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Cover

Lizzie Barr

Ballpoint pen and Marker on cardstock

A theme that has emerged in this year's edition of the CTSJ Journal is organizing across differences, so I knew I wanted to create a piece focusing on an individual's eyes. It is said that "the eyes are the window to the soul," and I believe that looking deeply into another's eyes can foster a truer emotional connection and offer a glimpse into what they are really feeling. Organizing across differences requires finding common ground and building relationship-driven connections, something that I have attempted to display by centering the subject's eyes. The eyes are the clearest, most distinct part of this piece, drawing the viewer in and forcing them to make direct eye contact with the subject. I also wanted to touch on the topic of gender, so I deliberately obscured the subject's facial features so that their gender remains ambiguous. The loose, flowy patterns surrounding them represent our real-world resistance to the metaphorical, physical, and systemic lines and borders that seek to divide us.

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Art, Poetry, and Photographs

**indicates a poem*

Introduction to the Issue

By the Journal Editorial Board

The Critical Theory and Social Justice Undergraduate Research Journal seeks to empower emerging activist-scholars by uplifting voices that utilize theoretical interventions to pave the way for tangible change that will radically reshape our sociopolitical landscape. Our journal features academic research papers, notes from the field, poetry, and artwork that seek to creatively address interlocking systems of oppression from various vantage points. Student work in this volume contends particularly with issues of rapid globalization which are worsening due to changes in the realm of technological development. The work this journal highlights is not only a critical response to current events deepened by our commitment to academic scholarship, but also a call to action on what must be done to reconstruct the broken systems we encounter in our daily lives and particularly in combating the government's attacks on higher education as a whole.

Across this issue, we encounter again and again the idea of embodied resistance. While many of these pieces intervene to address the harmful effects of technology and a digital landscape that becomes ever more unpredictable with the rise of artificial intelligence, there is also a consistent throughline which places the human body in contact with one another at the heart of our ability to overcome systems of intangible oppression. The widespread violence we are witnessing must be met with conversation, intimacy, and a readiness to extend across differences in order to organize against the systems that threaten our livelihoods and our very existence.

The precarity of this political moment revealed itself most undeniably for our communities this year during the ICE raids that occurred in Minneapolis, Atlanta, our very own Los Angeles, and throughout the rest of the country. We believe ICE must be abolished, and that nobody is illegal on stolen Indigenous land. We have also been confronted with questions of national sovereignty in the cases of rampant U.S. imperialism, from the political kidnappings in Venezuela, the recent war in Iran, the annexation of Southern Lebanon, to the ongoing genocide in Palestine. The centrality of Palestine to our academic and advocacy-based work cannot be overstated. The so-called 'cease fire' has not prevented the israeli military from resuming their attacks on the

Palestinian people and devastating their homeland. It is clear that israel is also committing a targeted scholasticide by obliterating schools and libraries in order to stamp out the sparks of resistance that come about in and through educational spaces. It is a direct attempt to erase Palestinian culture and history, and our journal remains steadfast in our commitment to supporting the resistance movement both here and abroad.

As the 14th edition of our journal goes out into print, we hope that it will inspire readers to continue writing through the lens of social justice, and we welcome future submissions with open arms. But perhaps more pressingly, we hope that the process of editing and publishing a journal such as this one, which allows for conversations across disciplines, borders, and differing realms of thought, is an undertaking that can be replicated elsewhere. At a time when radical political rhetoric is being continuously silenced, we find it increasingly important to leverage our position as students with relation to institutional resources. The creation of a journal like this one is a possibility we encourage every student reading this to imagine on their campus and in their community.

We are endlessly grateful for the people who have helped put this journal together, especially at a time when higher education institutions are facing widespread budget cuts, academic censorship, and an overall devaluation of research, especially in the humanities. We have weathered this difficult time together and will continue to do so. A special thanks to our faculty advisor, Malek Moazzam-Doulat, for his continual guidance, encouragement, and dedication to all of us. We do not take for granted his mentorship, as well as the support of the other professors in the Critical Theory and Social Justice Department for deepening our perspectives and inspiring us to put our passion towards creating change. Lastly, thank you to this year's graduating seniors, whose laughter and thoughtful insights will be greatly missed: Sophia Celi, Basem Baadarani-Feeney, Vivian Ko, Elle McAlpin, Ruby McDonald, Lily Molina-Jimenez. In particular, we are forever grateful for the contributions of seniors Mickayla Jones, who has served on the journal for two years as our wonderful finance manager, and Tessa Calado, our fearless managing editor who has made the journal what it is today with her leadership, diligence, and patience with all of us. Wherever this journey takes you, you will always have your CTSJ community rallying behind you.

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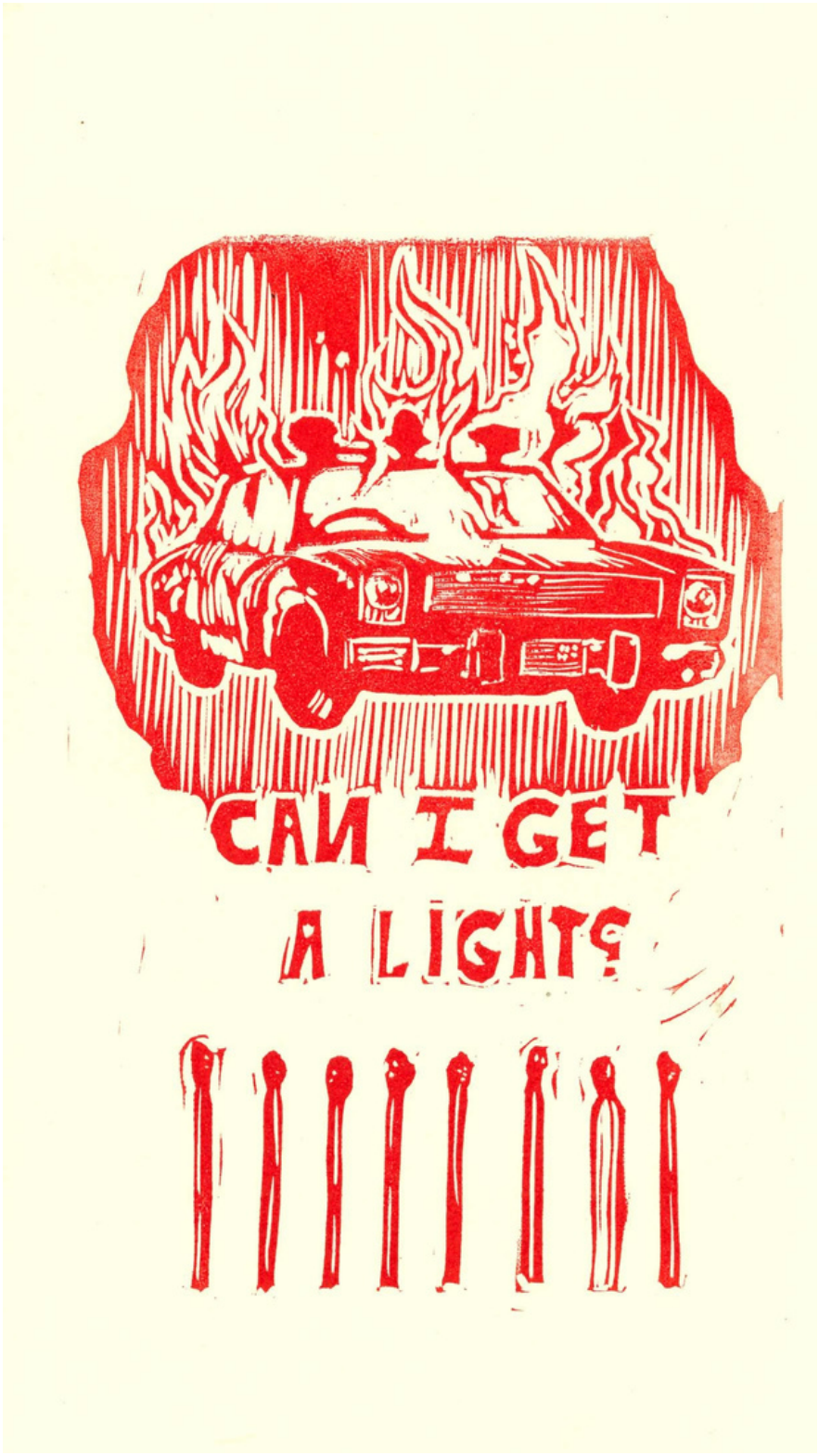

Can I get a Light?

Hannah Lieberman

Linocut Print

Printmaking is revolutionary. Around the world, social movements have been heralded by art printed on city walls, carved in wood and metal, pasted up or printed atop, distributing knowledge and messaging to the masses. It is widespread. It is reproducible, and therefore wide reaching. With pointed text and image, it enacts Cesar A. Cruz's wisdom, "Art should comfort the disturbed and disturb the comfortable." This piece was made as part of a 2024 fundraiser for Students for Justice in Palestine, recognizing the universality of struggle against violent policing forces and the need for continued humor combined with collective action.

Western Power, Western Priorities: The Color Line and Selective Sovereignty at the ICJ

Lauren Murphy | Augustana University

Introduction

International law presents itself as a universal and impartial system governing relations among sovereign states. Yet its application reveals persistent asymmetries in how doctrines such as sovereignty and self-determination are interpreted and enforced. This article examines how international law reproduces global hierarchy through an analysis of three advisory opinions of the International Court of Justice: Kosovo (2010), the Palestine Wall (2004), and the Chagos Archipelago (2019). Drawing on Third World Approaches to International Law (TWAIL) and related critical theory, these cases are situated within a framework shaped by Eurocentric origins, doctrinal indeterminacy, structural economic inequality, and moral narratives of intervention. A close textual analysis of the Court's reasoning and the political responses to its opinions reveals that identical legal principles produce sharply different outcomes depending on geopolitical alignment and great-power interests.

Kosovo's Western-backed secession was facilitated through legal ambiguity, Palestine's legal victory was rendered unenforceable through geopolitical protection of occupation, and Mauritius' decolonization claim in Chagos was outright ignored by a former imperial power. Taken together, these cases demonstrate that international law does not merely reflect political inequality but actively structures it. This article argues that this pattern reproduces what W.E.B. Du Bois describes as the global color line, determining whose sovereignty is affirmed and whose remains conditional. By connecting critical theory to contemporary international legal practice, this article challenges reformist accounts of international law and underscores the need to confront the structural foundations of inequality embedded within the international legal order.

American author and activist W.E.B. Du Bois in his 1903 work, *The Souls of Black Folk,* wrote: "The problem of the twentieth century is the problem of the color-line,"

diagnosing this era's global system as one structured by racial hierarchy.[1] More than a century later, after widely recognized 'decolonization' efforts, wars of national liberation, and the rise of international institutions, that color line has not disappeared. It no longer separates colonies from empires through explicit legal categories, but instead divides the states whose sovereignty is upheld by international law from those whose claims can be denied, deferred, or ignored, even when the law appears clear on paper. Du Bois's color line remains a defining feature of contemporary global order, and nowhere is this more evident than in the field of international law.

International law, championed by institutions such as the United Nations, the International Court of Justice (ICJ), and the World Trade Organization (WTO), presents itself as a universal and impartial framework that governs relations among sovereign states. Yet beneath this promise lies a structural contradiction: the doctrines that claim to uphold equality were developed through colonial encounters that decided who counted as sovereign and who did not. As Antony Anghie observes, international law "consists of a series of doctrines and principles that were developed in Europe, that emerged out of European history and experience, and that were extended in time to the non-European world which existed outside the realm of European international law."[2] What appears as a neutral legal system is in fact a product of historical practices that entrenched hierarchy and racialized exclusion, particularly through doctrines of sovereignty, territorial title, and civilizational distinction.

