autocratic nevertheless. Hadrian's ability to install this figure as a god throughout the Roman empire illustrates his arbitrary control over the act of deification.

At the same time, Hadrian demonstrated insight into how to manage Antinous' deification appropriately. The Senate probably would not have welcomed Hadrian's rationale for deifying Antinous, and it does not seem as if Hadrian ever tried to justify his actions. Perhaps he recognized that he was breaking conventions, and thus continued to circumvent the Senate. After he resumed his tour of the provinces, he used his visits to promote the cult of Antinous. Dio says Hadrian "set up statues, or rather sacred images of [Antinous], practically all over the world."<sup>107</sup> In many places, the preparations for a visit from the emperor included some form of commemoration through the creation of new temples, statues, or coins in honor of Antinous. Before Hadrian returned to Rome in 134, the cult had disseminated widely.

The manifestation of the cult of Antinous is particularly interesting for its relationship to the imperial cult. Antinous had no relation to the imperial family, and there is a sharp distinction in



the iconography of Antinous and the imperial cult. Still, Hadrian roused interest in the cult of Antinous wherever he traveled, and despite a decrease in artistic work dedicated to Antinous, worship of his cult continued after Hadrian's death. The major cult centers held his commemorative games for centuries, and the attention paid by Christian critics demonstrates that this figure remained front and center in the public eye. This raises important points about the relationship between the cult of Antinous and Hadrian's political policies and whether it affected the reception of the imperial cult in the provinces.

First, Hadrian's separation of Antinous from the imperial cult allowed him to disregard the standard representations of *divi* and adopt the most appropriate form for a specific locale. Royston Lambert's four categories of Antinous' representational forms exhibit the different ways Antinous could be depicted, and indeed, these statuary types seem correlated to location. The godlike form of Antinous was the most common, but in Greece the heroic aspect was emphasized more.<sup>108</sup> A relief found at the shrine of Diana in Lanuvium portrays Antinous as Silvanus, a shepherd deity connected to this goddess of hunting. The Osiris-Antinous' image is only found in the eastern provinces. The multi-faceted godhead of Antinous had the capacity to adopt local religions' styles and forms. This flexibility facilitated the quick and enthusiastic acceptance of his cult, which exemplifies Hadrian's shrewd strategy to assimilate the provinces.

The cult of Antinous gained additional popularity because of its connection to chthonic cults, or religious groups that honored the gods of the underworld. The sacrifice-based mysteries of Eleusis, Dionysus, and Osiris became models for the celebrations at cult centers of Antinous, which perhaps reenacted the circumstances of his death.<sup>109</sup> Antinous often assimilated the form of gods related to rebirth and resurrection, most frequently Dionysus, Osiris, or Hermes, all of whom mythological accounts allege to have descended to the underworld.<sup>110</sup> The cult of Antinous found a niche among a larger group of foreign cults that had a concern for the afterlife.

These cults, which included worship of Mithras, Magna Mater, and even Jesus Christ, enjoyed increasing interest during this time, and the cult of Antinous successfully addressed contemporaneous religious needs.<sup>111</sup>

Furthermore, the cult of Antinous fostered a sense of identification on the personal level, in contrast with the detachment of the ritual-based customs of the traditional imperial cult. As with other foreign cults, the mysteries, commemorative games, and oracles encouraged active participation. An inscription from Mantinea, the Greek mother city of Antinous' birthplace Claudiopolis, demonstrates an incorporation of this god into the everyday lives of people in the Roman provinces. This dedication, written by a father for his late son, "whom the god Antinous himself loved dearly as one enthroned with the immortals," portrays a genuine religious belief distinct from politically-minded emperor worship.<sup>112</sup>

Despite the engaged approach, the religion was still a part of the larger imperial cult. Hadrian supported the activities of the cult of Antinous, and Dio emphasizes the religious aspect of Hadrian's efforts to set up images of Antinous, deliberately referring to the statues of Antinous as *ἀγάλματα* (religious icons meriting veneration), as opposed to *ἀνδριάντας* (secular artwork).<sup>113</sup> Recognition of Antinous' divinity signaled respect for the emperor's beliefs; therefore, in a certain way, to worship Antinous was to worship Hadrian.<sup>114</sup> While cities in the eastern provinces already had called Hadrian Zeus, the "new Dionysus," and other divine titles, the "grassroots" worship of Antinous permitted localities to express their devotion to the imperial cult in variety of ways. This was an effective policy for Hadrian, and it was applicable across the empire.

Accordingly, the widespread acceptance of the cult of Antinous paralleled a widespread acceptance of the emperorship. Caroline Vout calls Antinous "a crucial cog in the re-enactment of imperial power that took place in visiting temples, singing hymns, saying prayers, and erecting statues," which suggests that the deification of Antinous aligns with Hadrian's policy of consolidating control

of the empire.<sup>115</sup> Antinous, as a native of Asia Minor, became “the ‘friendly face’ of imperium” for Hadrian’s initiatives in the eastern provinces.<sup>116</sup>

Indeed, one of Hadrian’s lasting contributions was the reorganization of the Panhellenion, an empire-wide committee of Greek cities. This congregation cohered and later sent delegates to Rome to represent the Greek bloc, which increased these areas’ participation in the Roman government. Hadrian designated the shrine of Demeter at Eleusis as the main mystic cult for this group, a center which celebrated annual games in honor of Antinous. The support of the Panhellenion in turn fostered the cult of Antinous, as records show that his games lasted more than 150 years.<sup>117</sup> Hadrian’s names for the neighborhoods of Antinoopolis also connected policy and cult by introducing imperial ideology into residents’ daily lives. In the same way that the monuments in Rome served as reminders of imperial power, the institution of names, games, and other manifestations of Antinous established Hadrian’s presence in the provinces.

In Rome, no coin issues or temples ever recognized the divinity of Antinous, although an obelisk dedicated to Antinous stands on the Pincio Hill today.<sup>118</sup> This monumental structure, once thought to have been erected at Antinoopolis, is now believed to have been relocated from Hadrian’s villa in Tibur. At this expansive retreat, recent excavations have revealed the remains of what seems to be a sanctuary dedicated to Antinous, where the obelisk could have marked his burial spot. This *Antinoeion* recreates an Egyptian landscape, which justifies the significant amount of Antinous-Osiris sculpture found at his villa. Such a complex, built inside his private villa, is a response to the personal loss Hadrian felt at Antinous’ death rather than a demonstration of imperial policy. The widespread evidence in material culture illustrates that Hadrian effectively disseminated the cult of Antinous across the empire. His motives are less easily accounted for. This private building complex is a reminder of the close personal relationships Hadrian had with the individuals he deified.

### *Sabina*

Hadrian's wife Sabina became a *diva*, but who deified her is uncertain. She died before Hadrian's death in 138, but no sources give a definite date for her deification. The Egyptian hieroglyphs on the *Antioeion* obelisk record a supplication to Osiris-Antinous praying for the health of Hadrian and Sabina, and the inclusion of Sabina on the obelisk adds to the debate about whether or not she was the last person Hadrian deified. This reference to Sabina suggests that she was still living in 134 when the obelisk was inscribed after Hadrian's return to Rome from his provincial tour. There is a monumental relief that depicts a winged figure carrying Sabina upwards as Hadrian watches. Both the *Feriale Duranum* and the Arval Brethren list her along other *divi* celebrated in the third century. Coins were struck featuring the legend DIVA AUG SABINA—CONSECRATIO, similar to the commemorative coins for Marciana and Matidia, but their dates are uncertain and could be assigned to the issues of Hadrian's successor. It is possible that Hadrian's successor deified her for the same reasons Hadrian deified Plotina, but the constant presentation of Sabina in material evidence implies a continued interest on Hadrian's part.<sup>119</sup>

Sabina's marriage to Hadrian at the age of fifteen was a political arrangement devised by Plotina, although Trajan was less willing to support the match.<sup>120</sup> A political dimension defined their marriage from the beginning. When Septicius Clarus and Suetonius, two of Hadrian's top officials in Britannia, behaved toward Sabina in a manner that breached proper court etiquette, Hadrian dismissed them.<sup>121</sup> His strong reaction, as well as the fact that she accompanied Hadrian to the provinces, indicates that she was an important figure. Various provinces erected statues and dedicatory inscriptions of her as Juno, and coins link her to the traditional matronly virtues of *concordia*, *pietas*, and *prudicitia* as well as other goddesses. Like Matidia and Plotina, Sabina is a model of virtue for her family and state.

The promise of her deification increased in 128 when coin issues of Sabina began. In this year, the Senate granted Hadrian the title of *pater patriae*, and in conjunction with this title, she was named *Augusta*.<sup>122</sup> This designation marks the *concordia* between them, although literary sources present their relationship as much less harmonious. The SHA claims that Hadrian, complaining about her ill-temper and bitterness, said he would have dismissed her along with his officials had he been a private citizen.<sup>123</sup> Later accounts claim Hadrian poisoned her, but the public presentation of their relationship depicted in material sources never presents their marriage as strained, despite the lack of children. Her inclusion on the obelisk of Antinous, if indeed it was a private monument, indicates she was an integral part of his life.

If Sabina was an important figure in Hadrian's personal and public life, then he would have sought divine honors for her upon her death. The lack of heirs would have been the only reason not to deify Sabina, and her primary distinction was her position in the imperial court. This status, and the virtues she exemplified, had been sufficient reason to deify Matidia, and unless circumstances had changed, Sabina probably followed their path to heaven. The additional effect of divine honors would have reflected admirably on Hadrian, with his wife's divinity preparing the path for his future deification, and would have represented the *concordia* of their marriage and possibly a return to conventional Roman mores after the Antinous affair.

On the other hand, the decision to deify Hadrian was highly contentious, and the timing of Sabina's deification affects how one evaluates the subsequent deification of Hadrian himself. If Hadrian's successor divinized Sabina, this act would have effects similar to Hadrian's deification of Plotina, in that he displayed his *pietas* towards his adopted family. The delay in deifying Sabina might signal discord between Hadrian and the Senate in his last years as emperor, for it would have been unconventional not to deify an *augusta*. Perhaps at this time, Hadrian, drained by the ordeal of Antinous' death or by the violent revolt that had erupted in Judaea, lacked the same

motivation to initiate the proceedings. The speculation about Sabina's deification has led me to conclude that such ambiguity characterizes our knowledge about Hadrian's rule.

### **What is the overall significance of Hadrian's acts of deification?**

Under the despotic rule of Domitian, the façade of the *civilis princeps* had fallen, and people had grown conditioned to autocratic rule. Domitian nearly violated the taboo of Roman kingship, but the Antonine emperors such as Hadrian heralded a return to *libertas*.<sup>124</sup> The successive emperors consciously distanced themselves from Domitian (who had promoted himself as *dominus et deus*) and instead returned to the Augustan means of establishing authority through the nomination of a *divus*. Hadrian was particularly adept at finding new paths to power within the constraints of tradition, and his ability to take control of the system without disrupting it shows a greater tolerance for blatant autocracy than expected.

Deification was a crucial part of Hadrian's political agenda, both in Rome and in the provinces. While it was not unusual for him to seek deification of members of the imperial family, he was able to incorporate this custom of commemoration into his political strategy. The extraordinary honors he bestowed on these *divi* reflected a heightened concern for the public presentation of these acts. Indeed, their timing suggests that these spectacles had a political dimension. The deification of Trajan confirmed Hadrian's adoption and legitimized his authority as Trajan's heir, giving the appearance of continuous dynastic rule. The deification of Matidia in the following year bolstered his power as well, for he became not only the son of a god, but the in-law of a *diva*. The associated public gifts and buildings appealed to the populace, who cooperated fully with this show of power. Hadrian's relationship to divinity grew closer.

While he was far away from Rome, Hadrian continued to utilize the divinity of the imperial family to gain a greater authority. Plotina's death allowed him to construct a commemorative building

for her in Nemausus that connected this provincial city to the imperial cult. The effects of deification of Antinous, regardless of the intrigue, resounded through the empire, and the power dynamics between the provinces and the central administration permanently changed. The intractable eastern provinces especially embraced this manifestation of the imperial cult. The immense popularity of the god Hadrian created reflected his ability to appropriate local traditions and expectations.

At the end of his twenty-one years as emperor, Hadrian had strengthened the administration in Rome and in the provinces. Ultimately, he was powerless to control a Jewish uprising in the provinces, just as he lacked the power to prevent the death of his beloved Antinous. The unclear date of Sabina's deification signals a change in his treatment of imperial power in the last years of his rule. He succumbed to heart disease after a torturous illness.

Six months before his death, he designated his successor, Aurelius Antoninus, who was reluctant to accept his adoption. Antoninus' battles with the Senate to grant Hadrian divine honors earned him the cognomen "Pius."<sup>125</sup> The man who so freely allotted divinity barely achieved it himself.

It was part of Hadrian's legacy to lay a path that the successive Antonine emperors followed, and the Empire enjoyed unprecedented stability. Hadrian turned away from Trajan's pursuit of conquest and instead concentrated on establishing imperial authority everywhere from the far reaches of the frontier to the heart of Rome. The act of deification was characteristic of his non-violent assertion of authority, and it became the key to smoothing the transition of power between two non-related emperors. Until the violent assassination of the emperor Commodus, who would inherit the throne from his father, a comparative peace was established by these gods among men.

## Endnotes

- <sup>1</sup> *Prosopographia Imperii Romani Saec I. II. III.*, ed. Elimar Klebs, et al (New York: Walter de Gruyter, 1978), 2 A 184.
- <sup>2</sup> Simon Price, "The Consecration of Roman Emperors," *Rituals of Royalty: Power and Ceremonial in Traditional Societies*, ed. David Cannadine (New York: Cambridge University Press, 1987), 57.
- <sup>3</sup> *Ibid.*, 77.
- <sup>4</sup> This number includes Trajan, whom Hadrian deified. Since Hadrian, there had been ten emperors, not counting the three rulers who seized power during the succession crisis in 68-69. Tiberius, Caligula, Nero, and Domitian did not receive official divine honors.
- <sup>5</sup> Andrew Wallace-Hadrill, "Civilis Princeps: Between Citizen and King," *The Journal of Roman Studies* 72 (1982), 32.
- <sup>6</sup> Price, 90.
- <sup>7</sup> *Vae, puto deus fio*. Suetonius, *Lives of the Caesars*, ed. John Carew Rolfe (Cambridge, MA: Harvard University Press, 1997), *Vesp.* 23.4.
- <sup>8</sup> Overall, from Augustus to Constantine, twenty-seven imperial family members were deified. Price, 57.
- <sup>9</sup> Cornelius Tacitus, *Annals*, ed. Clifford H. Moore and John Jackson (Cambridge, MA: Harvard University Press, 1970), 5.1. See also Suet., *Tib.*, 51.
- <sup>10</sup> Tac., *Ann.* 16.21.
- <sup>11</sup> Price, 73.
- <sup>12</sup> See Price for an excellent discussion of how this process expresses the "need to create and define roles, both for the emperor and for the Roman elite." Price, 83.
- <sup>13</sup> Dio Cocceianus Cassius, *History*, ed. Ernest Cary and Herbert Baldwin Foster (Cambridge, MA: Harvard University Press, 1954), 74.17.4.
- <sup>14</sup> Dio begins his description of the ceremony with "His funeral, in spite of the time that had elapsed since his death, was carried out as follows." Dio Cocceianus Cassius, 75.4.1.
- <sup>15</sup> Price, 92.
- <sup>16</sup> Herodian, *Herodian*, ed. C. R. Whittaker (Cambridge, MA: Harvard University Press, 1969), 4.2.2.
- <sup>17</sup> Price, 63. Previously, *iustitia* had been declared for times of crisis, and the first declaration was for Sulla in 70 BC.
- <sup>18</sup> Taken from Herodian, 4.10. See also Dio, 75.4-5. This list of participants is by no means comprehensive.
- <sup>19</sup> Herodian, 4.2.1-6.
- <sup>20</sup> *Ibid.*, 4.2.11.
- <sup>21</sup> Fergus Millar, *A Study of Cassius Dio* (Oxford: Clarendon Press, 1964), 1-2.
- <sup>22</sup> Although the biographer cited in the SHA, Marius Maximus, was a contemporary of Dio, there is no evidence to posit a connection between the two historians. Millar, *A Study of Cassius Dio*, 60-72.
- <sup>23</sup> Anthony Birley, the author of the most recent biography of Hadrian, considers Marius to be "one of those biographers who transmitted accurate



information although not writing *diserte*, in the historians' high style." Anthony Richard Birley, "The *Historia Augusta* and Pagan Historiography," *Greek and Roman Historiography in Late Antiquity* (Boston: Brill, 2003), 128. Other classical scholars, such as Ronald Syme, consider Marius a completely unreliable source. I believe Marius' information (and by extension, the SHA) should be treated with the same attitude as the biographies of Suetonius, in that there is valuable information to be gleaned from its sensationalist writing.

- <sup>24</sup> Once located inside the Temple of Juno Moneta on the Capitoline hill, the senatorial mint, along with the imperial mint, moved to a site near the Baths of Trajan after a fire during Domitian's rule. Epigraphic evidence dating to Trajan's rule indicates that there was a single chief administrator of the mint, which suggests the existence of only one mint. Provincial mints, once common in the Julio-Claudian dynasty, fell out of use under the Flavians. British Museum and Harold Mattingly, *Coins of the Roman Empire in the British Museum* (London: 1962), *Emp.* III, xvi-xviii. Hereafter BMC.
- <sup>25</sup> BMC, *Emp.* III, xii-xiii.
- <sup>26</sup> *Ibid.*, cxiii.
- <sup>27</sup> For information on Publius Acilius Attianus, see *PIR*<sup>2</sup> A 45, and on M. Ulpius Trajanus, see *PIR*<sup>2</sup> U/V 575.
- <sup>28</sup> It seems that Hadrian's grandfather married the sister of the elder Trajan. *Scriptores Historiae Augustae*, Vol 1. ed. David Magie, T. E. Page, and W. H. D. Rouse (New York: G.P. Putnam's Sons, 1932), *Hadr.* 4.1.
- <sup>29</sup> Dio, 68.4.1.
- <sup>30</sup> *Ibid.*, 68.3.4.
- <sup>31</sup> Anthony Richard Birley, *Hadrian: The Restless Emperor* (New York, NY: Routledge, 1997), 37.
- <sup>32</sup> SHA, *Hadr.* 2.6-8.
- <sup>33</sup> *Ibid.*, 3.3. Also see Dio, 69.1.1.
- <sup>34</sup> Ἀδριανός δὲ ὑπο μὲν Τραϊανου οὐκ ἐσεποιήθη. Dio, 69.1.1-2.
- <sup>35</sup> SHA, *Hadr.* 4.10. For information on Pompeia Plotina, see *PIR*<sup>2</sup> P 679.
- <sup>36</sup> Birley, 1997, 78. The SHA says, *Adeptus imperium ad priscum se statim morem instituit et tenendae per orbem terrarum paci operam impendit* (Having seized power, Hadrian immediately instituted the customs of the earlier days and weighed his efforts on having peace through the whole world), which reveals the different ideas about control between Hadrian and Trajan (SHA, *Hadr.* 5.1).
- <sup>37</sup> SHA, *Hadr.* 6.1-2.
- <sup>38</sup> Dio, 69.2.3.
- <sup>39</sup> There is a single coin attributed to Trajan issued by a provincial mint that seems to indicate that Trajan had adopted Hadrian well before his death. It features a laureate bust of Trajan on the obverse, and Hadrian, with his characteristic beard, on the reverse. The legend on Hadrian's side reads HADR-RIANO TRAIANO CAESARI (For Hadrian Trajan Caesar), which establishes his relation to Trajan and marks him for succession to the throne. The authenticity of this coin, however, is "open to serious question" (BMC, *Emp.*

- III 297), and I believe that even if it dates to the 2<sup>nd</sup> century, it was likely issued after Trajan's death.
- <sup>40</sup> Harold Mattingly, et al, *The Roman Imperial Coinage* (London: Spink, 1984), 340.
- <sup>41</sup> BMC, *Emp.* III, 239.
- <sup>42</sup> For the triumph, the reverse image shows Trajan standing in a quadriga holding in one hand a scepter topped by an eagle and a branch in the other. The legend reads TRIUMPHUS PARTHICUS (Parthian Triumph). The SHA reports that Hadrian declined the Senate's offer of triumph and instead celebrated a posthumous triumph for Trajan's military efforts in Parthia (SHA, *Hadr.* 6.1-2). The coins that feature the sparse image of a phoenix conjure its mythological associations with rebirth and restorative fire. This symbolism recalls the *consecratio* ceremony.
- <sup>43</sup> Birley 1997, 94.
- <sup>44</sup> See *Lexicon Topographicum Urbis Romae*, ed. E. M. Steinby (Rome: Quasar, 1993), II.356-359. for further information on this monumental column.
- <sup>45</sup> The SHA passage says that Hadrian did not inscribe his name on any public buildings except for the temple to his father Trajan (SHA, *Hadr.* 19.9). Refer to *Corpus Inscriptionum Latinarum*, Königlich Preussische Akademie der Wissenschaften, zu Berlin (Berolini: G. Reimerum, 1893), 6.31215. for the inscription. Both sources refer to Hadrian as Trajan's son and emphasize the parental relationship. Also see *LTUR*, II.354-355 for more information on this temple.
- <sup>46</sup> There are also Temples to Divus Julius, Augustus, Divine Vespasian and Titus, etc.
- <sup>47</sup> ἔθος γάρ ἐστι Ῥωμαίοις ἐκθειάζειν βασιλέων τοὺς ἐπὶ παισὶ [ἦ] διαδόχοις τελευτήσαντας. Herodian, 4.2.1.
- <sup>48</sup> Mattingly, 339.
- <sup>49</sup> *Ibid.*, 338. For discussion, see Mattingly, 320.
- <sup>50</sup> SHA, *Hadr.* 5.9.
- <sup>51</sup> For more information on Matidia, see *PIR*<sup>2</sup> M 367.
- <sup>52</sup> *Socrui suae honores praecipuos impendit ludis gladiatoriiis ceterisque officiis* ([Hadrian] granted the choicest honors to his mother-in-law by means of gladiatorial games and other official ceremonies)...*Romae post ceteras immensissimus voluptates in honorem socrus suae aromatica populo donavit* (In Rome, after other delights of the highest degree, he gave the people perfume in honor of his mother-in-law) SHA, *Hadr.* 9.8, 19.5.
- <sup>53</sup> See *CIL*, XIV.3579.
- <sup>54</sup> Christopher Jones, "A Speech of the Emperor Hadrian," *Classical Quarterly* 54.1 (2004), 272-73.
- <sup>55</sup> Lines 34-37: ...*pro meritishones-[tum consecrationishono]re dignemini rogo [/uol]untateadversus! [ ]inre tali [/ -]ucereue* (Jones, 269).
- <sup>56</sup> *Castissima*, line 24; *[obsequ]entissima*, line 25; *tanta modestia*, line 27 (Jones, 267).
- <sup>57</sup> For more information on Ulpia Marciana, see *PIR*<sup>2</sup> U/V 584.
- <sup>58</sup> Mattingly, 299.

- <sup>59</sup> Ibid., 301.
- <sup>60</sup> Birley 1997, 107. Also for the *acta Arvalia*, see *CIL*, VI.2080.
- <sup>61</sup> BMC, *Emp* III, 281.
- <sup>62</sup> For more information on this complex, see *LTUR*, III.233.
- <sup>63</sup> Mary T. Boatwright, *Hadrian and the City of Rome* (Princeton, NJ: Princeton University Press, 1987), 59.
- <sup>64</sup> Boatwright 1987, 62.
- <sup>65</sup> Perhaps this building project was another component of Hadrian's policy of establishing control through peace. He was honoring the models of *concordia* in an area known for its martial activity.
- <sup>66</sup> The one known instance of independent action from these women comes from an inscription about Plotina's participation in the same philosophical school as Hadrian. Mary T. Boatwright, "The Imperial Women of the Early Second Century A.D.," *The American Journal of Philology* 112.4 (1991), 533.
- <sup>67</sup> *Mariti hoc opus, qui ita imbuuit instituit; nam uxori sufficit obsequi gloria.... Tibi uxor in decus et gloriam cedit.* Pliny *The Younger, Letters and Panegyricus*, Betty Radice, ed., Cambridge, MA: Harvard UP, 1969.
- <sup>68</sup> This standard was a meritocracy in the sense that the existing emperor would adopt whomever he chose to succeed him as emperor. Boatwright 1991, 537-39.
- <sup>69</sup> James H. Oliver, "The *Divi* of the Hadrianic Period," *The Harvard Theological Review* 42 (1949), 37.
- <sup>70</sup> SHA, *Hadr.* 8.2.
- <sup>71</sup> BMC, *Emp* III, 230-31.
- <sup>72</sup> Barbara Levick, "Messages on the Roman Coinage: Types and Inscriptions," *Roman Coins and Public Life Under the Empire* (Ann Arbor: University of Michigan Press, 1999), 49-50.
- <sup>73</sup> Dio, 69.1.1,4.
- <sup>74</sup> SHA, *Hadr.* 4.1-2. The SHA mentions that Plotina was another member of the imperial court who escorted Trajan's remains back to Rome.
- <sup>75</sup> Birley 1997, 109-110.
- <sup>76</sup> Ibid., 109.
- <sup>77</sup> Ibid., 144-45. Anderson and Opper tentatively place Plotina's death earlier in 122 AD.
- <sup>78</sup> SHA, *Hadr.* 12.2.
- <sup>79</sup> ὄθεν οὐ θαναμαστὸν εἰ καὶ τὴν Πλωτῖναν ἀποθανοῦσαν, δι' ἧς ἔτυχε τῆς ἀρχῆς ἐρώσης αὐτοῦ, διαφερόντως ἐτίμησεν, ὡς καὶ ἐπὶ ἡμέρας ἑννέα μελανειμονῆσαι καὶ ναὸν αὐτῇ οἰκοδομῆσαι καὶ ὕμνους τινας ἐς αὐτὴν ποιῆσαι. Cited from Dio, 69.10.3(1). Most scholars consider these references as referring to the same structure, but it seems to me to be a large assumption that a *basilica*, an administrative building, and *naos*, the dwelling-place of a divinity, refer to the same structure. However, such an assumption permits the association that the SHA structure was connected directly to Plotina's death.