How can a legal system that claims universality continue to reproduce structural inequalities? International law claims to apply the same rules, sovereignty, self-determination, and territorial integrity to all states. Yet in practice, some states operate with broad discretion, able to reinterpret or reshape legal principles without consequence, while others find their political futures constrained by the very doctrines meant to protect them. These asymmetries are not incidental or due only to political pressure; they reflect the historical foundations of the discipline and the power relations embedded within its core

[1] W. E. B. Du Bois, *The Souls of Black Folk*, 1903, https://www.gutenberg.org/files/408/408-h/408-h.htm.
[2] Antony Anghie, "The Evolution of International Law: Colonial and Postcolonial Realities," *Third World Quarterly* 27, no. 5 (2006): 739–53, https://doi.org/10.1080/01436590600780011, 740.

concepts. These structural inequalities track what Du Bois called the color line, not merely as a racial metaphor, but as a systemic hierarchy that determines whose sovereignty is secured and whose remains conditional.

To understand how this system functions, this analysis draws on Third World Approaches to International Law (TWAIL), a school of thought that rejects the idea that international law emerged as a neutral or universally beneficial set of rules. TWAIL scholars, including Anghie, Martti Koskenniemi, B.S. Chimni, and Makau Mutua, demonstrate that the discipline's formative doctrines arose through encounters between Europe and the non-European world structured by hierarchy, extraction, and domination. Anghie shows that sovereignty itself was constructed as a tool for distinguishing the "civilized" from the "uncivilized," granting full legal personality to European states while denying it to others.[3] Koskenniemi adds that the indeterminacy built into international legal reasoning allows powerful states to frame legal outcomes in ways that serve their political preferences.[4] Chimni extends this critique into the contemporary period, arguing that globalization operates as a form of recolonization through institutions that reshape domestic policy under the guise of cooperation.[5] Mutua identifies a moral dimension, demonstrating how the human rights discourse relies on a "savage-victim-savior" narrative that casts Western states as rescuers and postcolonial societies as either victims or savages in need of discipline.[6] Together, these perspectives map a common architecture of international law: Eurocentric origins, doctrinal indeterminacy, institutionalized economic hierarchy, and moral narratives that legitimize selective enforcement.

These scholars demonstrate how Du Bois's color line is not a relic of the past, but remains woven into the conceptual and institutional fabric of international law. While the color line is not identical to the divide between Western and non-Western states, the two

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[3] Anghie, "The Evolution of International Law," 742.
[4] Martti Koskenniemi, "The Politics of International Law," *European Journal of International Law* 1, no. 1 (1990): 4–32, https://doi.org/10.1093/oxfordjournals.ejil.a035781.
[5] B.S. Chimni, "Third World Approaches to International Law: A Manifesto," *International Community Law Review* 8, no. 1 (2006): 3–27, https://doi.org/10.1163/187197306779173220.
[6] Makau Mutua, "Savages, Victims, and Saviors: The Metaphor of Human Rights," *Harvard International Law Journal* 42, no. 1 (2001): 201–45, https://files.core.ac.uk/download/pdf/236359735.pdf.

overlap in practice, shaping which claims to sovereignty are elevated and which are deferred. This framework provides the conceptual lens through which the ICJ case studies are examined.

Examining how these structural dynamics appear in practice, this analysis turns to three advisory opinions issued by the International Court of Justice: Kosovo (2010), the Palestine Wall (2004), and the Chagos Archipelago (2019). Each case concerns similar principles, sovereignty, self-determination, and territorial integrity, yet their outcomes diverge sharply. When Kosovo's claim aligned with Western interests, the Court's narrow reasoning allowed recognition to move forward.[7] When Palestine received a sweeping affirmation of its rights, the ruling was treated as aspirational and failed to produce any material change.[8] When Mauritius won a clear and unanimous judgment in the Chagos case, the United Kingdom simply refused to comply.[9] These variations expose a tension at the core of the system: although international law presents itself as universal, its authority is distributed unevenly. The selective application of sovereignty and self-determination is not a deviation from international law's design. It reflects how international law, as one institutional expression of the international system, continues to operate along the color line Du Bois identified, determining which claims to sovereignty are validated and which are marginalized.

Why International Law Was Never Neutral

The Sources of Law: Written for Europe by Europe

The starting point for analyzing how the international legal system constructs authority is Article 38 of the Statute of the International Court of Justice. Mainstream international-law scholarship treats Article 38 as the authoritative statement of the sources of international law, often presenting it as a neutral and exhaustive list. As Jörg Kammerhofer

[7] International Court of Justice, "Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo," 2010, https://www.icj-cij.org/case/141.
[8] Ibid, "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory," 2003, https://www.icj-cij.org/case/131.
[9] Ibid, "Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965," 2019, https://www.icj-cij.org/case/169.

notes, Article 38 has been taken as "the uncontested point of departure" for understanding the formal sources of international law, and leading doctrinal writers such as Brownlie, Shaw, and Crawford similarly frame it as the foundational map of international law.[10] Article 38 identifies the "sources of international law" as international conventions, customary international law, general principles of law recognized by "civilized nations," judicial decisions and the teachings of "the most highly qualified publicists."[11] Each category appears neutral at first glance, but its historical development reveals a common theme.

Customary international law, for example, is defined by the "general practice of states" accepted as law, yet before what has been widely accepted as 'decolonization,' nearly all recognized sovereigns were European. Custom thus reflects the practices of states historically acknowledged as possessing full legal personality, which were, by definition, European. Similarly, the "general principles" referenced in Article 38 emerged from Western-derived legal traditions. The reference to "civilized nations," although no longer used in contemporary ICJ language, reflects a doctrine once deployed explicitly to exclude non-European societies from legal equality.[12]

Even the final category, judicial decisions and scholarly writings, historically privileged Western perspectives. Throughout the 19th and early 20th centuries, the "publicists" who shaped the discipline were overwhelmingly Western: Oppenheim, Lorimer, Blunschli, and others wrote from within imperial contexts, translating European concerns into universal principles. Oppenheim's positivist criteria for statehood, Lorimer's natural law, and Bluntschli's extension of international law to non-Christians all treated Western experience as the default template for legality.[13] In this way, Article 38 codified a Eurocentric hierarchy as the foundation of modern international law, embedding the biases that TWAIL scholars later identified.

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[10] J. Kammerhofer, "Uncertainty in the Formal Sources of International Law: Customary International Law and Some of Its Problems," *European Journal of International Law* 15, no. 3 (2004): 523–53, https://doi.org/10.1093/ejil/15.3.523.
[11] International Court of Justice, "Statute of the Court of Justice," 2017, https://www.icj-cij.org/statute#CHAPTER_II.
[12] Anghie, "The Evolution of International Law," 742.
[13] Gustavo Gozzi, "History of International Law and Western Civilization," *SSRN Electronic Journal*, 2007, https://doi.org/10.2139/ssrn.996239.

International Law Was Born to Govern, Not Liberate

The doctrinal foundations, as outlined above, reflect a deeper historical reality: international law emerged as a European imperial project that managed and justified the inferiority of non-European societies. Antony Anghie argues that the discipline was forged "through a series of encounters" in which European powers debated how to classify, govern, and extract from non-European societies.[14] From Spanish jurists assessing conquest in the Americas, to European administrators defining "protectorates" in Africa, to diplomats carving up territory through mandates and treaties, the legal order was built to rationalize empire rather than restrain it.[15]

This process established what Anghie calls the "dynamic of difference," in which sovereignty functioned as a tool for enforcing hierarchy rather than expressing equality. European states were presumed fully sovereign, while non-European societies were defined as lacking the political and legal institutions required for recognition. Du Bois's account of the color line fits in directly with this structure: racialized hierarchies justified the denial of sovereignty and enabled forms of extraction and territorial control that international law presented as civilizational progress.[16] The result was a legal order that transformed racial hierarchy into legal difference and masked coercion beneath the language of universality.

The colonial foundations of the discipline did not disappear with the wave of decolonization in the mid-20th century. As Anghie argues, the dynamic of difference continues to structure international law today, manifesting in global governance practices, development regimes, and humanitarian interventions that treat postcolonial states as objects of improvement, oversight, or discipline.[17] This hierarchy mirrors Du Bois's description of the global color line. The same racial ordering that justified European domination shaped the legal categories through which international law defined who counted as sovereign and who did not.

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[14] Anghie, "The Evolution of International Law," 740.
[15] Ibid, 742.
[16] Du Bois, *The Souls of Black Folk*, sec. 28.
[17] Anghie, "The Evolution of International Law," 751.

Doctrine as Discretion: Indeterminacy as Power

International law's structure allows for the reproduction of inequality even beyond its historical roots. Martti Koskenniemi characterizes international legal reasoning as swinging between "apology" (deference to state power) and "utopia" (moral aspirations).[18] Because doctrines such as sovereignty, non-intervention, and self-determination lack fixed meaning, they can be interpreted in ways that justify conflicting positions.

Koskenniemi's example of self-determination illustrates this problem. The principle can justify secession, as in Kosovo's claim for independence from Serbia; territorial integrity, as in Serbia's assertion that Kosovo remains an autonomous province; or neither, depending on the interpreter.[19] The law provides the vocabulary but not the answer. This indeterminacy enables powerful states to frame their interests as legal arguments while dismissing the claims of weaker states as inconsistent with international order.

Customary international law is equally malleable. As Koskenniemi notes, state practice becomes evidence of opinio juris, and opinio juris becomes evidence of practice, creating a circular justification that reinforces the status quo.[20] States with greater diplomatic, economic, or military influence shape what counts as custom, while states in the Global South struggle to alter the normative landscape. While Koskenniemi does not frame his critique in explicitly postcolonial terms, his analysis of doctrinal malleability helps explain how the structural biases identified by TWAIL scholars persist even after overt colonial domination has formally ended.

Economics as Empire: Globalization as Recolonization

B.S. Chimni extends Koskenniemi's critique to contemporary international economic law, arguing that globalization creates a "new form of colonialism" that sustains hierarchy through markets, technical expertise, and unequal institutional design.[21] Chimni calls this the

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[18] Koskenniemi, "The Politics of International Law," 11.
[19] Christopher J. Borgen, "Kosovo's Declaration of Independence: Self-Determination, Secession and Recognition," Asil, 2019, https://www.asil.org/insights/volume/12/issue/2/kosovos-declaration-independence-self-determination-secession-and.
[20] Koskenniemi, "The Politics of International Law," 26.
[21] Chimni, "Third World Approaches," 3.

recolonization of the Global South. Institutions such as the International Monetary Fund (IMF) and World Bank reinforce this hierarchy through conditional lending programs that reshape domestic economic policy in the Global South under the appearance of technical governance.[22] This influence is reinforced by decision-making structures that use weighted voting, where countries most affected by these institutions possess the least formal power.[23] Despite comprising more than 85 percent of the world's population, the Global South collectively holds only one-ninth of the voting power per capita of Global North states within the IMF.[24] This disparity shows how economic governance reproduces the same color line Du Bois identified, limiting the ability of postcolonial states to assert sovereignty within institutions designed around the preferences of wealthy creditor nations.

The WTO's dispute settlement system similarly constrains policy space for postcolonial states, enforcing trade rules that reflect the preferences of developed economies.[25] Even human rights-based economic interventions can replicate this structure when Western-defined governance standards become prerequisites for aid, investment, or debt restructuring. Chimni's critique shows how economic structures can reproduce the same hierarchies that characterized 'formal' colonial rule. This disparity reproduces the global racial hierarchy Du Bois described, not through explicit racial classifications but through institutional structures that allocate authority along a North–South divide.