- <sup>80</sup> James C. Anderson, Jr., "Anachronism in the Roman Architecture of Gaul: The Date of the Maison Carree at Nîmes," *The Journal of the Society of Architectural Historians* 60.1 (2001), 77.
- <sup>81</sup> Oliver, 35.
- <sup>82</sup> *CIL*, 6.31215. One coin features the dedicatory legend, DIVIS PARENTIBUS (To divine parents). Mattingly 1984, 327, 384. Another, DIVAE PLOTTINAE AUGUSTI MATRI (To Divine Plotina Mother Augusta). BMC, *Emp* III, 338.
- <sup>83</sup> Mattingly, the numismatic expert, says, "The absence of coinage is undoubtedly due to the absence of the Emperor from Rome" (BMC, *Emp* III, cxvi). Indeed, I am neither able nor eager to argue against him; rather, I value the consideration of alternative interpretations of missing evidence.
- <sup>84</sup> See *PIR*<sup>2</sup> A 737 for more information on Antinous.
- <sup>85</sup> It is important to remember that sexual identity was not the same in ancient Rome as in contemporary society. There was no concept of "gay" or homosexuality, but Hadrian seems to have been engaged in several homosexual relationships. See Birley 1997, 185 for a discussion of Plutarch's view on love.
- <sup>86</sup> Dio, 69.11.2.
- <sup>87</sup> SHA, *Hadr.* 14.5. Dio 69.11.2.
- <sup>88</sup> Birley 1997, 158, 185.
- <sup>89</sup> *Ibid.*, 253.
- <sup>90</sup> *Ibid.*, 284 and Vout 2007, 21. Also see Thorsten Opper, *Hadrian: Empire and Conflict* (Cambridge, MA: Harvard University Press, 2008), 171-173. for a discussion of the date and relevance of the hunting tondi.
- <sup>91</sup> Opper, 173. Interestingly enough, Hadrian commissioned Pankrates to write this epic poem after the poet had composed a myth about a red lotus flower, which he claimed sprung from where Antinous had killed the lion. This flower, henceforth called the *Antinoeios*, became Antinous' symbol, which recalls the lotus motifs of Isis and Osiris. Winners at his games received wreaths of these flowers, and some statues and coins use it as iconography. Royston Lambert, *Beloved and God: The Story of Hadrian and Antinous* (New York: Viking, 1984), 153.
- <sup>92</sup> Caroline Vout, *Power and Eroticism in Imperial Rome* (New York: Cambridge University Press, 2007), 13.
- <sup>93</sup> Opper, 186.
- <sup>94</sup> Lambert, 189.
- <sup>95</sup> To apply this concept to modern thinking, consider the Catholic canon of saints, who can act as intermediaries with God and model proper behavior.
- <sup>96</sup> Lambert, 178-79.
- <sup>97</sup> Dio, 69.11.4.
- <sup>98</sup> Lambert, 154.
- <sup>99</sup> *Ibid.*, 3.
- <sup>100</sup> Birley 1997, 253-54. Such policies not only encouraged settlement but a harmonious and integrated living experience that promoted the Hellenization of the Egyptians.

- <sup>101</sup> Elizabeth Speller, *Following Hadrian: A Second-Century Journey through the Roman Empire* (New York: Oxford University Press, 2003), 298.
- <sup>102</sup> τὰ τε γὰρ ἄλλα περιεργότατος Ἀδριανός, ὡς περ εἶπον, ἐγένετο, καὶ μαντείας μαγγανείαις τε παντοδαπαῖς ἐχρῆτο. καὶ οὕτω γε τὸν Ἀντίνοον, ἦτοι διὰ τὸν ἔρωτα αὐτοῦ ἢ ὅτι ἐθελοντῆς ἐθανατώθη (ἐκουσίου γὰρ ψυχῆς πρὸς ἃ ἔπραττεν ἐδεῖτο).
- <sup>103</sup> Hadrian's visit to Egypt was significant because out of the thirteen emperors, only he, Vespasian, and Augustus had visited there.
- <sup>104</sup> SHA, *Hadr.* 18.6.
- <sup>105</sup> The *Feriale Durarum* list also does not include Antinous among *divi* to be honored. Oliver, 35.
- <sup>106</sup> *Et Graeci quidem volente Hadriano eum consecraverunt, oracula per eum dari adserentes, quae Hadrianus ipse composuisse iactatur* (And indeed the Greeks consecrated him by Hadrian's wish, claiming to be given oracles through him, which Hadrian himself is thought to have composed) SHA, *Hadr.* 18.7. In fact, oracles were read at Antinous' cult centers, and statues of Antinous have been found at other places with oracular functions, including Delphi and Lanuvium.
- <sup>107</sup> καὶ ἐκείνου ἀνδριάντας ἐν πάσῃ ὡς εἰπεῖν τῇ οἰκουμένῃ, μᾶλλον δὲ ἀγάλματα, ἀνέθηκε. Dio, 69.11.4.
- <sup>108</sup> Lambert, 179-78.
- <sup>109</sup> *Ibid.*, 180. The connection to Osiris was particularly fitting because both were young men who drowned in the Nile in late October. Forty-one out of the 53 sculptures with divine attributes show Antinous as Dionysus-Osiris.
- <sup>110</sup> *Ibid.*, 139.
- <sup>111</sup> Christianity emerged from the competition as the victor about two hundred years after the cult of Antinous was founded.
- <sup>112</sup> Vout, 62-63.
- <sup>113</sup> Dio, 69.11.4. Also see Vout, 62.
- <sup>114</sup> I have already discussed Hadrian's deification of relatives boosted his own authority, and there is precedent, especially in the eastern provinces, to honor emperor's wives as a reflection of their honor for the emperor. Caroline Vout argues that "Antinous makes a Jupiter out of Hadrian" in the way that Antinous is characterized as the object of Hadrian's affections, similar to Jupiter's Ganymede (13). Indeed, the representation of Antinous in the literary sources, both pagan and Christian, highlight the close relationship between the two men, so it seems that when these texts were written (at least a century after Hadrian's rule), there was a well-established connection between Hadrian and Antinous. While I agree with the view that any honor of Antinous reflects upon Hadrian (at least during his lifetime), I do not agree with the assumption of the Jupiter-Ganymede relationship, for only one statue that portrays Antinous as Ganymede.
- <sup>115</sup> Vout, 13.
- <sup>116</sup> *Ibid.*
- <sup>117</sup> Lambert, 147-66.
- <sup>118</sup> For more information on this obelisk, see *LTUR*, III, 355.

- <sup>119</sup> For more information on Vibia Sabina, see *PIR*<sup>2</sup> U/V 414.
- <sup>120</sup> *Uxore accepta favente Plotina, Traiano leviter, ut Marius Maximus dicit, volente* (As Marius Maximus says, he took a wife by Plotina's favor, although Trajan was less willing). SHA, *Hadr.* 2.10.
- <sup>121</sup> SHA, *Hadr.* 11.3.
- <sup>122</sup> Pliny's *Panegyricus* establishes the custom that the imperial women not accept the title *augusta* until the emperor takes the title *pater patriae* (Pliny, *Paneg.* 84.6).
- <sup>123</sup> SHA, *Hadr.* 11.3.
- <sup>124</sup> "Now at last our spirit is returning. And yet, though at the dawn of a most happy age Nerva Cæsar blended things once irreconcilable, sovereignty and freedom" (*Nunc demum redit animus; et quamquam primo statim beatissimi saeculi ortu Nerva Caesar res olim dissociabilis miscuerit, principatum ac libertatem*) Cornelius Tacitus, *The Life of Gnaeus Julius Agricola*, ed. Sara Bryant and Alfred John Church (New York: Random House, Inc., 1942), 3.
- <sup>125</sup> Hadrian, *Scriptores Historiae Augustae*, 27.1.-4.

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# Redefining Death: An Argument for a Person-Based Criteria

JOSEPH VENTURINI

*Clearly, then, it is the easiest of all things to demolish a definition, while to establish one is the hardest.*

– Aristotle, Topics<sup>1</sup>

## Introduction

In the middle of the twentieth century, the definition of death changed for the first time in millennia. An individual was now considered dead when her brain was dead—even if her heart was still beating. This new definition changed the way physicians, clergy, and lay-people thought about the end of life. This paper chronicles the acceptance of total-brain death as a legal definition in the United States and questions whether further modification of the definition of death is necessary. Specifically, this paper attempts to outline the relationship between life and personhood in an attempt to inform the way we define death where our current definition is lacking. I propose higher-brain death as an alternative definition of death in the United States and assess the ethical implications of such a definition.

## Part 1: A Brief History of Death in the Western World

### 1.1 *Death in the Enlightenment*

In the eighteenth century, diagnosis of death was relatively simple. When a person became unconscious, a physician (usually) would feel for a pulse, listen for breathing, and determine if the individual's pupils were fixed. Despite these basic measures, however, disagreement about a definition of death persisted. Some writings



from the time describe dead persons awakening during funerals and exhumed bodies found to have clawed at their coffin lids.<sup>2</sup> In an effort to prevent premature burials, many Enlightenment physicians proposed putrefaction (decomposition) as the only reliable sign of death. This method worked, but it created significant public health issues for the surrounding community.

As the Enlightenment came to a close, medical expertise became more common and effective. The invention of the stethoscope in 1816 made it easier for physicians to identify normal and abnormal heart-sounds, which they quickly began to associate with certain medical problems.<sup>3</sup> This new ability—as well as the advancement of pathology and other research initiatives—allowed the medical field to gain significant insight into the nature of disease and death.

### 1.2 *The Triangle of Life: the Brain, Heart, and Lungs*

In 1800, Marie François Xavier Bichat, a renowned French physiologist, published his *Recherches physiologiques sur la vie et la mort* (*Physiological research on life and death*). Medical historian Elizabeth Haigh considers the work a synthesis of nearly all the important medical concepts that had evolved in the eighteenth century; she believes the book is an appropriate indicator of contemporary medical thought.<sup>4</sup> Bichat, the founder of Doctor Larivière's surgical school, opened his study with the assertion: "Life consists in the sum of the functions which resist death."<sup>6</sup> Bichat then identified two separate lives that made up an individual: *animal* and *organic*. For Bichat, organic life was the essential aspect of life held in common by all living things.<sup>7</sup> In humans, for example, organic functions were the homeostatic and autonomic functions, such as respiration, circulation, and metabolism. By contrast, animal life was the irregular, rational, and habitual life.<sup>8</sup> Bichat believed that the organic life began at conception; and that animal life began at birth and was the first to leave the body at death. These organic and animal lives were distinct throughout the life of the body. "While the organic life may exist

both before and after the animal life, the latter does not persist even for a moment once the former is extinguished.”<sup>9</sup>

Despite his understanding of an inherent dichotomy in the living human being, Bichat did not indicate any notion of a separation between consciousness and organic life. The importance of this separation will become evident in the discussion of personhood in part three of this paper.

Bichat is significant for our discussion because of the way he connected his *organic-animal* dichotomy to human physiology. He believed that the organic and animal lives interacted through the relationship of three central organs: the heart, the lungs, and the brain. Bichat identified these organs as essential to life and formulated what may be called his “definition” of death in the following terms: “Since they constitute the three centres in which all the secondary phenomena of the two lives are terminated, whenever they cease to act, the phenomena which depend upon them must cease also and general death ensue.”<sup>10</sup> Bichat, and most likely many other scientists of his time, understood the vital role of the brain, heart, and lungs for continued human life, and therefore, for death.