Human Rights as a Modern Civilizing Mission

Makau Mutua provides a complementary critique, arguing that the human rights movement reproduces the moral and political categories of the colonial encounter. His "savage-victim-savior" (SVS) metaphor describes how international law casts certain states, almost always in the Global South, as violators, certain populations as helpless victims, and

[22] Chimni, "Third World Approaches," 17.
[23] Ibid, 23.
[24] Vijay, "The Global North Has Nine Times More Voting Power at the IMF than the Global South: The Tenth Newsletter," Tricontinental: Institute for Social Research, 2025, https://thetricontinental.org/newsletterissue/global-north-imf-inequality/.
[25] Chimni, "Third World Approaches," 12.

Western states, institutions, or NGOs as heroic rescuers.[26]

According to Mutua, this narrative does more than simplify political realities; it legitimizes intervention and reinforces global hierarchy by depicting postcolonial societies as unstable or violent and therefore in need of external discipline. Western states, in turn, are positioned as neutral guardians of universal morality, even when their geopolitical interests shape selective enforcement. The human rights corpus thus elevates Eurocentric norms as the default standard of legality, treating non-Western political and cultural traditions as deviations from the ideal.[27] In Mutua's account, the color line persists not only as a racial hierarchy but as a moral one, determining who is imagined as capable of self-rule and who is imagined as requiring supervision.

A common example of this dynamic appears in human rights campaigns surrounding women's rights in African and Middle Eastern states. Western NGOs often frame practices exclusively through the lens of "victimization," calling for external rescue while disregarding culturally grounded efforts at internal reform and the diverse political agency of the women involved.[28] These interventions rarely consider Indigenous feminist movements, alternative concepts of community autonomy, or the role of colonialism in shaping current gender norms. The SVS metaphor reveals how human rights discourse, even when led by genuine humanitarian concern, reproduces a racialized hierarchy that mirrors Du Bois's color line, placing Western actors in the position of judgment and non-Western societies in need of correction.

The Color Line in Doctrine and Enforcement

Taken together, these theoretical perspectives show that international law operates through a coherent architecture: Eurocentric origins, discretionary doctrines, and contemporary institutions that consolidate unequal political and economic influence. When placed in conversation, Anghie, Koskenniemi, Chimni, and Mutua reveal a line connecting the discipline's colonial birth, its doctrinal malleability, its economic governance structures,

[26] Mutua, "Savages, Victims, and Saviors," 201.
[27] Ibid, 205.
[28] Ibid, 226.

and its moral rhetoric, mapping directly onto Du Bois's color line. Each layer reinforces the others, producing a legal order that appears formally universal but functions substantively unevenly, determining whose sovereignty is validated and whose can be deferred.

The ICJ's advisory opinions on Kosovo, the Palestine Wall, and the Chagos Archipelago offer concrete examples of how sovereignty and self-determination are interpreted differently depending on the political status and strategic value of the states involved, revealing an international legal order in which universal principles are applied selectively and the promise of legal equality is frequently relinquished to geopolitical power. These case studies allow us to observe how the system's structural biases manifest not just in theory, but in the concrete resolution of disputes that shape the futures of millions of people.

Case Studies: The ICJ and Selective Sovereignty

International law does not fail randomly; it fails in patterned ways that reflect the distribution of global power. The ICJ's advisory opinions on Kosovo (2010), the Palestine Wall (2004), and the Chagos Archipelago (2019) illustrate how self-determination claims succeed or stagnate depending on their alignment with Western interests. Kosovo shows how interpretive flexibility can legitimize Western-sponsored secession. Palestine shows how the law becomes toothless when a Western-protected occupation is at stake. Chagos demonstrates that even a decisive legal victory is ineffective when it constrains a powerful state. Together, these cases reveal a contemporary iteration of the global color line Du Bois described.

TWAIL scholarship helps explain these divergences. The international legal system grants unequal political leverage, enforces norms selectively, and applies legal principles inconsistently depending on the actors involved. These structures do not predetermine outcomes, but they shape them. With this in mind, the following case studies show how the ICJ adjusts its interpretive stance across cases in ways that mirror geopolitical hierarchy.

Kosovo: A Case of Western-Sponsored Secession

The ICJ's Kosovo opinion shows how legal reasoning shifts when a claim aligns with

great-power preferences. Kosovo's provisional institutions declared independence on February 17, 2008, after years of repression under the Milosevic regime, a 1999 NATO intervention, and UN administration under Resolution 1244.[29] The General Assembly asked the ICJ whether the declaration violated international law. The Court was asked a strikingly narrow question: not whether Kosovo had a right to secede, but only whether the declaration itself was unlawful under general international law or the special framework created by Resolution 1244 and UNMIK.[30] In 2010, the Court held that the declaration did not violate international law, defining the question before it as "narrow and specific" and stating that it was "not required… to take a position on whether international law conferred a positive entitlement to declare independence."[31] The Court relied on negative reasoning, stating that it could not find "any applicable prohibition of declarations of independence,"[32] and concluded only that the declaration "did not violate general international law."[33] This deliberate minimalism reflects the doctrinal ambiguity described by Koskenniemi. By declining to articulate general principles of secession, the Court preserved an interpretive space that allowed Kosovo to be treated as an exception rather than a precedent, a dynamic that aligns with TWAIL critiques of selective sovereignty.

Western governments made this political context explicit. The United States, the United Kingdom, France, and Germany viewed Kosovo's independence as essential for stabilizing the Balkans, consolidating NATO's influence, and weakening Serbia's ties with Russia. Once the opinion was released, they treated its narrow conclusion as sufficient grounds for recognition, and their support produced immediate material benefits. With Western sponsorship, Kosovo joined the IMF and World Bank in 2009, gaining access to development financing and global economic governance.[34] The ease of admission stands in stark contrast to the barriers faced by postcolonial states without great-power backing and

[29] Albert Rohan, "Kosovo's Path to Independence – European Council on Foreign Relations," ECFR, 2018, https://ecfr.eu/article/commentary_kosovos_path_to_independence/.
[30] International Court of Justice, "Accordance with International Law," para. 1-5.
[31] Ibid, para. 56.
[32] Ibid, para. 83.
[33] Ibid, para. 123.
[34] Jürgen Odenius and Arbër Domi, "Kosovo: Watching the Global Crisis from the Sidelines," International Monetary Fund, 2011.

reflects the hierarchy that Chimni identifies in international economic law, where access to institutions is structured by geopolitical alignment rather than neutral criteria.[35]

Narrative framing reinforced this alignment. Western discourse frequently portrayed Kosovo Albanians as victims of Serbian repression, Serbia as the aggressor, and Western intervention as a humanitarian duty.[36] This mapping directly mirrors Makau Mutua's SVS framework.[37] Such moral dramatization recasts geopolitical support as a universal principle, helping explain why Kosovo's claim was embraced while similar claims elsewhere remain marginalized. Somaliland, for example, meets traditional criteria for statehood but lacks powerful sponsors.[38] Kosovo's recognition cannot be separated from geopolitical alignment.

Reactions from the Global South highlight this point. States such as Spain, India, China, and South Africa rejected Kosovo's independence and criticized the advisory opinion as undermining territorial integrity.[39] Their objections reflect an understanding that Kosovo's success resulted from Western sponsorship rather than a universal application of legal principles. If a non-Western-aligned territory had issued the same declaration under similar circumstances, the outcome would have differed. This disparity reflects the dynamic of difference where sovereignty continues to be extended selectively and conditioned by global hierarchies.[40]

Taken together, Kosovo demonstrates that international law's indeterminacy, when combined with geopolitical power, produces uneven outcomes. The Court's refusal to clarify the doctrine of secession allowed Western states to shape the opinion's meaning to their interests. Kosovo's legal and economic success resulted not from universal application of law but from alignment with the preferences of powerful actors.

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[35] Chimni, "Third World Approaches," 23.
[36] Rohan, "Kosovo's Path to Independence."
[37] Mutua, "Savages, Victims, and Saviors," 206.
[38] Sandeep, "Secession, Recognition, and International Law: The Cases of Kosovo, South Sudan, and Somaliland," *Indian Journal of Law* 3, no. 4 (2025): 1–7, https://doi.org/10.36676/ijl.v3.i4.99.
[39] Edward Newman and Gëzim Visoka, "The Foreign Policy of State Recognition: Kosovo's Diplomatic Strategy to Join International Society: Table 1." *Foreign Policy Analysis* 14, no. 3 (2016), https://doi.org/10.1093/fpa/orw042.
[40] Anghie, "The Evolution of International Law," 740.

The Palestine Wall: A Case of Western Protected Occupation

The ICJ's 2004 advisory opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory presents the inverse of the Kosovo pattern. Here, even clear findings of illegality proved ineffective when confronted with entrenched Western interests. The Court was asked whether Israel's construction of a separation barrier inside the West Bank violated international law and what legal consequences followed. Unlike Kosovo, where the Court adopted a narrow approach, the question in Palestine required a comprehensive assessment of the territory's status, the applicability of international humanitarian and human rights law, and the Palestinian people's right to self-determination. The Court concluded that the wall's route and associated regime violated international law, impeded Palestinian self-determination, and required dismantlement of portions built inside the occupied territory.[41] Yet this sweeping legal victory produced no material change on the ground.

The opinion was unusually clear. The Court reaffirmed that the West Bank, including East Jerusalem, is occupied territory, and it identified specific violations, stating that the wall "severely impedes the exercise by the Palestinian people of its right to self-determination" and creates a potentially permanent "fait accompli".[42] Despite this clarity, the United States rejected the opinion within hours, asserting that the Court lacked jurisdiction, and European states quietly sidelined it.[43] Legal clarity could not overcome political unwillingness.

This illustrates a different mechanism of hierarchy. As Anghie argues, international law has long allocated full legal personality to some actors and withheld it from others.[44] The right to self-determination is repeatedly affirmed for Palestinians, yet is treated as aspirational rather than actionable. Political interests drive this divergence. The United States rejected the ruling within hours, asserting that the Court lacked jurisdiction even though the

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[41] International Court of Justice, "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory," paras. 78-122, 149.
[42] Ibid, paras. 121-122.
[43] Pieter Bekker, "The World Court Rules That Israel's West Bank Barrier Violates International Law," Asil, American Society of International Law, 2004, https://www.asil.org/insights/volume/8/issue/17/world-court-rules-israels-west-bank-barrier-violates-international-law.
[44] Anghie, "The Evolution of International Law," 742.

opinion explicitly affirmed it.[45] European states adopted cautious language but pursued no enforcement. Their response contrasted sharply with Kosovo, where recognition and material support followed almost immediately. In Palestine, strategic partnerships, military cooperation, and shared security priorities with Israel limited the willingness of powerful states to act. This hesitancy reflects the structural limitations TWAIL scholars identify when Global South claims challenge the policies of geopolitically dominant states, revealing how the Court's authority becomes more constrained depending on the identity of the parties involved.

Economic structures reinforced the asymmetry. Unlike Kosovo, Palestine's political status excluded it from the IMF and World Bank. The Palestinian Authority instead relies on donor aid that is heavily conditioned by the political priorities of Western governments.[46] This creates the dependencies Chimni describes in postcolonial governance.[47] Western discourse portrays Israel as a democracy facing security threats, while Palestinians are depicted as humanitarian subjects or security risks.[48] This framing positions Western states as neutral mediators rather than actors enabling occupation.

The Palestine Wall opinion demonstrates that even when international law is clear, enforcement depends on political will. Here, claims to universality collapse entirely; the same doctrines that facilitated recognition in Kosovo are rendered functionally inert when applied to a state on the wrong side of the global color line. The Chagos Archipelago case completes this pattern. Where Kosovo benefited from Western advocacy and Palestine faced Western protection of an occupation, Chagos shows how even a definitive legal victory can be ignored when it constrains the interests of a powerful state.

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[45] United States of America, "International Court of Justice: Request by the United Nations General Assembly for an Advisory Opinion on the Question of the 'Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory' | Written Statement of the United States of America," International Court of Justice, 2004.
[46] World Bank, "The World Bank in West Bank and Gaza," 2023. https://www.worldbank.org/en/country/westbankandgaza/overview.
[47] Chimni, "Third World Approaches," 23.
[48] Mutua, "Savages, Victims, and Saviors," 202-205.

Chagos Archipelago: A Case of Western-Refused Decolonization

The Chagos Archipelago advisory opinion exposes what happens when international law rules directly against a powerful Western state. In 1965, the United Kingdom removed the Chagos Islands from Mauritius and expelled the Chagossian people to facilitate a United States military base on Diego Garcia.[49] Mauritius argued that the excision violated the right to self-determination and the UN's decolonization framework.

In 2019, the Court issued one of its clearest decolonization opinions, holding that the Chagos Archipelago "was not lawfully separated from Mauritius" and that the United Kingdom is "under an obligation to bring to an end its administration… as rapidly as possible".[50] Yet this clarity produced no compliance. The United Kingdom rejected the ruling, asserting that the opinion was nonbinding and that British sovereignty over the territory would continue.[51] The United States echoed this position, prioritizing strategic military interests over the Court's finding of an ongoing colonial violation. The result underscores a striking asymmetry. The same governments that treated international law as authoritative when it supported Kosovo's independence dismissed that authority entirely when it constrained their own interests.

This outcome reflects the structural critiques central to TWAIL. The dynamic of difference appears in Mauritius's inability to enforce a clear legal victory against a former imperial power. The United Kingdom reframed the issue as one of sovereignty rather than decolonization. The strategic value of the U.S. base on Diego Garcia entrenched the political status quo. These dynamics show how doctrinal flexibility, economic asymmetry, and moral narrative combine to sustain hierarchy.

The international response reinforces this hierarchy. The UN General Assembly adopted a resolution affirming the Court's judgment and calling on the United Kingdom to withdraw from the islands, but the resolution carried no enforcement mechanism. Several Western states abstained or voted against it, while the overwhelming majority of African,

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[49] International Court of Justice, "Legal Consequences of the Separation," 7.
[50] Ibid, paras. 174-183.
[51] Karen Pierce, "Resolution on the British Indian Ocean Territory," GOV.UK, 2019. https://www.gov.uk/government/speeches/resolution-on-the-british-indian-ocean-territory.

Asian, Latin American, and Caribbean states supported Mauritius.[52] The division mirrors the global color line Du Bois described: postcolonial states rally around a clear case of incomplete decolonization, while former imperial powers and their allies protect each other's strategic prerogatives.[53]

The Chagos opinion exposes the structural limits of international law when the violation in question is committed by a powerful state rather than against one. Kosovo succeeded because it aligned with Western interests. Palestine failed because Western powers shielded an occupying state. Chagos illustrates the sharpest break between universality as rhetoric and hierarchy as practice; even when the Court articulates the law clearly, the outcome turns not on principle but on power. The result is not a technical failure or an institutional oversight. Chagos shows that the selective application of sovereignty and self-determination is not a deviation from international law's design, but a confirmation of it, a dynamic that particularly affects Global South states.

Can International Law Be Reformed? Why Structural Bias Persists

Defenders of international law often point to reforms that seem to challenge its historical inequalities. They cite the formal end of colonialism through the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, the numerical dominance of the Global South in the General Assembly, and the ICJ's willingness to hear cases involving occupation and decolonization.[54] Some scholars argue that the expansion of human rights, the rise of jus cogens norms, and the development of international institutions demonstrate that international law has evolved into a framework capable of restraining power rather than reinforcing it.[55] From this perspective, remaining inequalities are

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[52] United Nations, "General Assembly Welcomes International Court of Justice Opinion on Chagos Archipelago, Adopts Text Calling for Mauritius' Complete Decolonization | UN Press," Press.un.org, 2019, https://press.un.org/en/2019/ga12146.doc.htm.
[53] W. E. B. Du Bois, "The African Roots of War," *The Atlantic Monthly* 115, no. 5 (1915): 707-14.
[54] OHCHR, "Declaration on the Granting of Independence to Colonial Countries and Peoples," United Nations | Office of the High Commissioner of Human Rights, December 14, 1960, https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples.
[55] Louis Henkin, "How Nations Behave | International Law and National Behavior," 1995, https://styluscuriarum.wordpress.com/wp-content/uploads/2022/04/1-henkin.-how-nations-behave..pdf.

transitional, not structural.

Yet these reforms change international law's vocabulary more than its architecture. The General Assembly has numerical power but not enforcement authority; binding action remains concentrated in the Security Council, where five states, four of them former imperial powers, retain veto authority.[56] The ICJ's most progressive rulings, including its opinions on Palestine and Chagos, remain nonbinding and rely entirely on voluntary compliance from states that have the strongest incentives to ignore them. In the international economic sphere, weighted voting at the IMF and World Bank continues to reflect the preferences of creditor states, and no major governance reforms have meaningfully shifted that balance, despite decades of advocacy from the Global South.[57] The Group of 77 has repeatedly emphasized in its foundational declarations that the international economic order reproduces structural inequalities and that meaningful reform requires redistributing decision-making power rather than expanding rhetoric.[58] This directly echoes the problems described above: institutional structures that reproduce hierarchy remain intact even as the language surrounding them shifts.

The theoretical critiques developed earlier help explain why reform efforts have a limited effect. As the preceding analysis demonstrates, reforms remain constrained by the same structural features traced throughout this paper: doctrines forged to manage difference, interpretive flexibility that privileges power, economic governance that entrenches dependency, and moral narratives that legitimate selective intervention. Together, these critiques show that the color line is built into the architecture of international law, not merely its rhetoric, and that structural bias cannot be eliminated by adding new norms or adopting more inclusive vocabulary.

These limitations do not suggest that international law is static, but they do show that

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[56] United Nations, "Chapter 5: The Security Council (Articles 23-32)," 1945, https://www.un.org/en/about-us/un-charter/chapter-5.
[57] Douglas C. North, "The Bretton Woods Institutions: Governance without Legitimacy?" 1993, https://www.lse.ac.uk/cpnss/assets/documents/voting-power-and-procedures/workshops/2005/buira.pdf.
[58] The Group of 77, "Joint Declaration of the Seventy-Seven Developing Countries Made at the Conclusion of the United Nations Conference on Trade and Development," G77.org, The Group of 77 at the United Nations, June 15, 1964, https://www.g77.org/doc/Joint%20Declaration.html.

its evolution remains bound by the distribution of global power. The reforms highlighted by the system's defenders signal aspiration, not transformation. Without changes to the political and economic structures that determine how international law is enforced, doctrinal reforms cannot overcome the hierarchy embedded in the system's origins. The ICJ's case law is therefore not an anomaly. It is evidence of a legal order in which structural inequality persists despite, and sometimes through, the appearance of reform.

Implications: International Law's Hierarchy Laid Bare

W.E.B. Du Bois argued that the color line defined the global order of the twentieth century.[59] The analysis in this paper shows that, despite its universalist vocabulary, international law continues to reproduce that line in the twenty-first century. The ICJ's advisory opinions on Kosovo, the Palestine Wall, and Chagos show that doctrines of sovereignty and self-determination are not applied neutrally but are filtered through a hierarchy structured by strategic interest. When Western powers support a secessionist project, as in Kosovo, ambiguity becomes a tool for legitimizing preferred outcomes. When those same states protect an occupying power, as in Palestine's case, clear legal findings cannot overcome geopolitical resistance. And when decolonization requires accountability from a former imperial state, as in Chagos, even a unanimous judgment can be dismissed without consequence. The same doctrines thus yield radically different outcomes depending on who invokes them.

These cases reveal the structural biases in international law that the theorists discussed earlier help us understand. The selective extension of sovereignty, the flexibility of doctrine in the hands of powerful states, the material consequences of recognition and exclusion, and the moral narratives that frame intervention all converge in Kosovo, Palestine, and Chagos. These outcomes do not reflect anomalies or isolated failures. They reflect the persistence of the color line in the international legal order, where authority and legitimacy continue to track the contours of global hierarchy.

If international law operated as it claims to, these cases would not diverge so sharply.

[59] Du Bois, *The Souls of Black Folk*.

Kosovo would not enjoy broad recognition while Palestine sees its rights routinely unenforced, and a decisive opinion in favor of Mauritius would not be openly ignored. Instead, the identity of the claimant and their position within the global order determine the weight of their claim. Universality is not a foundation of international law but its most persistent myth.

Recognizing this does not require abandoning international law. It requires abandoning the illusion that neutrality can be achieved without addressing the structures that produce hierarchy. International law remains a powerful language for allocating recognition, but reform will remain superficial until it confronts who defines the rules, who enforces them, and whose sovereignty counts without qualification.

This analysis raises questions that this paper alone cannot resolve, but that should shape future scholarship. What would a system of international law look like if Global South states had equal power to define doctrine rather than merely appeal to it? What mechanisms, legal, institutional, or political, might meaningfully constrain great-power resistance to adverse rulings? Can self-determination be operationalized in a way that is not dependent on geopolitical sponsorship? And if the ICJ's authority remains contingent on power politics, what forms of international legal practice could emerge outside the Court's existing architecture? These questions point to the work that remains: imagining a system in which universality is not an aspiration but a structural reality.

The color line endures because the legal and political structures that produce it remain intact. Transforming international law requires more than adjusting its rules. It requires changing who gets to define them, who gets to enforce them, and whose sovereignty counts without qualification. Until then, the promise of universality will remain just that, a promise, and international law will continue to function not as an equalizer but as a mirror of the global hierarchies it claims to transcend.

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Greyhounds Playing

Levi Lee

Digital Painting

Greyhounds Playing is a digital painting that reflects the political climate of late 2025 and early 2026 in the United States. Traditionally, greyhounds are symbols of wealth and aristocracy, and their presence in this piece is twofold: both a symbol of the aristocracy and those in power, and as the common hound. The dogs are playing with a ball of hexachloroethane gas (HC gas), which was used in Minneapolis by ICE agents. The dogs are 'playing' with the gas, symbolizing both the aristocracy 'playing' with civilian lives by using chemical weapons and also civilians inhabiting and 'playing' in areas now contaminated and threatened by HC chemicals. The dogs are lined in red, white, and blue, the colors of the American flag, and also serve to highlight the duality of the greyhound symbolism; blue, as in blue-blooded, and red, as though they were chafed red and raw. The white stands as the bones of the animal, showing their ribs. The starving dogs are pushed to desperation, playing with something dangerous, just as America is doing now. This piece is meant to make us reflect upon what is happening right now and how we can process these events.

How Does Coded Bias on the Internet Affect Eritreans?

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ABSTRACT: Research on coded bias is important because it shows that we do not know enough about how translation errors affect smaller countries like Eritrea, particularly regarding unfair treatment in computer systems. Most previous studies have not examined how mistranslations affect countries that are not as well-known. This study focuses on mistakes in translating Tigrinya and how they could lead to the amplification of hate speech and unfair treatment. The goal is to fill a gap in our knowledge by giving real examples and insights that can help develop rules, design computer programs, and create better translation services for Tigrinya and other languages. Improving these programs is important because when smaller countries and their languages are underrepresented, it shows there is a serious obstacle that stops everyone from being treated fairly online. By studying this, the researchers want to help people learn more, take steps to fix the problems, and ensure that everyone, no matter where they are from or what language they speak, is treated fairly online.