### *1.3 Cardiopulmonary Death: The Classic Definition*

By the early twentieth century, physicians had a moderately sophisticated understanding of disease and the human body. Physiologists had solved many biological mysteries, including the basic mechanism of the heart and circulatory system, the chemical nature of blood, and the identity of influenza. Researchers had also gained significant insight into infectious disease, hormone disorders, and nutritional maladies.<sup>11</sup> As a whole, medicine was growing and taking large strides in its fight against disease.

As physicians learned more about the science of illness, they became more adept at preserving life and delaying death. At the time, the Western medical community continued to rely solely on the cardiopulmonary definition of death. The so-called “heart-lung”

definition declared a person dead when he or she experienced permanent cessation of the flow of vital body fluids, such as blood. Physicians usually determined death by checking the patient for a pulse, fixed pupils, and the absence of respiratory efforts. If none were present, the physician declared the patient deceased.<sup>12</sup>

#### *1.4 Life-Sustaining Treatment and Total-Brain Death*

The invention of mechanical respirators, defibrillators, and other life support technologies in the mid-twentieth century cast doubt on the classic cardiopulmonary definition of death. Ventilators allowed physicians to reverse respiratory failure in patients whose brains had been without blood flow (ischemia) or oxygen (anoxia) due to a traumatic injury or cardiac arrest.<sup>13</sup> In many circumstances, if the period of brain anoxia was limited, the patient could regain consciousness, and usually the ability to breathe on his or her own. If the period of ischemia or anoxia caused significant brain damage, however, the individual would sometimes fail to regain brain function, and independent, spontaneous respiration would be lost permanently.<sup>14</sup> In the latter case, with the aid of a ventilator, physicians were able to maintain respiration and circulation in the patient's body, despite the patient's complete loss of brain function. Continued function of the patient's heart and lungs sustained the other organs. Essentially, the ventilator allowed previously lethal brain damage to coexist with otherwise normal body function. This maintenance was not permanent, but usually the patient could be kept "alive," according to the cardiopulmonary definition of death, for several days.<sup>15</sup>

The contradiction of a patient having a "dead" brain and a "healthy" body leads physicians and philosophers to consider whether many patients were actually alive or dead. The most well-known response to the medical community's rising concerns came from the Ad Hoc Committee of the Harvard Medical School to Examine Brain Death. Its report *A Definition of Irreversible Coma* described the clinical characteristics of an individual with a nonfunctioning

brain. According to the report, such a patient exhibited the following criteria: (1) unresponsive and unresponsive to all stimuli, (2) lacking spontaneous<sup>16</sup> movement or breathing, and (3) showing no reflexes,

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including no ocular reflex, no blinking, and no postural activity, with fixed, dilated pupils.<sup>17</sup> In addition, the Harvard model demanded that the patient in question exhibit no brain activity as evidenced

by an isoelectric electroencephalogram<sup>18</sup> (EEG) and required that the EEG be repeated after twenty-four hours to confirm a complete, sustained loss of brain function. The report referred to this state interchangeably as (total-) brain death and irreversible coma.<sup>19</sup>

### *1.5 Higher-Brain Death: Drawing the Line a Little Higher*

The Harvard Criteria required an unconscious patient to lose function of his or her entire brain and brain stem in order to be considered total-brain dead. The irreversible coma that resulted from such a loss of brain function could only be maintained with mechanical respiration. Some patients who experienced cerebral injuries similar to those in permanent comas, however, regained or maintained brainstem function. These patients, whose cerebrums—the center of consciousness, thought, and identity—were still completely non-functional, exhibited similar symptoms to those in permanent coma.<sup>20</sup> They showed no signs of self- or environmental awareness, but they retained eye movements associated with sleep-wake cycles, and some regained independent respiratory control. This “eyes open unconsciousness” became known as a persistent vegetative state (PVS) in 1972.<sup>21</sup> Some physicians and ethicists argued that patients in PVS ought to be considered dead by “higher-brain” criteria. This set of alternate criteria became known as higher-brain death. I will

describe the details of PVS and its differences from total-brain death more specifically in section 2.4.

### *1.6 A Uniform Definition of Death*

Caregivers gradually accepted brain-centered criteria for determination of death, but much confusion remained about their application.<sup>22</sup> In particular, it remained unclear whether total-brain death or higher-brain death should be the standard legal definition of death.

In addition to the ethical and philosophical implications of this issue, practical concerns accelerated the discussion of brain-centered criteria for death. The development of transplantation surgery pressured physicians to determine a precise moment of death. Once a physician could declare a patient dead, the patient's organs were available for harvest and subsequent transplantation. Chances of successful transplantation dropped rapidly once the donor's circulation and breathing stopped.<sup>23</sup> For this reason, ideal donors were otherwise healthy individuals who after traumatic brain injuries were being maintained on ventilators due to lost brain function. Early declarations of death in these cases would allow physicians to save additional lives, but removing a patient's organs prematurely—for instance, if the patient were still legally alive—would be homicide and therefore morally reprehensible. At the same time, many caregivers were also considering the financial implications of such preservation. The costs of maintaining patients who lacked brain function were considerable, and some physicians wondered if the treatment was futile and irresponsible in light of universally escalating medical spending.

Thus, in 1981, the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research published a report entitled *Defining Death: Medical, Legal, and Ethical Issues in the Determination of Death*. The report addressed the need for a legal alternative to the cardiopulmonary definition, specifically,

one that would be “equally reliable” and agree with public conceptions of death.<sup>24</sup> The report acknowledged three possible conceptions of death: the whole-brain (total-brain), the higher-brain, and the non-brain (cardiopulmonary) definitions.<sup>25</sup>

The outcome of the Commission was a “deliberately conservative” moderation of the legal definition of death that included only the whole-brain and cardiopulmonary conceptions.<sup>26</sup> The Commission felt that the higher-brain definition was not “amenable to clear articulation” in public policy, due to the lack of knowledge of the physical nature of consciousness and cognition.<sup>27</sup> The report also noted the lack of reliable assessments of consciousness as a practical argument against a higher-brain formulation. With the endorsement of the American Bar Association, the American Medical Association, and the National Conference of Commissioners on Uniform State Laws, the President’s Commission proposed the following statute for immediate implementation in all jurisdictions of the United States:

*Uniform Determination of Death Act*

An individual who has sustained either (1) irreversible cessation of circulatory and respiratory functions, or (2) irreversible cessation of all functions of the entire brain, including the brain stem, is dead. A determination of death must be made in accordance with accepted medical standards.<sup>28</sup>

The Uniform Determination of Death Act was legally accepted by nearly every jurisdiction in the United States. Most religious denominations endorsed the definition, with the exception of Orthodox Judaism, which only accepted the cardiopulmonary determination for theological reasons.<sup>29</sup>

In December 2008, the President’s Council on Bioethics published a white paper, a policy statement, on the controversies surrounding determinations of death. The paper sought to provide “a careful analysis of the ethical questions raised by the neurological

standard, i.e., the clinical determination of ‘whole brain death.’”<sup>30</sup> The Council concluded that total-brain death remained an ethically valid determination. Although mentioning higher-brain death, the Council primarily considered whether or not total-brain criteria were ethically permissible in comparison with the traditional cardiopulmonary criteria. The white paper did not endorse any higher-brain definition of death.

## **Part 2: The Physiology of Death**

### *2.1 Normal Function of the Brain, Heart, and Lungs*

As Bichat noted over two centuries ago (see above, section 1.2), human life relies on the function of three central organs: the brain, the heart, and the lungs. This section will describe the basic, inter-related function of these organs and a few of the ways injury or disease can affect that function.

The brain and spinal cord make up the central nervous system. This system is the “control center” of the rest of the body and operates by sending and receiving electrical impulses along cells called neurons to and from other cells in the body. The brain is a large collection of neurons in the skull. It consists of three major regions: the cerebrum (higher-brain), the cerebellum, and the brainstem. The cerebrum is the location of higher thought such as consciousness, awareness, rationality, and memory. It is made up of eight lobes: left and right frontal, parietal, occipital, and temporal. The cerebellum integrates sensory perception, coordination and motor function. It sits in the hindbrain region below the cerebrum and above the brainstem. The brainstem is the lowest (and, in evolutionary terms, the oldest) part of the brain. It connects the rest of the brain with the spinal cord and is made up of three components: the pons, medulla oblongata, and the midbrain. The brainstem is the center of homeostasis and therefore controls vegetative functions like sleep-wake cycles, respiration, and pupil circumference.

The heart and lungs are the two main organs of the circulatory system. The heart is a large muscular organ that pumps blood

through circulation. Blood exiting the right ventricle of the heart flows to the lungs where it becomes oxygenated. The oxygenated blood then flows back to the heart where it is pumped from the left ventricle to the rest of the body (including the brain), supplying cells with necessary oxygen as well as other nutrients found in blood plasma.

### *2.2 The Vital Triangle*

For successful function, the brain, heart, and lungs must work interdependently; however, it is unclear which organ is most important for healthy function. As part of its homeostatic control of the body, the brainstem is responsible for mediating respiration. Consequently, impaired neuronal communication between the brainstem, diaphragm, and intercostal muscles, which regulate breathing, can stop respiration. If this occurs, the lungs do not fill with air, and the concentration of oxygen in the blood decreases. This lack of oxygen in the blood makes it impossible for tissue cells in the brain and heart to receive oxygen. If deprived of oxygen for enough time, the hypoxic cells die, and organ function declines or ceases. Unlike the lungs, the heart is capable of functioning independently of neuronal communication. Special “pacemaker” cells in the cardiac tissue signal the heart to contract spontaneously as long as respiration—normal or artificial—provides the heart muscle with appropriate levels of oxygen. If respiratory efforts are not sufficient to supply the heart with enough oxygenated blood, however, heart function ceases and blood flow stops. Without oxygenated blood, the brain and lungs cannot continue to function.

### *2.3 The Physiology of Total-Brain Death*

There are several possible injuries that may eliminate all function of the brain and leave the rest of the body incapable of homeostasis. The Harvard report outlined the most common causes of entire brain injury:



“(1) direct trauma to the head, such as from a motor vehicle accident or a gunshot wound, (2) massive spontaneous hemorrhage into the brain as a result of ruptured aneurysm or complications of high blood pressure, and (3) anoxic damage from cardiac or respiratory arrest or severely reduced blood pressure.”<sup>31</sup>

The majority of these injuries cause fluid to accumulate in the brain: this condition is called cerebral edema. If the edema is severe enough, fluid buildup raises intracranial pressure above that of systolic blood pressure, causing a complete loss of blood circulation to the brain. Cessation of blood flow to the brain, from cerebral edema or other condition, deprives neural tissue of oxygen and glucose. If kept without these vital nutrients for ten to fifteen minutes, brain cells begin to die and the brain eventually loses the ability to function. Without any brain function, consciousness, memory, motor ability, and homeostasis are all lost.<sup>32</sup>

The clinical manifestations of total-brain death are not obvious. A totally brain-dead patient looks—to the layman’s eyes at least—no different than many other living patients in the intensive care unit. The patient’s chest rises and falls, he is warm to the touch, and he has a tube down his throat, connected to a ventilator that is breathing for him. Many living patients look this way. However, the total-brain dead patient is different because he has permanently lost a number of characteristics that are difficult to observe, such as responsiveness, consciousness, a gag reflex, pupillary reflex, corneal reflex, and so on. A total-brain dead patient is legally dead, but he seems very much alive to the uninformed eye. It is this discrepancy—the appearance of life in a total-brain dead individual—that makes total-brain death so difficult for the families of patients to understand.