Introduction

The internet is increasingly influential in our lives, permeating various aspects of society and transforming how we live, work, and interact with each other. The internet serves as a powerful tool for connecting individuals, bridging geographical boundaries, and promoting global information sharing. It has revolutionized various aspects of modern life, including education, commerce, governance, and social interactions. However, within the vast field of cyberspace, invisible biases can be embedded within the very fabric of the internet itself. These biases can perpetuate existing inequalities and systematically marginalize certain communities.

Coded bias refers to the inherent biases and discriminatory outcomes that can arise from the design and implementation of artificial intelligence systems. Coded bias is usually a result of biased training data, limited or incomplete data, and lack of diversity in development teams.[1]

The purpose of this research on coded bias is to address the issue of hate speech on internet platforms, specifically focusing on the mistranslation of languages like Tigrinya on Google/Microsoft, ChatGPT, and social media platforms. This research builds upon previous studies that have explored the impact of hate speech and the role of translation services in

[1] Emilio Ferrara, "Should ChatGPT Be Biased? Challenges and Risks of Bias in Large Language Models." *First Monday* 28, no. 11 (November 7, 2023). https://doi.org/10.5210/fm.v28i11.13346.

fostering inclusivity and reducing online discrimination.[2] By investigating this problem, the aim is to shed light on the consequences of coded bias, which results in underrepresentation and negative effects experienced by smaller countries such as Eritrea. Research on coded bias is important because it highlights the unequal representation of smaller countries on internet platforms and emphasizes the need for comprehensive translation services to bridge language gaps and create a more inclusive online environment. Doing so contributes to the ongoing efforts to combat hate speech, promote equitable participation, and ensure that the voices of all individuals, regardless of their language or country of origin, are heard and respected in the digital sphere.[3]

I am Eritrean by nationality, and I speak Tigrinya as well. Even though I left my home country when I was four years old, I grew up exposed to the culture. I believe I am well-positioned for this research because I have personal insight and firsthand exposure to the research question. I know many family members and friends who are affected firsthand by mistranslation and hate speech, and most of them do not even realize it. For example, a conversation that I had with my sister about her experience of reporting hateful content on Twitter, Facebook, and YouTube, and not getting any response from them, is what inspired me to do this research. Because of my identity, I have access to others who share my identity and can answer these questions from their lived experience.

Research on how coded bias on the internet affects Eritreans is significant for highlighting the lack of understanding and examination of the specific consequences of mistranslation faced by smaller countries. The existing body of research often fails to examine the experiences and effects of underrepresented developing countries. By focusing on the mistranslation of Tigrinya and its potential implications for hate speech and discrimination, this study aims to fill a gap in the literature by providing qualitative evidence and insights that can inform policymaking, algorithmic design, and the development of more inclusive and accurate translation services for Tigrinya and other languages. The gap in the effects of coded bias needs to be filled because underrepresentation and the negative effects experienced by smaller countries and their languages are the results of systemic inequalities and hinder equitable

[2] Mohammad Hosseini and Serge P. J. M. Horbach, "Fighting Reviewer Fatigue or Amplifying Bias? Considerations and Recommendations for Use of ChatGPT and Other Large Language Models in Scholarly Peer Review." *DOAJ*, 2023. https://doaj.org/article/bd49dcee130f475fa0f70f189f36b627.
[3] Ibid.

participation in the digital field. By addressing this gap, this study aims to foster awareness, inform interventions, and advocate for equitable representation and treatment of all individuals, regardless of their language or country of origin, within the digital landscape.

This research aims to study the causes of coded bias, its connection to mistranslation, and how it facilitates unchecked hate speech on the internet. By investigating the underlying factors that contribute to coded bias, such as biased training data, limited or incomplete data, and a lack of diversity in development teams, the study seeks to uncover the root causes of this issue. It will explore how these biases manifest in the mistranslation of languages such as Tigrinya, with a specific focus on the Eritrean context. The research will examine how these mistranslations create a fertile ground for hate speech to thrive, as inaccurate translations can lead to misinterpretations, misunderstandings, and the availability of unchecked harmful content. For example, the war that took place in Ethiopia in 2022 was fueled by unchecked hate speech on the internet that transitioned into real-life violence.[4] By shedding light on this connection, the following study aims to highlight the urgent need for proper monitoring and intervention to address the prevalence of hate speech on the internet and control its harmful effects on vulnerable communities.

Literature Review

Availability of Mistranslation

The prevalence of mistranslation in online translation services is a significant aspect of coded bias that can have major effects on vulnerable communities such as Eritreans. This literature review examines five key sources that shed light on the issue and offer insights into the challenges and implications of mistranslation in translation systems. Ali Abdelkadir et al. (2023), Bender et al. (2021), and Buolamwini et al. (2018) analyze the risks and limitations of large language models and highlight issues of biased outputs and mistranslations. Large language models refer to advanced artificial intelligence models designed to process and understand natural language. These models are built upon deep learning techniques, particularly transformer architectures, and are trained on vast amounts of textual data to learn patterns and relationships

[4] Nicole Stremlau, "Online Speech and Offline Violence : Reflections on the Current Violence in Ethiopia." *Global Media Journal - German Edition Vol. 12(2022), No. 2 (26.01.2023)* 12(2022) (January 26, 2023). https://doi.org/10.22032/DBT.55517.

in language.[5] Bender et al. (2021) discusses how these models can produce mistranslations and inaccuracies due to the biases present in the training data. Ali Abdelkadir et al. (2023) emphasizes the need to address the biases in training data and the potential harm caused by inaccurate translations, which can perpetuate stereotypes and reinforce inequalities. Buolamwini et al. (2018) calls for transparency, accountability, and inclusive development practices to mitigate the impact of coded bias. While the focus is on scholarly peer review, the findings underscore the broader challenges of mistranslation in language models and the need for improved training data and algorithmic design.

Bandia (2020) discusses the importance of translation in promoting inclusive communication and bridging language barriers in African countries. It highlights the challenges of translating African languages and emphasizes the need for accurate, contextually relevant translations to avoid perpetuating stereotypes or misrepresenting cultures. The study provides insights into the broader implications of mistranslation for marginalized communities in Africa, including Eritrean communities.[6] Another interesting source is Nida (2015), which points out that incomplete or inaccurate translations can lead to misinterpretations and misunderstandings, particularly in languages like Tigrinya. The study also points out that translation is more than simply translating words from one language to another. It is crucial to learn the culture because word meanings change depending on context.[7] Collectively, these sources emphasize the prevalence of mistranslation and its implications for vulnerable communities. They underscore the need for improved training data, algorithmic design, and a deep understanding of linguistic nuances and cultural context to address coded bias. By recognizing and addressing mistranslation challenges, interventions can be developed to ensure more accurate, inclusive, and respectful translations for Eritreans and other underrepresented communities.

Rise of Hate Speech

The rise of hate speech can be exacerbated by mistranslation, leading to misinterpretations, misunderstandings, and the dissemination of harmful content. This section of

[5] Nuredin Ali Abdelkadir, Negasi Haile Abadi, and Asmelash Teka Hadgu, "ERROR ANALYSIS of TIGRINYA – ENGLISH MACHINE TRANSLATION SYSTEMS ." *African Natural Language Processing*, March 3, 2023. https://openreview.net/pdf?id=BQVqNyzCxx.
[6] Paul F. Bandia, "A Translation Turn in Africa." *Journal for Translation Studies in Africa*, no. 1 (May 22, 2020): 59–62. https://doi.org/10.38140/jtsa.1.4333.
[7] Eugene Nida, "Linguistics and Ethnology in Translation-Problems." *WORD* 1, no. 2 (August 1945): 196. https://doi.org/10.1080/00437956.1945.11659254.

the literature review explores the relationship between mistranslation and the formation of hate speech, drawing on insights from five sources. Ferrara (2023), Stremlau (2022), and Taye (2022) discuss the challenges and risks associated with bias in large language models. These articles argue that biased training data and algorithms can contribute to mistranslations and inaccuracies, potentially amplifying hate speech. These studies highlight the need for inclusive development practices and thorough evaluation to mitigate the formation and dissemination of biased content. They also highlight how misinformation, fueled by mistranslations and biases in online platforms, can contribute to real-world violence and conflicts. Ferrara (2023) demonstrates the potential consequences of mistranslation and the urgent need for accurate translations to mitigate hate speech and prevent offline harm. These studies highlight the importance of inclusive language support to mitigate the negative consequences for vulnerable communities like Eritreans. Even though these sources do not directly mention Eritrea, they apply to it because it is a small, misrepresented country.

Brown (2018) examines the unique characteristics of online hate speech and its distinct consequences. The study underscores how the ease of dissemination and anonymity online can facilitate the rapid spread of hate speech. Mistranslations can amplify the harmful effects of online hate speech, intensifying its impact on targeted communities like Eritreans. The research emphasizes the need for effective measures to combat hate speech in the digital realm. Waldron (2012) also discusses the harms caused by hate speech and its potential consequences for vulnerable communities. While not directly related to mistranslation, his paper provides a theoretical foundation by highlighting the significance of hate speech in perpetuating discrimination and violence. Collectively, these sources emphasize the critical role of mistranslation in the formation of hate speech. Biased training data, incomplete translations, and algorithmic design flaws can perpetuate stereotypes, amplify hate speech, and harm marginalized communities. Addressing these issues through inclusive development practices, comprehensive language support, and effective content moderation strategies is crucial to mitigating the negative impacts of mistranslation and fostering a more inclusive and respectful online environment for Eritreans and other vulnerable groups.

In conclusion, the literature review highlights the connection between mistranslation and the formation of hate speech. Biased outputs, incomplete translations, and misinterpretations resulting from coded bias can amplify hate speech, perpetuate stereotypes, and harm

marginalized communities. Understanding this relationship is crucial for developing effective interventions that promote inclusivity, combat hate speech, and protect the rights of all individuals, including Eritreans. To foster a more inclusive and respectful online environment, comprehensive translation services that provide accurate, culturally sensitive translations are necessary. These services should be developed with transparency, accountability, and inclusive development practices. By addressing coded bias and mitigating the formation of hate speech, we can strive toward a digital landscape that respects and amplifies the voices of all individuals, regardless of their language or country of origin.[8]

Methodology

The following study uses the qualitative methods of action research and phenomenology. Because phenomenology is the study of lived experiences, I use interviews to collect data about Eritreans' lived experiences of bias on the internet, and I use documentary research and textual analysis to understand coded bias beyond Eritrea. By following the action research process, I want to problematize the mistranslation of Tigrinya, its implications for other languages, and the consequences for bias and hate speech on the internet. Hate speech is a difficult topic, so to protect interviewees, I coded the participants' names to minimize the risk of public disclosure. I also made it clear to participants that they can choose to not answer questions, and that they may pause to reconsider an answer to a difficult question. For the research, I collected personal identifiers like names, email addresses, phone numbers, audio recordings, job titles, employers, locations, and signed consent forms, but coded and secured this data to protect confidentiality.[9]

The goal of the research is to tell the story of a particular community through its members and associates, and how that community is affected by coded bias on the internet. The stories were related to one another and formed a composite narrative that depended on identification with Eritrea. Coding for confidentiality removed personal identifiers but retained relations to coded bias on the internet or Eritrea. I used pseudonyms in place of names, job titles, employers, and locations. Each interviewee was assigned a number, e.g., Person Number One. Any time data was transcribed from the audio, a pseudonym was used to describe identifiable information and association with the numerical code. The identifiers and corresponding data were stored in a

[8] Ferrara, "Should ChatGPT Be Biased?"
[9] Robin Cooper and Laura Finley, *Peace and Conflict Studies Research: A Qualitative Perspective.* Charlotte, NC : Information Age Publishing, Inc., 2014.

password-protected, encrypted file, accessible only to the principal investigator, who securely managed the key used to link the codes back to the original identifiers.

The participants for this study were Eritreans over the age of 18 years who live in the United States, Canada, and Europe, and use the internet. The reason for selecting these participants was that I wanted to understand their lived experience and how they describe it in relation to coded bias on the internet. The eligibility requirements for participants were that they must be familiar with Eritrean culture and social issues and have exposure to the Internet. I recruited three people because I did not have enough time to interview more people. Participants were individuals with whom I do not have existing relationships, but were recruited through professional connections and family. The interviewees were asked to participate in one-hour to one-and-a-half hour interviews via Zoom Conference meetings. The risk associated with the interviews was that by asking about coded bias, participants recalled distressing events, and some disclosed personal stories about bias or hate.

The principal investigator and advisor have access to the data. The principal investigator transcribed interviews and audio recordings, which were retained until the end of this research project on August 1, 2024. Zoom interviews were recorded and stored in a passcode-protected cloud account via OneDrive, and the principal investigator worked with ITS (Innovation and Technology Services) to change their Zoom settings before the interviews so that audio-only recording was enabled. Recordings were collected via Zoom audio and saved immediately to the cloud via OneDrive. Data got saved to the UST OneDrive account with a strong password and multi-factor authentication set up. Audio records were destroyed on August 1, 2024. Consent forms will be kept indefinitely in the advisor's locked office. Typed or handwritten notes and transcripts include de-identified data only and will be kept indefinitely.

Findings

I interviewed three people with unique identities for this study. Person One is Eritrean born, and currently resides in Canada. He is a former journalist and human rights advocate with a deep connection to Eritrea. Until 2014, he worked as a journalist in Eritrea, experiencing firsthand the challenges and limitations faced by media professionals under a repressive regime. Due to safety concerns, he made the difficult decision to leave his homeland and go into exile. In his pursuit of human rights and shedding light on issues related to Eritrea, he co-founded an

organization dedicated to raising awareness about migration challenges and advocating for the rights of refugees. Through social media platforms like Facebook, he actively shares impactful articles and stories, with a particular focus on the perils of illegal migration and human trafficking. He targets critical thinkers, aiming to address and dismantle biases against migrants and refugees perpetuated on the internet. His work plays a crucial role in creating awareness and mobilizing support for those affected by these issues in Eritrea and beyond.

Person Two is an Eritrean-born activist, journalist, and researcher who has dedicated her life to advocating for human rights and shedding light on the challenges faced by Eritrean refugees. After relocating to Sweden at a young age, she later returned to Eritrea and experienced the reality of living under a dictatorship. This eye-opening experience compelled her to become an activist, a role she has fulfilled for over two decades. Person Two's research primarily focuses on human trafficking of Eritrean refugees, investigating the identities of traffickers and the flow of money in this illicit trade. Her work has led to the publication of books highlighting the suffering endured by Eritrean refugees, particularly those who have fallen victim to human trafficking in regions like Sinai and Lampedusa. Additionally, Person Two is involved in research on social media harm. As a victim of online harassment and threats herself, she is determined to address and combat these issues.

Person Three is an Eritrean-American with a deep connection to Eritrea through her parents, who founded Eritrean-American organizations. With nearly twenty-five years of experience, Person Three is a highly regarded leader, public speaker, and expert in diaspora engagement, African affairs, women's leadership, and international development. Person Three's vast expertise has led her to advise over 100 African, Asian, European, and Arab diaspora communities, governments, and organizations, with a focus on diaspora public policy and impact. She has been involved in advocacy and activism related to Eritrea since her college days. She has also been featured in prominent media outlets and has received numerous awards and accolades for her impactful work. Person Three has a background in law and has worked as a lawyer for a government in the Horn of Africa during a peace process. She worked at a social media company for some years as a lead on the diaspora policy team and was recently laid off.

Coded Bias

Person One criticizes social media companies for not adequately addressing hate speech and suggests that they prioritize profit over user safety and protection. He believes that the lack of investment in certain languages, like Tigrinya, leads to mistranslations and misunderstandings, thereby contributing to the spread of hate speech: "If they had 15 people who speak Tigrinya that place would be a lot cleaner, much safer and they could prevent a lot of damage" (Person One). Person Two believes that internet and social media companies operate in African countries without adequate regulations, unlike in Western countries. She states that this lack of regulation allows these companies to abuse their power and disregard negative consequences: "Everything that's being built is being designed for the West not for Africans but our future is being designed without consulting us without including us and that is what this is about… We are being colonized" (Person Two). Person Three raises concerns about the lack of investment in languages on social media platforms, particularly in African languages:

> So one of the challenges is that the Internet, and its growth is really spurred by Western innovation and particularly American innovation, and that means that the drivers' success is profit based. What I wish was different is that companies invested in languages a lot more. Facebook and Google have Tigrinya Language Review but nothing can compare to the levels of investment in the standard Western languages. (Person Three)

She mentions that certain African languages, like Tigrinya, are underrepresented and suffer from mistranslations due to inadequate language support from social media algorithms. In summary, they all agree that there is coded bias on the internet due to the lack of investment in African languages like Tigrinya.

Mistranslation

Regarding mistranslation, Person One highlights the problem of mistranslation when content is written in languages like Tigrinya using the English alphabet, making it difficult for machine translation tools to accurately interpret meaning. He points out that the lack of language experts and locals hired by social media companies hinders effective content moderation, leading to the oversight of offensive content: "The machine wants you to be insulted with correct spelling, and otherwise you're not being insulted unless the spelling is correct and written in the right script" (Person One). Person Two mentions that translation services, like Twitter, may

incorrectly identify Tigrinya as Amharic, leading to misunderstandings and potentially harmful consequences. She argues that the exclusion of African languages denies people access to information and knowledge, contributing to a bias that extends beyond Tigrinya speakers to many people on the African continent: "We are denied the same knowledge that any other people have access to. Just because they find our language to be too small for them to care" (Person Two). Person Three discusses the challenges of accurately translating and understanding content in Tigrinya, which is a passive language that lacks directness and accountability: "We speak in a sort of coded terms. And this is what contributes to the hate speech" (Person Three). Person Three stresses the importance of involving digital rights advocates and civil society organizations from Eritrea to better inform social media companies about the language and cultural context. In general, all three interviewees share a concern about the neglect and underrepresentation of African languages on social media platforms, leading to mistranslation and misinterpretation of content.

Hate Speech

All three individuals experienced hate speech in various forms, including personal attacks, harassment, and criticism. The hate speech they often encounter is related to their involvement in Eritrean politics or advocacy work, indicating how political contexts can contribute to hate speech online. Additionally, they all face emotional and professional consequences due to hate speech, which can hinder their activism and advocacy efforts. Person One and Person Two mentioned that they have reported hate speech so many times on Facebook, Twitter, and Tiktok, but no action was taken by the social media companies:

> I have reported on Facebook, on Twitter, literally death threats. And I always get sorry we found the person did not violate our policy or in some cases, they don't even respond. (Person Two)
>
> I have reported hateful content so many times but usually I wouldn't get a response or they would say nothing has been violated because whoever is in charge of revising the report doesn't know the language, and they don't care. (Person One)

Person Three states that she has not reported accounts in the last four years because of the public nature of her diaspora policy work. She says she does not want to be seen as misusing her position at the social media company that she works for, whether in support of or against certain

voices. She also mentions that, according to data from the social media company she worked for, Africa is the most underreported region: “One of the biggest challenges that tech companies and social media companies have is Africans are not reporting” (Person Three). A lot of Africans are not reporting because those who do are ignored, which discourages others from reporting since they cannot see any tangible change from it. In conclusion, hate speech has always existed on the internet, but the lack of proper regulation of hate speech has led it to amplify and turn into real-life violence.

Interesting Other Findings

These interesting other findings emerged from interviews in unexpected ways because none of my questions were directed at addressing them. I was surprised by the fact that gender plays a role in the severity of the effects of hate speech: “Hate speech affects women more” (Peron One). All of my interviewees argued that hate speech on the internet affects women more severely than men. Another interesting finding is that both Person One and Person Three highlighted the importance of considering cultural dynamics while regulating social media platforms: “Hate speech at a global level requires an extreme level of nuance. There’s many examples of something being considered hateful in one culture, and it’s not considered hateful in another” (Person Three). Person One points out that different countries have unique cultures, and that the way social media operates should align with those cultural values. He also emphasizes that social media should follow the same rules as other traditional media, such as newspapers and television. Lastly, from the interview with Person Two, I learned about human rights violations resulting from mistranslations of Tigrinya, particularly on online platforms such as Google Translate. The unreliability of these translation tools can have severe consequences for refugees and immigrant groups who lack access to accurate translations of important documents and information: “Often it’s always wrong translations like it doesn’t even come close to the actual translation and so refugees are being deprived and it slows their integration process” (Person Two). In summary, based on my findings, I proved that mistranslation as a form of coded bias exists. And whenever Eritreans report hate speech, social media companies are not taking any action because they do not know it is hate speech due to the mistranslation taking place.

Discussion

The findings of this research shed light on the significant impact of coded bias on the internet and on the Eritrean community. The data suggests that a lack of proper translation services for languages like Tigrinya leads to mistranslations and misunderstandings, contributing to the spread of hate speech. The findings highlight the urgent need for improved translation algorithms and comprehensive training data to ensure accurate, culturally sensitive translations for minority languages like Tigrinya. This aligns with previous literature on mistranslation, which emphasizes the risks and limitations of large language models and the importance of understanding cultural context to avoid misinterpretation.

One of the key contributions of this research is its exploration of the connection between mistranslation and the formation of hate speech. The findings demonstrate how biased outputs, incomplete translations, and misinterpretations resulting from coded bias can amplify hate speech, allow stereotypes, and harm vulnerable communities such as Eritreans. The study explores the negative consequences of hate speech on internet platforms, highlighting the emotional and professional consequences faced by those who are targeted. The research also reveals that social media companies often fail to adequately address hate speech and that underreporting from the African region further worsens the problem. Based on the findings, I believe this problem prevails as a result of the lack of action taken by social media and tech companies when people report hate speech.

Furthermore, the study identified the role of gender in the effects of hate speech. The finding that hate speech affects women more severely than men highlights the need for gender-specific interventions to combat online harassment and discrimination. Understanding these gender dynamics is crucial for the development of targeted and effective strategies to protect individuals from the harms of hate speech.

The research also brings attention to the broader implications of mistranslation for marginalized communities beyond Eritrea. It underscores the importance of accurate translations to prevent human rights violations, particularly for refugees and immigrant groups who rely on accurate translations for essential information. This highlights the need for more comprehensive language support in social media platforms to bridge language gaps and ensure equal access to information for all individuals.

This research has several notable limitations; for example, it is a qualitative study that lacks quantitative data to back up evidence, and has a small sample size of three participants and bias in participant selection. The study focuses on Eritreans living in the United States, Canada, and Europe, which may limit the generalizability of the findings to other regions or countries. The experiences of Eritreans in Eritrea and other parts of the world might differ significantly due to varying cultural, political, and social contexts. For further research, I recommend diversifying the sample, increasing sample size, and conducting a mixed qualitative and quantitative research study. I also recommend doing a study focused on human rights violations related to hate speech and mistranslation, as well as one on how different genders are affected by coded bias.