## *2.4 The Physiology and Care of Individuals in Persistent Vegetative States*

The injuries leading to PVS are frequently similar to those that result in total-brain death. When trauma or other pathology leads to damaged or hypoxic neural tissue, brainstem function is sometimes maintained despite the destruction of the cerebellum and cerebrum. In these cases, the effected individual may fulfill the following criteria for PVS:

- (1) no evidence of awareness of self or environment and an inability to interact with others;
- (2) no evidence of sustained, reproducible, purposeful, or voluntary behavioral responses to visual, auditory, tactile, or noxious stimuli;
- (3) no evidence of language comprehension or expression;
- (4) intermittent wakefulness manifested by the presence of sleep-wake cycles;
- (5) sufficiently preserved hypothalamic and brain-stem autonomic functions to permit survival with medical and nursing care;
- (6) bowel and bladder incontinence; and
- (7) variably preserved cranial-nerve reflexes (pupillary, oculocephalic, corneal, vestibulo-ocular, and gag) and spinal reflexes.<sup>33</sup>

According to Siegler, “A prognosis that (a) vegetative state is ‘persistent’ or ‘permanent’ can be reliably made 3 months after anoxic insult<sup>34</sup> and 1 year after trauma.”<sup>35</sup> Therefore, if no improvement is made within this time frame, patients displaying the criteria for PVS may be considered permanently in a vegetative state. Chances of recovery from a correctly diagnosed PVS are essentially zero. The average life expectancy usually ranges between two to five years, and survival for more than ten years is rare.<sup>36</sup>

It is important to note that the waiting period of three months to a year is necessary for a correct diagnosis of PVS. Some patients who fulfill the criteria for PVS for shorter amounts of time may recover in some capacity, but many who do improve never recover their previous quality of life. The rare patient who does recover

consciousness usually attains only minimal cognitive ability, leaving her significantly disabled.<sup>37</sup>

The major danger in diagnosis of PVS is to mistake it for a minimally conscious state (MCS) or locked-in syndrome. MCS is a relatively new classification of brain function that describes patients who exhibit minimal evidence of self- or environmental awareness such as following commands, answering yes or no, verbalizing, or exhibiting affective behavior in response to relevant environmental stimuli.<sup>38</sup> The specific functional criteria for MCS are still disputed, but the classification is meant to describe those patients with severe disability and minimal awareness in order to distinguish them from patients in PVS. Locked-in syndrome is a state of consciousness in which cognition is maintained but movement and communication are prevented by paralysis of the voluntary motor system.<sup>39</sup> This paralysis is typically caused by damage in the midbrain.<sup>40</sup>

Despite the need for certainty in distinguishing PVS from MCS, the diagnostic investigations for PVS are limited. Adequately differentiating between PVS and other disorders of impaired consciousness is possible, but difficult. For example, a positron emission tomography (PET) scan can be useful to physicians because it provides information on localized glucose metabolism in the brain—essentially, whether or not brain neurons are active. PET studies of patients in PVS indicate far lower cerebral metabolic rates than patients who are aware or locked-in. The PET scans indicate that the metabolic levels of PVS patients are similar to those of individuals under general anesthesia.<sup>41</sup> Most importantly, recent studies suggest that PET scans and functional magnetic resonance imaging (fMRI) have weak, but statistically significant, diagnostic ability distinguishing between PVS and MCS.<sup>42</sup>

Many patients in PVS require only artificial nutrition and hydration and do not require ventilator support, as Wijdicks and Cranford explain:

Patients in a PVS usually have minimal hemodynamic support. Many patients have had the trachea intubated in the initial phases of coma to protect the airway or support insufficient respiratory drive, but after a few weeks breathing becomes regular through a tracheostomy with only need for oxygen to ensure adequate gas exchange.<sup>43</sup>

Despite independent breathing, patients require constant nursing care, which typically includes frequent cleaning, bed turning, and muscle flexing. Additionally, patients in PVS also usually require anti-convulsant medications, as well as frequent antibiotic therapy to combat opportunistic infection.

## **Part 3: Personhood and Death**

### *3.1 Defining the Person*

Life is a difficult term to define. Nearly all the medical knowledge to date developed entirely to protect and prolong life; yet, most medical references refer to life as “a state of living characterized by capacity for metabolism, growth, reaction to stimuli, and reproduction.”<sup>44</sup> This may be straightforward enough, but most references also list alternative definitions of life that incorporate the uniqueness of a single living organism: “the sequence of physical and mental experiences that make up the existence of an individual.”<sup>45</sup> Clearly, it is difficult to define life, but although the concept eludes simple definition, it does not seem inappropriate to value life. Most people place some inherent value in life, and most of us would not accuse the medical world of wasting its time by preserving life when possible. There is a sense that we know—possibly *a priori*—that life has inherent value, and that medicine is right to go to extreme measures to protect and prolong it. With this assumption in mind, the definition of life becomes even more important, and we are left with a vital question: how should we define life?

It is important to note that difficulties in defining life are not new. In his *De Anima*, Aristotle attempts to explain his notion of the soul, which he labels as the “principle of animal life.”<sup>46</sup> In doing so, Aristotle explains that a complex living being could be understood as a hierarchy of various functions. He distinguishes between nested capacities or levels of life: one capable of nourishment, one of perception, one of desire, one of movement, and one of thought. These abilities are nested, meaning that each successive step of complexity within the hierarchy is predicated on the step before. A living organism capable of perception has to be capable of nourishment as well, an organism capable of thought has to be capable of perception, and so on. For Aristotle, a plant has a basic form of life because it nourishes itself, a dog has a more complex form of life because it perceived, moved, and feeds itself, and a human being has an even more complex life than non-human animals like the dog because the human also has the ability to think.

It is necessary to note that the higher capacities are not simply added on top of the lower ones. The more complex capacities of higher animals actually transform the lower capacities by interacting with them. For example, in the regulation of nourishment and desire, human beings rationalize their intake of food by governing their response to hunger.

Some 700 years after Aristotle, Augustine created a similar hierarchical understanding of life. Rather than looking into the nature of the soul, Augustine was attempting to explain why God gave human beings free will. Augustine reasoned that in order to receive free choice, a human being must first exist. Thus Augustine examined the nature of existence and created his hierarchy: “there are three things: existence, life, and understanding. A stone exists, and an animal is alive, but I do not think that a stone is alive or an animal understands.”<sup>47</sup>

Like Aristotle and Augustine before us, we also may find it helpful to differentiate between different levels of life. In fact, doing so may be more important—and difficult—than ever. Modern science

has identified countless species of life on an increasingly wide spectrum of complexity. The microscope introduced humans to microbiology, like bacteria and other microorganisms, but also allowed us to examine the human body in increasing detail. We now classify organisms from one cell to those of trillions of cells as alive.<sup>48</sup> So, how can we define what life is if it comes in such different complexities?

As we stated earlier, classic definitions of life allude to “[t]he property which constitutes the essential difference between a living animal or plant, or a living portion of organic tissue, and dead or non-living matter; the assemblage of the functional activities by which the presence of this property is manifested.”<sup>49</sup> The majority of these definitions point to a biological state of life consisting in reproduction, movement, adaptation, and metabolism. These basic attributes are present in all kinds of life known to human beings. Bacteria, plants, and animals all exhibit these abilities. In short, life may be seen as the aggregate of functional activities necessitated by physiological maintenance.

The physiological aspect of life is irrefutable, but it is no coincidence that nearly all definitions of life stretch beyond physiology. These definitions expand because there are hierarchical differences between the lives of a complex, trillion-celled organism and a single-celled bacterium. For one thing, a complex organism is more than a conglomeration of an enormous, specialized group of living cells. Using the human body as an example, a human being consists of (an estimated) 50 trillion cells.<sup>50</sup> Each of these cells is alive, according to our dictionary definition of life. Neurons, muscle cells, endothelial cells, leukocytes, all of these cells are metabolizing and most are reproducing.<sup>51</sup> Each of these cells is alive in nearly the same way a bacterium is alive.

Although this is true, it would be incorrect to judge the life of a human body based on the individual lives of its trillions of cells (even though the body ultimately survives as a result of the correct function of these cells). Doing so would reject the integrated existence of a body as a living whole. Many of the individual cells in the

human body live much shorter lives than the body as a whole: for example, a normal red blood cell typically lives around 120 days. Individual cells are not considered important in determining death.

For example, in the case of total-brain death, the life or death of any given brain neuron is not considered; it is the function and activity of the brain—an enormous group of neurons—that is examined to determine whether an individual has permanently lost brain function. The determination of total-brain death also ignores other functions of the body, like basic metabolism and blood circulation, which continue without brain function. Therefore, the current understanding of death makes it clear that basic biological maintenance does not cover all that is inherent in being alive. A human person is not merely a grouping of living cells; it is an organism *in itself*. It has life *in itself*. It is a *living whole*.

Since we have determined that there are aspects of life inherent in a human person outside of basic physiology (specifically the physiology which the person shares with all other forms of life) it is essential to differentiate between a person's life and the life of other organisms. We have returned to a hierarchy! It is evident, as it was to Aristotle and Augustine, that different living organisms exhibit different abilities and functions. Aristotle's five nested capabilities seem fairly comprehensive, but his inclusion of movement and desire are troubling in the light of microbiology. Many bacteria have the ability to move, but they do not appear to be able to perceive or desire. In the same vein, it is basically impossible for us to determine whether an organism has desires. In a basic, evolutionary, biological way, we know that most organisms "desire" to reproduce, eat, and survive, but this knowledge is not relevant for a hierarchy of life. By definition, nearly all life does everything it can to survive, and so "desires" to be alive. Therefore, desire, as well as movement, must be discounted as defining categories of life.

What remains after these modifications to Aristotle's hierarchy is a three-leveled conception that is remarkably analogous to Augustine's. There are three levels of life: vegetative, perceptive, and

rational. Vegetative life is that which embodies regular physiologic maintenance, such as metabolism, reproduction, nutrition, and homeostasis. A more complex form, perceptive life, is aware of its surroundings and utilizes sensory information to operate in its environment. The most complex level of life is rational life, which is self-aware and capable of thought. These levels are nested in the same way that Aristotle's are: an organism capable of rational life—for instance, a human person—is predicated on *both* perceptive and vegetative life. For example, a person cannot be self-aware and capable of reason if he or she is unable to perceive the world or maintain physiological function. In the same sense, a dog, which is not capable of rational life, cannot use its sense of smell to follow a trail if it cannot maintain its core body temperature.

This hierarchy is not extraordinarily difficult to accept. What is more difficult is determining which levels in the hierarchy must necessarily be present to constitute a human person. By “person” we mean a “human being,” specifically the being's body and mental capacities. With this in mind, an average healthy person typically fills all three levels of the life hierarchy; he or she is a rational organism. There are some situations, though, in which a person may temporarily lose the ability to think and drop to the perceptive or vegetative level. General anesthesia for surgery, sleep, and extreme drunkenness are all examples of such situations. There are many reasons why a healthy, living person may lose consciousness for a period of time. The same can be said of early childhood development. Newborns may not immediately display self-awareness and thought. They often begin in perceptive life and do not develop rationality for months or years. So, it seems that there are several instances when a living human person may not *exercise* rational or perceptive life.

This distinction is clearer in the context of the Aristotelian conception of actuality. He provides us with a way to think about and to distinguish causality in a person's abilities. Aristotle distinguishes two kinds of actuality in his *De Anima*.<sup>52</sup> First actuality refers to a state of disposition or capacity, whereas second actuality refers to



the activation or activity of the capacity provided by first actuality. For example, let us say that my eyes are not capable of sight and are simply eye-like material (a state Aristotle calls mere potentiality). If a surgical procedure could restore my ability to see, and I had such a procedure, the surgeon would be restoring my capacity to see: my first actuality of sight. Once the procedure was over and I used my eyes to see the world, I would be exercising my ability to see, and I could therefore be operating with my second actualization of sight. The same is true of the abilities to perceive and reason. Although there are instances in which a person may temporarily lose the ability to perceive or think—as in the aforementioned examples—she still has rational and perceptive *capacity*. Although second actualization is not always utilized, first actualization remains present at all times in our examples.

So, then, which conditions must necessarily be met to constitute personhood? Although the criteria for total-brain death require that some vegetative functions be irreversibly lost—for instance, brain stem function—a good deal of vegetative life is maintained. This is intuitive considering the greatest known advantage of the total-brain definition of death is its promotion of organ transplantation. Vegetative life ensures physiological maintenance of transplantable organs; the beating heart in a total-brain dead individual perfuses itself and other organs with oxygenated blood until they are harvested.<sup>53</sup> This type of organ donation is only possible because society has determined that total-brain dead individuals are no longer human persons.

Some do not accept total-brain death. One objection is that total-brain death criteria were introduced *primarily* to ease the procurement of organs and promote transplant medicine. Such criteria, objectors argue, abandoned the holistic conception of the human person and legalized the aggressive pursuit of organs. However, I believe the opposite to be the case. Neither total-brain death criteria nor transplant medicine reject the holistic view of a person. The word *organ* is derived from the Latin *organum* and the Greek

*organon*, meaning “tool.” Thus, the human body may be thought of as full of “tools.” These organ-tools serve a teleological end: the integrated life of the individual.

Aristotle makes this point clear in his *Metaphysics* with the example of a hand.<sup>54</sup> If a man’s hand is cut off, we still may refer to the severed material as a hand, but doing so is actually a misnomer. A hand is only a hand if it is integrated with the body and capable of function. The same is true of the hand of a statue: it resembles a hand in appearance, but cannot actually be considered a hand because it does not serve the teleological end of hand-ness. Specifically, the severed and statue hands do not enable the perceptive, or indeed rational, animal to grasp, touch, and so on.

Organs are no different. When an organ is removed from a body, it too, like the hand, ceases to be an organ in the teleological sense. It is no longer a tool for the well being of the person. When the organ is placed into another body and resumes its function, however, it regains its genuine nature—its organ-ness—because it is once again animated and functioning toward the teleological end of the body. A transplanted kidney, using Aristotle’s view, is not an organ when it is removed from a donor until it is returned to the correct environment where it can function toward the health of the individual receiving it. Thus, transplant surgery attempts to restore the teleological, holistic well-being of the patient by replacing a defective tool with a fully functioning organ.

The legalization of total-brain death points to a holistic understanding that there is more to the person than vegetative life. Choosing to label solely vegetative life—that is, in the absence of perceptive and rational life—as insufficient for personhood implies that the person is predicated on some perceptive or rational life. In *Transplantation Ethics*, Robert M. Veatch points out that Henry Beecher, the chairman of the Harvard Ad Hoc Committee that first proposed criteria for diagnosis of brain death, listed “the individual’s personality, his conscious life, his uniqueness, his capacity for remembering, judging, reasoning, acting, enjoying, worrying, and so on” as critical

to life.<sup>55</sup> None of these functions relate to vegetative life; they are activities of the cerebrum, the higher brain, and examples of rational and perceptive life. For this reason, it is apparent that those who first defined the total-brain definition of death saw a distinction between rational personhood and vegetative, physiological maintenance.

*The legalization of total-brain death points to a holistic understanding that there is more to the person than vegetative life.*

With this idea of personhood, it is time to reconsider those situations in which a person loses rational and perceptive life. A person who is sedated for surgery does not cease to be

a person on the operating table. A sleeping woman does not lose her personhood overnight. An intoxicated man does not regain his personhood after sobering up from a night of revelry. A newborn baby is a person despite its inability to think rationally. We have already noted that these situations are examples of cases in which a person, for whatever reason, does not exercise his or her abilities of perception and rationality. To use Aristotle's terms, her perceptive and rational abilities are not fully actualized; they are only maintained in first actuality. They are abilities or dispositions that are sometimes activated and sometimes not. The sedated person does not lose the capacity to perceive and think. She only ceases to exercise these capacities for a period of time. Therefore, it seems we may define the living person as an individual who possesses the first actualization of perception and rationality; that is, a person is one who—in addition to vegetative, physiological maintenance of the body—has the capacity, or the potential, to perceive and think.

### *3.2 An Updated Definition of Death*

Now that we have a working conception of personhood, we can return to our discussion of death. We started this discussion with a simple definition: death is the end of life. We must now decide

when, precisely, that end of life occurs. For guidance, it is helpful to consider the opposite of death, specifically birth.<sup>56</sup> Like the end, the beginning of life is also difficult to define exactly. Whether our convictions inform us that life begins at conception or at birth, we can say with certainty that life begins, at the latest, when a child is born. At that moment, we can unequivocally say that a newborn with the capacity to perceive and reason is alive, and that that living being is a person.

What follows from this is the equation of life and personhood. For our discussion, we must equate these two, or at least make them mutually dependent. It is obvious that life is necessary for personhood since it is impossible to conceive of a non-living human who has the capacity to reason and perceive.

This being said, there will inevitably be objectors who argue that life is not dependent on personhood and may exist independently of the person. They may contend that since a PVS patient's body is capable of many homeostatic and autonomic functions, the patient is therefore alive, but not a person. A pregnant woman in PVS can carry a fetus to term. A male PVS patient must have his face shaved because he continues to grow facial hair. For this group of objectors, the continued function of the human body constitutes life, even in the absence of personhood.<sup>57</sup>

I contend that such arguments are the result of our failure to distinguish personhood (or the life of the individual) sufficiently from the continued existence of living matter. To use the beginning of life and personhood again as our example, let us compare the development of two fetuses before birth.<sup>58</sup> The first fetus is completely healthy. Its brain and body are developing normally, and therefore it has within it the capacity (or potential capacity) to reason and perceive. This fetus, therefore, is (or will be) a person and alive. The second fetus is not developing normally. A defect in brain formation such as anencephaly<sup>59</sup> has made it impossible for the second fetus to develop the ability to think or perceive at any point before or after

birth. The second fetus, therefore, can never be considered a person, by our definition, despite the obvious organic function of its cells. The distinction between these two fetuses, then, illustrates the difference between the life of the person (the first fetus) and the simple presence of living matter (the second fetus). Therefore, it seems that the life of the individual is dependent upon personhood, and the two are essentially the same. This observation leads us to adjust our definition of death, for human death, to the end of personhood.

## **Part 4: Higher-Brain Death: A Contemporary Definition**

### *4.1 A New Medical Definition of Death*

If death is, as we have said, the end of the person, our current medical definitions of death—namely the cardiopulmonary and total-brain criteria—seem sufficiently limited. No living persons are currently declared dead. A woman whose heart and lungs have permanently ceased functioning, and who therefore fulfills cardiopulmonary criteria for death, has certainly lost the ability to reason and perceive. A total-brain dead man is no longer a person, by our definition. The current medical criteria for death need not be scaled back in any way; they are not, in our understanding, too expansive.

The current criteria may be too limited, however. There are some medical conditions that satisfy our person-centered definition of death that are not included in current criteria. The most obvious example of this is the persistent vegetative state (PVS). As was stated above, PVS describes a permanent state of higher-brain injury resulting in the loss of all perceptive and rational abilities. Once these abilities are permanently lost, the individual in the PVS no longer has the capacity to think and perceive. The individual has lost the first actuality of her personhood; she is no longer a person, and therefore she is dead.

Examples are not sufficient to redefine death, however. New criteria are needed. It would be insufficient to declare death “the end of personhood” and leave the implementation of such a definition

to individual healthcare providers. This being said, the successful advent of the Harvard Criteria shows us that defining ambiguous mental abilities can be accomplished. Such criteria ought to be vetted by a committee of experts similar to the President's Commission of 1981. I am not presumptuous enough to propose my own criteria as definitive, but I will offer my own suggestions in an effort to begin the conversation. With this intention in mind, my proposal is as follows:

An individual who has sustained either (1) irreversible cessation of circulatory and respiratory functions, or (2) irreversible cessation of all functions of the entire brain, including the brain stem, or (3) irreversible cessation of all rational and perceptive functions controlled by the brain, is dead. A determination of death must be made in accordance with accepted medical standards.

I propose this revision with the understanding that irreversible cessation of "all rational and perceptive" function could only be determined after extensive testing and a conservative waiting period, similar to the way correct diagnosis of PVS is currently made.<sup>60</sup> Advances in medical technology will make this determination of death increasingly more precise, and for that reason—as well as my lack of expertise—I will not propose more exact criteria. If my proposed definition of death were implemented today, a diagnosis of PVS would serve as a determination of death.

#### *4.2 Challenges for Implementation*

It is clear at this point that the debate on the definition of death is actually a debate over the definition of life. Saying a human being is "alive" does more than describe a biological state; it declares that person to be eligible for further medical care. This is one reason why the definition of death is so important. Such a definition must come from philosophy and ethics; it cannot come solely from biological

assessment. “The choice of who is alive—who has full moral standing as a member of the human community—is fundamentally a moral, philosophical, or religious choice, not a scientific one.”<sup>61</sup> Society’s failure to agree on a single definition of death is a function of the many individuals in society who disagree on these ethical points.

Implementation of a higher-brain definition of death in our pluralistic society would face several objections (which will be specifically addressed in section 4.4 below). The freedoms of our society protect these objectors and allow them to hold minority opinions as long as doing so does not infringe on the basic rights of the rest of the population. This works for most debates, but such tolerance is not simple regarding definitions of death. Legalizing higher-brain death would certainly seem to limit the rights of an Orthodox Jew, for example, whose religion recognizes only cardiopulmonary death as a legitimate determination. What are we to do with such disagreements?

One possible solution to these problems, as Veatch suggests, is to offer options. Maybe individuals ought to be allowed to choose their own definition of death, provided their specific definition does not violate the rights of others or create larger social problems. This choice would allow members of different religious, social, and ideological groups to select a definition that fits within their particular convictions. Such a policy would resemble a contemporary living will, conscience clause, or assignment of durable power of attorney for health care. Each individual would sign a legal document stating what criteria were to be used to determine when she was no longer alive and the state would recognize her as dead when those criteria were fulfilled.

Having one’s own choice of a personal definition of death seems like an appropriate compromise, but I do not think it is the best answer. The concept works reasonably well in theory—as do living wills—but there are many realistic complications that make such a policy impossible. The stress implications for health care providers, insurers, and family members would be significant and would likely

bog down an already flooded system with more paperwork, legal documentation, and mistakes.

Moreover, theoretically, there is also the problem of those individuals who cannot make an individual choice of death criteria, specifically children, the mentally handicapped, and the terminally ill. For example, implementation of higher-brain death criteria would need to address how such a definition would relate to the beginning of life. An anencephalic infant seems to fulfill higher-brain criteria for death at birth. Who would decide which definition of death to apply? Possibly the child's parents, but the ethical implication of surrogate decision-making for health care is already highly controversial; and the additional responsibility of choosing whether or not a dependent is dead would add even more pain and debate to these decisions.

Clarification in the debate over the definition of death may only be possible in the context of a uniform definition of life. But as I have already noted, it is unlikely—if not impossible—that contemporary society could come to any consensus on one definition.

#### *4.3 The Utility of A Higher-Brain Definition*

Utility, alone, is rarely a sufficient argument in ethics, but in our case a look to the “reality” of medical care for the unconscious is informative. That is not to say that I think the argument for a higher-brain conception of death requires any utilitarian support. I believe my reasoning is adequately expansive for creating criteria for death, but a consideration of the practical implications of the proposed death criteria provides a more complete, grounded picture.<sup>62</sup>

The medical community continues to improve its ability to maintain the human body in unconscious and minimally conscious states. This improvement is a result of advances in emergency medicine and intensive care. New technology, procedures, and planning have allowed healthcare personnel to prevent total-brain and cardio-pulmonary death for increasingly longer periods of time. If we



assume this trend will continue, it is not difficult to foresee where these advancements will lead. In most cases, new technologies will be godsend, and more and more patients who in previous decades would certainly have died will recover and continue life. This becomes problematic, however, because as the number of recoveries increases, so too will the number of *partial* and *limited* recoveries. Fewer anoxic trauma patients will die, but more and more “survivors” will permanently lose consciousness, rationality, memory, and thought. In short, it seems inevitable that the number of patients in states like PVS and MCS will only continue to increase.

An increasing number of patients in unconscious or minimally conscious states will require a significant number of medical resources. Taking PVS as an example, in 1994 the Multi-Societal Task Force on PVS estimated there were between 15,000 and 35,000 individuals in PVS in the United States.<sup>63</sup> At that time, these patients accounted for 1 to 7 billion dollars in medical expenses, annually.<sup>64</sup> Taking the averages of those ranges, that is \$160,000 to preserve one patient in a PVS for twelve months, in 1994. In 2009, the United States is already struggling to provide universal healthcare to its people and to significantly diminish healthcare costs. Considering that contemporary reports indicate that the average hospital bill for a patient in PVS has climbed to between \$250,000 and 300,000 a year, future policy makers may be left with difficult decisions to make regarding the treatment of PVS patients.

No utilitarian discussion of PVS can avoid the implications for organ transplantation. It is simplistic, but correct, to say that a definition of death encompassing patients in PVS would make more organs available for transplantation. The individuals who receive these organs can in most cases survive, and many would eventually enjoy a high quality of life.<sup>65</sup> In utilitarian terms, this is ethically permissible, and most likely encouraged. From this standpoint, a PVS patient provides essentially no benefit to the community, whereas a patient on the transplant list may only require a donated organ in order to function in society.

In both the financial and biological examples above, utilitarian principles would likely rule against the personal interest of the PVS patient and would support a definition of death encompassing these patients. I must reiterate, however, that pure utilitarian implications have no bearing on my argument for higher-brain criteria.

#### *4.4 Opposition to Higher-Brain Death*

At this point, it is necessary to address some of the likely objections to my definition of personhood and to my proposal of higher-brain criteria for death. There are certainly many forms such arguments could take, but for simplicity I will address two major sets of objections—namely, what I shall call the *inclusivist* view and the *protectivist* view. I have attempted to make these sets sufficiently expansive in an effort to make their arguments paradigmatic for similar religious, legal, ethical, and idealistic objections.

The strongest—and admittedly most compelling—objection to a higher-brain definition of death is the *inclusivist* argument. This group is wary of any encroachment on “life” in any form. Proponents of this view vow to “defend life to the end” and argue that each individual has an inherent “right to life.”<sup>66</sup> Perhaps the best way to think of the *inclusivist* conception of life is as a symmetrical curve of abilities and functions.