To address the issue of coded bias on the internet and its impact on Eritreans, the research presents several key recommendations that highlight the action research component of the paper. Firstly, social media companies must invest in improving language support and translation algorithms for underrepresented languages such as Tigrinya. This requires collaboration with language experts and locals who have a deep understanding of the language and cultural context. Secondly, content moderation policies should be strengthened to combat hate speech effectively, with a particular focus on addressing hate speech targeting vulnerable communities. Social media platforms should also implement better reporting mechanisms to encourage victims to report incidents of hate speech with confidence that their rights will be protected. Thirdly, regulatory frameworks need to be developed to hold social media companies accountable for the spread of hate speech and misinformation on their platforms, particularly in regions with inadequate regulation, such as African countries. By promoting transparency, accountability, and inclusivity in the development and implementation of content moderation policies, social media companies can create a safer and more inclusive online environment for all users. The responsibility for these actions could involve a collaborative effort among social media companies, language experts, local communities, policymakers, and advocacy groups to cultivate a safer and more inclusive digital landscape for all users.

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I was carried

I am sat waiting
the longest minute of my life,
waiting for the tides to change directions
as they seem to do every night.
For I loved a girl once and true,
whose hair now shimmers in the rainbows of oil.
Her name damned by the world entire,
a memory buried too fresh in uneven soil.

And I am sat waiting,
with the scent of burning eucalyptus,
hoping the smoke would not stain me
in its worse shade to remind
me of the day her portrait would no longer
adorn any of the walls
that I could call home.

And I am sat waiting
to recall how even in the haste of youth,
could a river ever flow to the bell
of marching feet that will not stop
for the black lines they leave.

And I am sat waiting,
for snowfall to take to heart
the color brown on threads
too loose to call a uniform.

And I am sat waiting
for the mail to tell me that it is finally time
to leave her eyes to the crows
and her tears to the rain.
For I am just a man
and too weak to carry her body
to the finish line.

And I am sat waiting
for her heart to peel
before mine.

Poem by Luke Luo

What Has Halloween in China Got to Do With Globalization, the State, and the Media?

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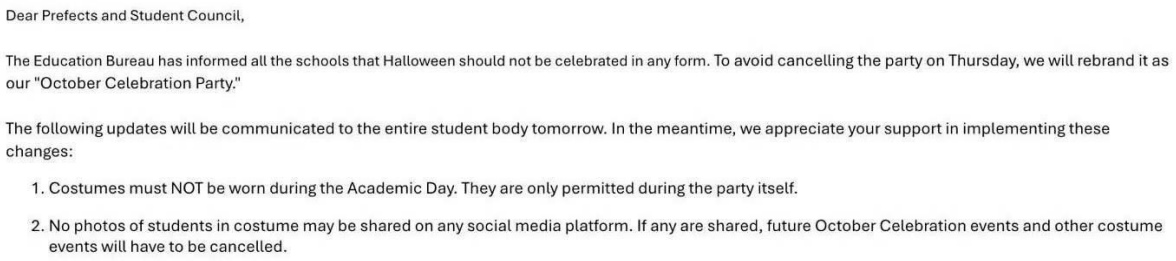
ABSTRACT: This paper briefly examines the evolving roles of the media through navigating tensions between nation and state in the context of globalization. Using the Chinese state's anti-Halloween restrictions in October 2024 and China's digital propaganda platform that debuted in 2019 as case studies, this paper examines the media's conflicting functions of discipline and liberation. The central claim of this paper draws from Stuart Hall and Arjun Appadurai's theories on globalization and the bifurcating effects of the media, highlighting the inherent clashes within the modern nation-state, as well as demonstrating how the media simultaneously consolidates state control and fosters activism.

Introduction

I was privileged to have spent my adolescence at an international boarding school on the outskirts of Shanghai, China, where I immersed myself for seven years in an odd elitist bubble that embraced both cultures of the West and my Chinese roots. A few weeks ago (October 2024), a screenshot of an email sent to the school's attending Prefects and Student Council, both responsible for organizing the annual Halloween party, started circulating in the alumni group chats (Figure 1). The email addressed a new mandate imposed by the Chinese Education Bureau, restricting all schools from celebrating Halloween in any form.



Dear Prefects and Student Council,

The Education Bureau has informed all the schools that Halloween should not be celebrated in any form. To avoid cancelling the party on Thursday, we will rebrand it as our "October Celebration Party."

The following updates will be communicated to the entire student body tomorrow. In the meantime, we appreciate your support in implementing these changes:

1. Costumes must NOT be worn during the Academic Day. They are only permitted during the party itself.
2. No photos of students in costume may be shared on any social media platform. If any are shared, future October Celebration events and other costume events will have to be cancelled.

Figure 1. The email sent by an international school in Shanghai to its Prefects and Student Council that addresses the Chinese Education Bureau's anti-Halloween celebration mandate in October 2024.

The mandate was a preventative measure for potential outbreaks of street demonstrations since Halloween in 2023 turned out to be an outlet for people to express their dissatisfaction toward China's Zero-Covid policies. Roughly a year ago, many Chinese individuals marched into the

streets and started a post-pandemic costume fiesta. Some attempted to poke government authorities by dressing up as *Dàbái* (the Big White — a nickname for the government-appointed personnel responsible for executing daily COVID tests) and Lu Xun (a Chinese literary critic known for his slogan "studying medicine cannot save the Chinese").[1] The satiric costumes ended up drawing police attention, and the demonstrators were eventually escorted away from the streets.[2] This year, as a registered educational institution in China, the international school I attended, along with other schools in Shanghai, were notified by the government to avoid celebrating Halloween, a celebration of the West.[3] To not disappoint the teenagers who spend five days a week locked up on a suburban campus, the school eventually came up with the witty solution of "rebranding" the Halloween party as the "October Celebration Party." Instead of terminating the costume tradition, students were asked to not dress up during the academic hours and refrain from sharing photos of the evening event online.

This email reflects one of the many instances of resistance against restrictions imposed by the party-state in China. It is the epitome of the media's bifurcating effects of exacerbating populism and pluralism simultaneously, interrogating the mechanisms behind individual entities' capabilities in bypassing state censorship and surveillance. Under the wider context of globalization, the media emerges as more intertextual, encompassing obligations beyond a mere state or a non-state actor. Questions concerning nationalism and its purity arise from the disjunctures of globalization since the modern state is no longer the sole determinant of identity construction. As a result, the once supposedly homogeneous nation-state faces unprecedented challenges and is in desperate need of clarifications distinguishing 'us' and 'them.' On the local level, the media maintains a crucial role in the game of nitpicking for imaginary differences within nation-states; its multifaceted and self-transforming capacity in implementing cultural homogenization and facilitating anti-hegemonic narratives demands further investigation. China's recent attempts to dominate the media is an interesting case that demonstrates how states attempt to survive in this intertwined chaos triggered by globalization, the fear of uncertainties, and the nation's fluid identity construction processes. The interactions between the Chinese

[1] "上海萬聖節:從「大白」到「魯迅」, 年輕人的自我放飛和表達," *BBC News* 中文, November 1, 2023, https://www.bbc.com/zhongwen/trad/chinese-news-67283168.
[2] Amy Hawkings, "Halloween Costumes in Shanghai Poke Fun at Chinese Authorities," *The Guardian*, November 1, 2023, https://www.theguardian.com/world/2023/nov/01/halloween-costumes-in-shanghai-poke-fun-at-chinese-authorities.
[3] 上海万圣节 - china digital space, https://chinadigitaltimes.net/space/%E4%B8%8A%E6%B5%B7%E4%B8%87%E5%9C%A3%E8%8A%82.

Communist Party (CCP) and Chinese individuals facilitated by the media reveal the complexities of a reciprocal relationship, and the question of "Could one permanently sustain the other?" becomes prominent.

This paper briefly investigates the shifting role of the media by looking at how states emerge to react against its blurring sovereignty. By drawing attention to the hyphen of the modern nation-state, the first section, "The Evincing Hyphen Between Nation and State," aims to elaborate on the innate contradictions between nation and state, which is fundamental to a subsequent discussion concerning the construction of internal and external identities within and beyond the realm of the state. The second section, "State, Media, and the Battle for Purity," discusses the state's yearning to restore purity to its national identity. Based on Stuart Hall and Arjun Appadurai's propositions on globalization, the section contends that the complexities of globalization are fundamental to understanding the process of identity construction — a subject pertaining to fluidity and a constant state of becoming — which is inherently contradictory to the legitimacy of a sovereign border, ensuing multiple forms of uncertainties. These uncertainties are what gave rise to populist movements, a primordial search initiated by the state. The third section, "A Virtual Panopticon in China," will use China's recent implementations of new media technologies as an example to further explore how populist propaganda promoted by the media tightens connections between the political center and its peripheral institutions. Lastly, the section "Activism via Media" examines how the media works to disseminate the authority imposed by state narratives through overcoming the sovereignty of the internet and exhibiting itself as a digital and virtual archive that stores records of social unrest.

The Evincing Hyphen between Nation and State

This paper positions the media as a mediator between the nation and the state, highlighting its potential to be readily mobilized by both. Therefore, to fully understand the media's conflicting and complex positionalities, it is essential to examine the detachment between the nation and the state under the context of globalization first.

In general, the distinction between nation and state depends on the inclusivity of identities — the idea of nation is fundamentally plural due to the innate variations of individual experiences and memories that eventually contribute to the forming of shared identities. However, the plurality and spontaneity of the nation are restrained by the construction of a state,

specifically through laws and regulations imposed by an overarching government. In "Disjuncture and Difference in the Global Cultural Economy," Appadurai presents a clear explanation regarding an invisible battle between nation and state: "While nations (or more properly groups with ideas about nationhood) seek to capture or co-opt states and state power, states simultaneously seek to capture and monopolize ideas about nationhood."[4] In other words, nations and states are constantly working against each other, and it is essentially an ongoing battle between fluidity and universality, with states seeking to build a static and universal identity, overlooking differences and establishing rigid institutions of ideologies.

Previously, states took custody of imposing a shared national identity. The conventional understanding was that nations are subordinate to and contained by states. In "Imagined Communities," Benedict Anderson claims that nations are "imagined as both inherently limited and sovereign."[5] He employed print capitalism as an example to show how state institutions disseminated non-secular ideas through capitalism, which then contributed to building shared beliefs for the construction of national identity. Although Anderson's analysis of nationalism is still of importance today, Appadurai points out that states are no longer monopolizing the manufacturing of identities under globalization. As globalization redefines the boundaries of identity constructions, the originally sovereign "imagined communities" transform into "imagined worlds" which are "constituted by the historically situated imaginations of persons and groups spread around the globe."[6]

Appadurai's invention of the "imagined worlds" echoes Hall's reconstruction of identity in "Cultural Identity and Diaspora," further elaborating on the chasms between state and nation. Specifically, Hall sees identity as being always subjected to changes, which poaches against the legitimacy of state sovereignty primarily achieved through having a unified group of supporters who share a homogeneous identity. By highlighting the fluid subjectivity of identities, Hall re-evaluates states' authority over nations by proposing a new definition for identity, which recognizes the importance of "the common historical experiences and shared cultural codes" in post-colonial nation-building.[7] The state's emphasis on singularity and oneness undermines "the

[4] Arjun Appadurai, "Disjuncture and Difference in the Global Cultural Economy," *Theory, Culture & Society* 7, no. 2-3 (1990): 303.
[5] Benedict Anderson, "Imagined Communities," in *Nations and Nationalism: A Reader*, ed. Philip Spencer and Howard Wollman (Edinburgh: Edinburgh University Press, 2005), 49.
[6] Appadurai, "Disjuncture and Difference," 296-297.
[7] Stuart Hall, "Cultural Identity and Diaspora," in *Transatlantic Literary Studies*, ed. Susan Manning and Andrew Taylor (Edinburgh: University of Edinburgh, 2007), 223.

experience of dispersal and fragmentation," which suppresses those who were once silenced or commuted between borders from discovering an identity subjected to their experiences.[8] Therefore, Hall proposes a new framework that thinks of identity "as a 'production' which is never complete, always in process, and always constituted within, not outside, representation."[9] This new proposition embraces nuances of emerging diasporic identities, and posits it as "a matter of 'becoming' as well as 'being.'"[10] It sees identity as the production of past historical events, while also recognizing the temporalities it needs to endure as it is in a constant state of transformation. It is the very nature of identity — fluid, contextual, and subjective to changes — that puts nation and state at each other's throats. The conventional definition of identity Hall first raised serves to strengthen state authority by unifying the members of the state with a shared and imagined experience. When this artificial unification procedure imposed by the state gets dismantled by the differentiating and deferring characteristics of emerging cultural identities, the nation goes beyond borders and is no longer trapped by the state.