The *inclusivist* sees “life” in all stages of the curve. In the initial stages of life, a child has relatively limited rational and physical abilities, but he develops these skills as he ages—think upward curve—until he reaches a peak in the middle of life. After this point, the man’s (formerly the child’s) body and mind slowly begin to degenerate. This is the descending part of the curve. Eventually, disease and age take back all of the rational and physical abilities the man developed in his life, and the man finally dies with roughly the same abilities as when he was born. The *inclusivist* approach argues that declaring a PVS patient dead would cut short the descending part of that symmetrical curve.<sup>67</sup> Life is present from birth (or conception)

to the complete failure of *all* body systems at death. The *inclusivist* sees physiological maintenance in the absence of higher-brain function as a form of life worthy of protection; he embraces the entire “curve” of life.

*Inclusivist* ideology is rooted in a desire to “err on the side of life.” It is for this reason that I have labeled this group *inclusive*. When challenged to define life, the *inclusivist* consistently expands his definition in order to ensure that he is not excluding any “life,” whatsoever. When he sees a man drowning in a lake, the *inclusivist* immediately jumps in to save him because he knows everything possible should be done to preserve “life.” In the same way, the *inclusivist* insists that medical resources ought to be exhausted to protect and preserve the “life” of every patient. When in doubt, protect “life,” the *inclusivist* says. An example of *inclusivist* thinking comes from President Bush’s reaction to Congress moving the case of Terri Schiavo to Federal Court in 2005: “where there are serious questions and substantial doubts, our society, our laws, and our courts should have a presumption in favor of life.”<sup>68</sup>

What many *inclusivists* fail to realize is that “erring on the side of life” is not always a *good*. Blindly preserving “life” in an attempt to be universally inclusive actually creates more ethical problems than it prevents. In this respect, medical technology becomes its own curse. In addition to healing, it may actually prolong suffering by preserving basic functions indefinitely. No medical goals are served by maintaining a patient in PVS.<sup>69</sup> No healing (or even palliative care) is taking place. There are no active agents administered other than food and water. The process is defined by passivity; the family and medical staff simply wait for the unconscious body to stop functioning.

Despite the difficulties of such protection, I am sympathetic to the *inclusivists’* desire to preserve life. I agree that life ought to be preserved in every way possible. Such a defense is, in my opinion, ethically necessitated, but I do not think the *inclusivists* help their opinion by speaking loosely about “life.” Most *inclusivist* arguments—even

those of the President's Commission white paper—are relatively vague discussions using imprecise definitions of life. These defenses are not productive because they are not sufficiently specific. Negative capability is insufficient for such a definition. In this paper I have attempted to define life as completely and precisely as possible because it is only with such specific definitions that any discussion is productive. The burden now shifts to the *inclusivists* to define life, clearly and distinctly. There is a line between life and death, and the *inclusivists* must draw their own in order to validate their defense of life. They need to be precise about what exactly they are defending. In some cases they may find that what they have defended was actually not life at all.

The primary philosophical objection to higher-brain death within *inclusivist* thought is the argument that the end of the person does not constitute death. For example, in its recent white paper on the determination of death, the President's Council on Bioethics's white paper rejects the higher-brain definition because the criteria equate the end of the person with the end of life. The white paper says the following:

Serious difficulties afflict the claim that something that can be called “death” has occurred even as the body remains alive. One such difficulty is that there is no way to know that the “specifically human powers” are irreversibly gone from a body that has suffered any injury shy of total brain failure... A related problem with this “two deaths” position is that it expands the concept of death beyond the core meaning it has had throughout human history. Human beings are members of the larger family of living beings, and it is a fundamental truth about living beings that every individual—be it plant or animal—eventually dies. Recent advances in technology offer no warrant for jettisoning the age-old idea that it is not as persons that we die, but rather as members of the family of living beings and as animals in particular. The terminus of

the transformation that occurs when a human being is deprived by injury of certain mental capacities, heartbreaking as it is, is not *death*.<sup>70</sup>

The paper argues that such a conception recognizes “two deaths”: one at the end of the person and one at the end of biological life. Such an understanding is a kind of reversal of Bichat’s *organic* and *animal* lives.<sup>71</sup>

The objection of the President’s Council on Bioethics is a serious one, but with person-based criteria like mine we do not lose a unified notion of death. The white paper claims that continued homeostatic function in individuals who have lost personhood constitutes life. Such a claim seems acceptable when looking at humans as biological members of the “family of living beings,” plant and animal, alike. Admittedly, there is significant biological “life” in the body of a PVS patient who has lost personhood. The ability of the injured body to breathe on its own is the most obvious example of such “life.” What the white paper fails to explain explicitly, however, is why some biological functions constitute life and others do not. Some cellular and organ functions are present in a total-brain dead body, yet they are not considered to constitute life. So, why then is respiration—but not some other functions—significant for determining life? In an attempt to answer this question, the white paper lists three fundamental capacities of living things:

1. Openness to the world, that is, receptivity to stimuli and signals from the surrounding environment.
2. The ability to act upon the world to obtain selectively what it needs.
3. The basic felt need that drives the organism to act as it must, to obtain what it needs and what its openness reveals to be available.<sup>72</sup>

In his personal statement to the report, Gill Meilaender explains why the ability to breathe is such an important example of these criteria:

A permanently unconscious human being who breathes spontaneously<sup>73</sup> manifests openness to the surrounding environment in its need for oxygen, acts upon that environment by breathing to take in the oxygen it needs, and manifests an inner drive to breathe. Such a person is surely severely disabled, but is not dead.<sup>74</sup>

The white paper argues that sustained biological functions like spontaneous respiration allow PVS patients to be “open to the world” and are a sign of the individual’s “continued impulse to live.”<sup>75</sup> Total-brain dead individuals, according to the report, have no such “openness” or desire.

While I compliment the President’s Council on Bioethics for attempting to define life with a list of criteria, I disagree with the application of its definition. The white paper draws a distinction between artificial respiration and artificial nutrition and hydration. The report argues that because total-brain dead individuals require ventilator-driven respiration, they do not fulfill the three criteria for life. It is unclear to me, however, how a PVS patient who permanently requires artificial nutrition and hydration in the permanent absence of consciousness and perception fulfills such criteria. Concerning the first of the white paper’s three fundamental capacities, the ability of a body in PVS to breathe spontaneously, while certainly evidence of more advanced homeostatic function than that of a total-brain dead body, does not seem to indicate “openness to the world” to allow the PVS body to “obtain selectively what it needs.” It is also vague how respiration is a “selective” process for the person-less body, the second fundamental capacity. Finally, the report does not sufficiently explain how respiration necessitates the presence of an “inner drive” to breathe, the third fundamental capacity.

As a whole, the white paper's three criteria of life are inadequate and vague. Therefore, I believe the report is mistaken to make the spontaneous ability to breathe *the* function which enables us to distinguish between life and death in permanently unconscious individuals. If such a distinction is appropriate, the white paper has not adequately explained why necessitated artificial respiration, and not artificial nutrition and hydration, is the appropriate differentiating need.

The second significant group of objectors is the *protectivists*. The *protectivists* question whether drawing the line between the higher brain and the brainstem is arbitrary and driven only by technology's contemporary ability to distinguish cerebral function from brainstem function. They worry that medicine's ability to determine death is flawed. Despite assertions from the President's Council on Bioethics reiterating "the fact this moment [of death] is *chosen* does not mean that it is *arbitrary*," the *protectivists'* worry that this moment is, in fact, arbitrary.<sup>76</sup> They might wonder whether medical technology, not actually an articulated understanding of the person, is driving my proposed change of definition.

The most common argument from the *protectivists* is similar to what is sometimes called a "slippery slope." It contends that the somewhat limited definition of personhood I propose in section 3.1 leaves the door open for even more limiting criteria in the future. Once one accepts that some brain functions are not necessary for life, there seems to be no stopping the eventual consideration of other functions as insignificant.<sup>77</sup>

A slippery slope argument, in its most significant form, involves a claim that the same principle underlying one, apparently tolerable, judgment also entails other, clearly unacceptable judgments. For example, imagine we are trying to determine whether elderly individuals could be excluded from access to certain health care services based on the utilitarian principle of choosing the course that produced the maximum aggregate good for society. The slippery slope argument might be used to show that the same principle entails implications

presumed clearly unacceptable, such as the exclusion of health care from socially unproductive individuals.<sup>78</sup>

The *protectivists* might argue that accepting my argument for a higher-brain conception of death would endanger other impaired individuals included as persons by my definition. They might indicate the minimally conscious, the mentally handicapped, and the severely demented as the groups who may eventually be labeled “non-persons” or “dead” by further extrapolating my reasoning.

An example of what *protectivists* fear is the following response of Peter Singer to a proposed definition of personhood similar to mine. The proposed definition—or doctrine as he calls it—of personhood refers to those individuals who possess either self-awareness or self-consciousness. He contends that

[t]he suggested modification of the doctrine would place lethal experiments on the more developed nonhuman animals in the same category as experiments on severely retarded members of our own species. Similarly if, as Jonathan Swift once suggested, human infants, boiled, roasted, or fricasseed, make a tasty dish, then we would have to choose between ceasing to rear animals like pigs and cattle for food, and admitting that there is no moral objection to fattening retarded infants for the table.<sup>79</sup>

*Protectivists* argue that the “slippery slope” created by my definition could lead to ethics like Singer’s in the future. New technology, new tests, and fewer resources could lead to the philosophical rejection of vulnerable individuals’ personhood, and therefore life.

I do not believe my definition of personhood leaves the door open to any “slippery slope” and it certainly does not entail a Singerian ethic. The definition I propose is intentionally expansive. It only requires minimal capacities of perception and reason. All individuals with *any* perceptive or rational capacity are persons, by my definition. This definition is based on philosophical reasoning,



not contemporary medical technology or resource allocation.<sup>80</sup> This means that the minimal requirements for personhood (and life), specifically the capacity for any rational or perceptive ability, cannot become more limiting. Because they all have some perceptive or rational capacity, the *protectivists'* threatened groups will never lose their personhood under this reasoning. My definition does not create a "slippery slope."

With respect to the arbitrariness of the line a higher-brain conception draws above the brainstem, I must point out that the currently used total-brain definition of death also has a distinct, seemingly arbitrary line between the spinal cord and the base of the brain. Several spinal cord reflexes (below the total-brain death line) remain in individuals who are dead according to total-brain criteria, but these functions are labeled insignificant by contemporary criteria and legislation. For example, some total-brain dead bodies display the so-called Lazarus sign: after (and sometimes well after) total-brain death has ensued, the upper arms spontaneously flex at the elbow, lifting the arms off the bed and bringing the hands up to the chest of the body.<sup>81</sup> This response is a spinal reflex and does not involve any brain activity; consequently, it is ignored by total-brain death criteria. The presence of the Lazarus sign or other spinal reflexes does not delay total-brain death diagnosis. Whatever principle is used to exclude spinal reflexes like the Lazarus sign certainly can be used to exclude some brainstem reflexes, as well.<sup>82</sup>

## Conclusion

The 1981 Presidential Commission declined to recognize higher-brain death as a viable definition due to its assessment that medicine was unable to describe the physical nature of consciousness. In 2008, the President's Council on Bioethics once again refused to accept the higher-brain conception because the criteria described "two deaths," the death of the person and the death of the biological organism. Such discussion and intellectual engagement is necessary in the dynamic world of medicine and our society at large. Our ability

to measure and understand consciousness has improved drastically since the 1981 Commission, but the President's Council white paper has made it clear that our understanding of the human body and consciousness is still insufficient for a higher-brain definition of death.

*This paper offers principled reasons for precisely when death occurs.*

While I do not agree with the white paper's assessment of higher-brain death, I applaud its attempt to create definitions and apply them in philosophical debate. Any success I may have achieved in this paper has come from a similar willingness to make precise definitions and rational arguments. Future reports from the President's Council, armed with new medical knowledge and the best minds of medicine, philosophy, and religion, will be necessary to reevaluate the way we define death.

In an attempt to add to such future discussion, this paper offers principled reasons for precisely when death occurs. The principle I have held is that for human life to be present there must be first actualization of the human person. That is, in order for an individual to be alive he or she must display the capacity for integrated functioning of the body's homeostatic physiology coupled with the mind's ability to perceive and reason. This demand necessitates a higher-brain definition of death. Such reasoning—when supported by legitimate scientific and philosophical debate—should lead our society to redefine death.

## Endnotes

- <sup>1</sup> Aristotle, *Topics, The Works of Aristotle Translated into English, Volume 1*, ed. W.D. Ross. (New York: Oxford University Press, 1955), (155<sup>a</sup> 18-20.
- <sup>2</sup> Marc Alexander, "The Rigid Embrace of the Narrow House: Premature Burial and the Signs of Death," 10 *Hastings Ctr. Rpt.* 25, 1980.
- <sup>3</sup> Diana E. Manuel, *Walking the Paris Hospitals: Diary of an Edinburgh Medical Student, 1834-1835* (London: The Wellcome Trust Centre for the History of Medicine, 2004), 41.
- <sup>4</sup> Elizabeth Haigh, *Xavier Bichat and the Medical Theory of the Eighteenth Century* (London: Wellcome Institute for the History of Medicine, 1984), 100.
- <sup>6</sup> Haigh, 101. Gustave Flaubert, *Madame Bovary*, trans. Mildred Marmor (New York: Penguin, 1964), 297.
- <sup>7</sup> *Ibid.*, 103.
- <sup>8</sup> *Ibid.*
- <sup>9</sup> *Ibid.*, 116.
- <sup>10</sup> *Ibid.*
- <sup>11</sup> George W. Gray, *The Advancing Front of Medicine* (New York: McGraw-Hill, 1941), 22.
- <sup>12</sup> The cardiopulmonary definition of death is still considered a legal definition of death in all 50 states. In rare cases of hypothermia or drug overdose, some patients momentarily lose brain function, pulse and respiration. Consequently, in modern medicine, if resuscitation initially fails, further examination of corneal reflexes and consideration of the cause of the injuries are needed for a declaration of death.
- <sup>13</sup> The President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, *Defining Death: Medical, Legal, and Ethical Issues in the Determination of Death* (Washington D.C.: U.S. Government, 1981), 5. A ventilator, or medical respirator, is an automatic machine designed to mechanically move breathable air into and out of the lungs, thus providing the mechanism of breathing for a patient who is physically unable to breathe, or breathing insufficiently, i.e. on his own the patient would die or become severely anoxic.
- <sup>14</sup> Brain damage is typically diagnosed with the help of computer tomography (CT) scans, magnetic resonance imaging (MRI), and the measurement of brainstem reflexes upon physical exam.
- <sup>15</sup> President's Commission, 6.
- <sup>16</sup> It is important to note that spontaneity is also stressed in the December 2008 report of the President's Council on Bioethics, addressed below in section 1.6.
- <sup>17</sup> Ad Hoc Committee of the Harvard Medical School to Examine the Definition of Brain Death, "A Definition of Irreversible Coma," 205 *J.A.M.A.* 337 (1968).

- <sup>18</sup> Electroencephalography is the measurement of electrical activity produced by the brain as recorded from electrodes placed on the scalp. An isoelectric EEG indicates no electrical brain activity.
- <sup>19</sup> The Harvard Committee used the term “brain death” in its report. To avoid confusion later in the paper, I will refer to this kind of “brain death” as “total-brain death,” meaning the permanent loss of all brain function.
- <sup>20</sup> For further explanation of the cerebrum and its role in the brain see Section 2.1.
- <sup>21</sup> EFM Wijdicks and RE Cranford, “Clinical Diagnosis of Prolonged States of Impaired Consciousness in Adults,” *Mayo Clinic Proc.* August 2005; 80(8): 1037-46.
- <sup>22</sup> A. Jonsen, et al, *Clinical Ethics: A Practical Approach to Ethical Decisions in Clinical Medicine* (Chicago: McGraw-Hill, 2006), 48.
- <sup>23</sup> President’s Commission, 23.
- <sup>24</sup> *Ibid.*, 20.
- <sup>25</sup> *Ibid.*, 31-43.
- <sup>26</sup> *Ibid.*, 41.
- <sup>27</sup> *Ibid.*, 40.
- <sup>28</sup> *Ibid.*, 2.
- <sup>29</sup> A. Jonsen, et al., 49.
- <sup>30</sup> The President’s Council on Bioethics, *Controversies in the Determination of Death: A White Paper by the President’s Council on Bioethics*, www.bioethics.org (Washington, D.C., 2008).
- <sup>31</sup> President’s Commission, 23.
- <sup>32</sup> This statement assumes some connection between the mind and the brain. Here I assume that function of the conscious mind requires some brain activity (or more basically an organic realization). This does not imply that the brain and the mind are necessarily one and the same; it simply means that I am assuming the mind is related to the brain and dependent on the brain in order to function.
- <sup>33</sup> The Multi-Society Task Force on PVS, “Medical Aspects of the Persistent Vegetative State- First of Two Parts,” *N Engl J Med* 1994 330: 1499-1508.
- <sup>34</sup> ‘Anoxic insult’ refers to an extended absence of oxygen supply to brain tissue resulting in tissue damage.
- <sup>35</sup> A. Jonsen., et. al., 135.
- <sup>36</sup> The Multi-Society Task Force on PVS.
- <sup>37</sup> A. Jonsen, et. al., 136.
- <sup>38</sup> EFM Wijdicks, et al.
- <sup>39</sup> The Multi-Society Task Force on PVS.
- <sup>40</sup> A. Jonsen., et. al., 136.
- <sup>41</sup> The Multi-Society Task Force on PVS.
- <sup>42</sup> EFM Wijdicks, et al.
- <sup>43</sup> *Ibid.*
- <sup>44</sup> “life, n. 1b.” *Merriam-Webster Online Medical Dictionary*. 2009. Merriam-Webster Online. 28 March 2009. <http://www.merriam-webster.com/medical/life>.

- <sup>45</sup> “life, n. 2a.” *Merriam-Webster Online Medical Dictionary*.
- <sup>46</sup> Aristotle, *De Anima*, Bk. I: Ch. 1, 402<sup>a</sup>.
- <sup>47</sup> Augustine, *On Free Choice of the Will*, trans. T. Williams (Indianapolis: Hackett. 1993.), 33.
- <sup>48</sup> Bacteria are one example of a single celled organism. The human body is estimated to contain 50 trillion cells.
- <sup>49</sup> “life, n. 1b” *The Oxford English Dictionary*. 2nd ed. 1989. *OED Online*. Oxford University Press. 11 February 2009 [http://dictionary.oed.com.proxy.library.nd.edu/cgi/entry/50132960?query\\_type=word&queryword=life&first=1&max\\_to\\_show=10&sort\\_type=alpha&result\\_place=2&search\\_id=8mtQ-4mf4bb-94&hilite=50132960](http://dictionary.oed.com.proxy.library.nd.edu/cgi/entry/50132960?query_type=word&queryword=life&first=1&max_to_show=10&sort_type=alpha&result_place=2&search_id=8mtQ-4mf4bb-94&hilite=50132960).
- <sup>50</sup> It is also interesting to note that there are an estimated 10x as many (5 x 10<sup>12</sup>) bacterial cells on or in the human body.
- <sup>51</sup> Neurons, or nerve cells, are cells of the nervous tissue that are responsible for sending and receiving electrical signals. Muscle cells compose muscle tissues. Endothelial cells line internal body cavities. Leukocytes, or white blood cells, are cells of many types, which are responsible for the body’s immune response.
- <sup>52</sup> Aristotle, *De Anima*, Bk. 2: Ch.1. 412<sup>a</sup>-412<sup>b</sup>.
- <sup>53</sup> Donations from these donors are usually more successful because the organs are supplied with blood until they are removed from the donor body and are therefore more likely to function normally once transplanted.
- <sup>54</sup> Aristotle, *Metaphysics*, Bk. VII: Ch. 10. 1035<sup>b</sup>.
- <sup>55</sup> Robert M. Veatch, *Transplantation Ethics* (Washington, D.C.: Georgetown University Press, 2000), 106. Beecher’s list gives us some indication of how he thought about life, but lists are inherently problematic. The open-ended nature of this list makes it difficult to determine whether all the items on the list are necessarily critical to life, and whether there are any items on the list that may not be so critical. Despite this, the fact that none of the listed items are vegetative does seem to indicate the direction of Beecher’s thought.
- <sup>56</sup> It is easy to forget that birth is the opposite of death since we often consider death the opposite of life. Death is actually the end of life, whereas birth (or conception, depending on individual belief) is the beginning. Death is not the lone absence of life, i.e. non-living.
- <sup>57</sup> This objection will be further considered with other objections in section 4.4, below.
- <sup>58</sup> My discussion of the fetus before birth is meant to facilitate my explanation of the difference between organic life and personhood. It is not meant to be considered a statement on the abortion question. For inclusionary purposes, parenthetical statements have been included to accommodate both the life-at-conception and life-at-birth viewpoints.
- <sup>59</sup> Anencephaly is a congenital absence of major portions of the brain and malformation of the brainstem that is not compatible with life.
- <sup>60</sup> EFM Wijdicks, et al.

- <sup>61</sup> Veatch, 111.
- <sup>62</sup> I want to emphasize this paragraph. I do not believe that utilitarian considerations ought to be taken into account when defining the line between life and death. Doing so would be excessively limited, and in my opinion egregiously unethical. I flesh out the utilitarian argument in an effort to approach this topic, as I believe all problems in medicine ought to be approached, with *some* consideration to practicality. This discussion is meant to supplement the rest of the paper, not trump it.
- <sup>63</sup> The Multi-Society Task Force on PVS.
- <sup>64</sup> Ibid.
- <sup>65</sup> It is true that ‘quality of life’ is a subjective term, but some objectivity is possible in determinations of prognosis. For example, a kidney transplant patient may have an otherwise normal life after transplant surgery.
- <sup>66</sup> Although phrases like “right to life” have become tied to political positions and religious ideals, I am not trying to align my definition against such positions. Such phrasing now has become hyperbolically politicized. I include these phrases in order to fully describe the *inclusivist* view.
- <sup>67</sup> Please see appendix, figure 3, for a visual representation of this concept.
- <sup>68</sup> Carl Hulse and David Kirkpatrick, *Congress Passes and Bush Signs Legislation on Schiavo Case*, The New York Times: March 21, 2005.
- <sup>69</sup> A. Jonsen, et al., 137.
- <sup>70</sup> President’s Council on Bioethics white paper, 51-52.
- <sup>71</sup> See section 1.2, above, for Bichat’s notions of *organic* and *animal* life.
- <sup>72</sup> President’s Council on Bioethics white paper, 61.
- <sup>73</sup> Recall the use of ‘spontaneity’ in the Harvard Committee report. See endnote #17, above.
- <sup>74</sup> President’s Council on Bioethics white paper, Personal Statement of Gilbert Meilaendar, Ph.D., 104.
- <sup>75</sup> President’s Council on Bioethics white paper, 62.
- <sup>76</sup> Ibid., 59.
- <sup>77</sup> Veatch, 109.
- <sup>78</sup> Ibid., 109.
- <sup>79</sup> Peter Singer, *Unsanctifying Human Life*, ed. Helga Kuhse (Malden, Massachusetts: Blackwell, 2002), 222.
- <sup>80</sup> Of course, implementation of my definition of the person as a basis for new criteria for death is only possible in the context of contemporary medical technology. This does not mean that my definition is in any way contingent on that technology. The reasoning for such a definition is grounded in philosophy.
- <sup>81</sup> JA Bueri, et al., “Lazarus’ sign in brain death,” *Movement Disorders: Official Journal of the Movement Disorder Society* [Mov Diord] 2000 May; Vol. 15 (3), 583-6.
- <sup>82</sup> Veatch, 110



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John Courtney Murray,  
*Aggiornamento*, and Vatican II's Declaration  
on Religious Freedom

GREGORY BARR

In the nineteenth century the Catholic Church was largely hostile to liberal democracy and other aspects of modernity, including the freedom of religion for people of other faiths. In the 1960s the Church at Vatican II supported religious liberty as a basic human right. This essay explores the reasons for and the nature of this evolution.

**MOLLY KRING** is a senior English and Sociology major. Her interest in the intersection of religion and modernity began when she read classic sociological theory on the changing role of religion in modern capitalist societies and later while conducting research with Dr. Christian Smith on the subject. The fact that secularization was not occurring at the level predicted (if at all) by sociologists led her to take a class with her thesis advisor, Romana Huk, entitled “The idea of ‘God’ in Postmodern Poetry.” After graduation, Molly will work for the government and later hopes to teach English. She would like to thank her parents for their neverending support and Romana Huk for her direction.

## Purifying Words to Revive Images: Sensory Intimations of God in Eliot's "Four Quartets"

MOLLY KRING

"Purifying Words to Revive Images" explores how T.S. Eliot draws on Eastern religious practices to approach a God beyond logic without once mentioning his name. Upon Wittgenstein's declaration that human language cannot touch the divine and Nietzsche's pronouncement that God is dead, a gap opened between the logical and the spiritual. Talk of God largely left the academic scene and the written word was left to only hint at the divine, for words, as human-constructed forms, were deemed necessarily inadequate for the communication of God. Eliot addresses this issue by unintentionally aligning himself with a neo-Thomist position where he engages the spiritual by circumventing the problem of language altogether. By employing musical forms and Zen-like sensory images, the words on the page become transubstantiated and transcend their potential limitations to intimate feelings of the divine.