With that said, nations and states are innately oppositional — the former represents identifications subjected to the fluctuating discourses of time and space, whereas the latter embraces fixation and homogenization. This is why, as Appadurai has argued, the hyphen connecting nation and state "is now less an icon of conjuncture than an index of disjuncture."[11]

State, Media, the Battle for Purity

Both Hall and Appadurai recognize globalization as a disruptive power that breaks up norms previously established by states, and the media is often caught in the middle of this chaos. The segregation of nation-states intensifies under globalization because states can no longer contain the uncertainties posed by nations. States used to benefit from what Hall refers to as the "imaginary discovery" of the past; through picking out certain excerpts of history and cultural significations, states were able to narrate a collective experience entailing an "imaginary unification."[12] Although such unification is a carefully curated imagination, its underlying discourse is coherent to the extent that it barely gets challenged, at least until globalization started meddling with it. Globalization interferes with the state's authority by introducing a series

[8] Hall, "Cultural Identity and Diaspora," 224.
[9] Ibid, 222.
[10] Ibid, 225.
[11] Appadurai, "Disjuncture and Difference," 304.
[12] Hall, "Cultural Identity and Diaspora," 224.

of unpredictabilities, disrupting the continuity of a national narrative. According to Appadurai, these disturbances are "disjunctures" that "have become central to the politics of global culture."[13] The disjunctures are categorized into five distinct but interactive landscapes, further conceptualizing the uncertainties of globalization by linking them to the characteristics of a physical landscape.[14] Appadurai describes the landscapes as a "deeply perspectival construct," constantly infected by variations of historical, linguistic, and political actors beyond the unit of states.[15] Eventually, these disjunctures give rise to the formation of new identities, questioning the purity of the longstanding national identity imposed by the state, and enacting a wave of fundamentalist movements. Furthermore, the questions concerning identity purity arise from the extent to which the disjunctures of globalization would travel. According to Hall, globalization "goes above the nation-state and it goes below it."[16] Hall suggests that globalization creates a bifurcated world composed of (1) a continuously homogenizing "global mass culture" that differentiates itself from the national identities imagined by the state while encompassing an ever-emerging amount of variations and (2) the urge to return to the local out of the fear and incapacity to manage the emerging disjunctures. This bifurcation indicates that the state and the nation react reciprocally upon one another. Out of the sheer instinct to survive, the state will always be on a primordial search for a pure identity, in order to suppress the impact of the "global mass culture," preventing forms of cultural representations from bypassing their binding state apparatus. As a result, states are common organizers of populist movements, and the media often takes a crucial role in facilitating and implementing cultural fundamentalism oriented by the state. As opposed to contaminations imposed by modern means of mass communication, where new methods of cultural production and linguistic interpretations were inevitably introduced, states find ways to restore the purity of the nation by taking control over the media. Government regimes seek to implement new parameters and restrictions over ideological constructions, eliminating incoherence and divergence of an overarching ideology — insinuating unity and the putty. All as efforts to prevent narratives and movements that might work against the state's interest.

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[13] Appadurai, "Disjuncture and Difference," 301.
[14] Ibid, 301.
[15] Ibid, 296.
[16] Stuart Hall, "The Local and the Global: Globalization and Ethnicity," in *Culture, Globalization and the World-System: Contemporary Conditions for the Representation of Identity*, ed. Anthony D. King (Minneapolis: University of Minnesota Press, 1997), 5.

A Virtual Panopticon in China

China is a perfect case study that demonstrates how the state mobilizes the media and its binding bureaucratic infrastructures for propagating nationalist values. The embedded messages of the propaganda were often central to consolidating the party-state's homogeneous production of power and strengthening unity in Chinese society.

Over the past few years, the CCP has discovered faster pathways for its propaganda to be distributed to the masses through emergent media and technologies. In 2017, the State Council of the People's Republic of China published a document titled "*Guānyú shíshī Zhōnghuá yōuxiù chuántǒng wénhuà chuánchéng fāzhǎn gōngchéng de yìjiàn* (Opinions on Implementing the Project to Inherit and Develop China's Outstanding Traditional Culture)," making a new era of the CCP's intensification of top-down propaganda.[17] The content of the document demonstrated drastic leniency toward populist motives, especially focusing on the construction of a pure and unified national identity. The document opens with a concise yet poetic sentence: *"Wénhuà shì mínzú de xuèmài, shì rénmín de jīngshén jiāyuán* (Culture is the bloodline of the nation; it is the spiritual home to the people)."[18] The opening sets the tone for the CCP's desire to restore cultural heritage in the years to come, highlighting the importance of disciplining culture formation to construct a "culturally powerful country, with stronger soft power, while also resurrecting the glorious Chinese dream."[19] The document then proceeds to establish multiple practical agendas for building nationalist ideologies, such as promoting virtues of filial piety and "*Zhōngguó tèsè de sīxiǎng tǐxì* (an ideological system with Chinese characteristics)," all central to consolidating the fundamentally patriarchal and autocratic ruling legitimacy of the CCP.[20] Improving the quality of education and enhancing the effects of propaganda were key points mentioned in the "*Zhòngdiǎn rènwù* (Key Mission)" section.[21] Specifically, point 13 highlights the state's intention to strengthen national, ethnic, and cultural identity through media and its associated facilities. It maintains that comprehensive and innovative uses of various media outlets, including newspapers, publications, radio, television, and internet sites, are key to the successful promotion of China's cultural heritage.[22]

[17] "中共中央办公厅 国务院办公厅印发《关于实施中华优秀传统文化传承发展工程的意见》," 中国政府网, January 25, 2017, https://www.gov.cn/gongbao/content/2017/content_5171322.htm.
[18] Ibid.
[19] "中共中央办公厅 国务院办公厅印发《关于实施中华优秀传统文化传承发展工程的意见》," January 25, 2017.
[20] Ibid.
[21] Ibid.
[22] "中共中央办公厅 国务院办公厅印发《关于实施中华优秀传统文化传承发展工程的意见》," January 25, 2017.

While the CCP has already monopolized most media outlets, more investment was made to control aspects of information distribution in China. Point 13 was eventually integrated into a media platform. On January 1st, 2019, China's Publicity Bureau launched an online platform named *Xuéxí Qiángguó* (Study and Make the Nation Great), which is made available as an app for phones as well as a website.[23] According to an article published in *People's Daily*, the official newspaper representing the party-state, this new digital platform promotes in-depth learning across the Party, and it represents an innovative approach to reinforcing ideological education; it is also central to further the study, promotion, and implementation of the "Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era."[24] More significantly, the app also launched a "Study" and a "Study with Video" section, composed of free journals, archival documents, lectures, movies, plays, books, and so on. Users are welcome to test out their newly obtained knowledge with the quiz section, of which the score is calculated based on a credit system. The credits are made available to the public allowing the users to compete with their colleagues.[25]

The app turned out to be extremely popular in an exceptionally short period since its initial launch. According to a New York Times Opinion written by Audry Jiajia Li, a freelance journalist based in Guangzhou, *Xuéxí Qiángguó* became the most downloaded app in the Chinese App Store as of March 2019.[26] Li hinted that some user downloads may not have been voluntary. For instance, when scrolling through *Xuéxí Qiángguó*'s comment section in the Chinese App Store, Li observed a series of ironic comments saying that they "voluntarily downloaded this" alongside one-star reviews. With that, *Xuéxí Qiángguó*'s instantaneous success of distribution remains a myth in China. While no documents of official government mandate asking people to download the app could be found, party members, civil servants, employees at state-owned enterprises, teachers of public schools, and some civilians all abided to download the app and maintain a regular using pattern since *Xuéxí Qiángguó*'s debut in January 2019.[27] The incentives

[23] *People's Daily,* "'学习强国'学习平台上线仪式在京举行," *CPC News*, January 2, 2019, http://dangjian.people.com.cn/n1/2019/0102/c117092-30499109.html.
[24] Ibid.
[25] "学习强国今天积分"清零", 教你一招, 起跑领先！," 潜江市妇女联合会官方澎湃号, January 2, 2020, https://m.thepaper.cn/newsDetail_forward_5424725.
[26] "博達 - 作者介紹 Audrey Jiajia Li," Bardon, https://www.bardonchinese.com/author/1910; Audrey Jiajia Li, "Uber but for Xi Jinping," *The New York Times*, April 4, 2019, https://www.nytimes.com/2019/04/04/opinion/xi-jinping-thought-app.html.
[27] "'学习强国': 习近平"红宝书"登上app排行榜首," *BBC News* 中文, February 18, 2019, https://www.bbc.com/zhongwen/simp/chinese-news-47250294.

for a large Chinese demographic to download the app are curious: Given some civilians downloaded the app involuntarily, who exactly demanded them to download the app? Or, what led to the landslide decision to support China's latest propaganda campaign?

Notably, the question raised above is in itself an extensive research project, but here is a brief answer that attempts to explain *Xuéxí Qiángguó*'s quick and efficient distribution. Essentially, *Xuéxí Qiángguó* is a container of Chinese propaganda revitalized by a new media establishment, which then got distributed through the channels of the rigid bureaucracy of the party-state; the media worked as a handy tool that accelerated and tightened connections of different institutions peripheral to the bureaucratic system. The extremely responsive user inputs are precisely the results of the Foucaudian panopticon mechanism in *Discipline and Punish*, whose major effect is "to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power."[28] The panopticon was initially designed by Jeremy Bentham as an institutional building used to enhance center-peripheral control. Michel Foucault elaborated on the mechanism of surveillance embedded in the panopticon with a sophisticated discussion centered around power. Foucault argues that the visibility and unverifiability of the panopticon create a self-regulating disciplinary mechanism, driven by the fear of being watched and the intimidation of the ambiguity of the observers' intent.[29]

In the case of China, the panopticon is the metaphor for a system of permanent registration between the center of the party-state (i.e. the center of the panopticon) and the subordinate bureaucratic institutions (i.e. periphery of the panopticon) — the latter are constantly obligated to report to the former, and it is at the duo-position of being watched and needing to watch their subordinates. The incentives to download *Xuéxí Qiángguó* were, to some extent, a coerced response triggered by the fear of being watched. Although no official documents explicitly pushed for the requirement to download the app, peripheral institutions that habitually report to the CCP, such as state-owned enterprises, felt obligated to perform their loyalty. Therefore, they proceeded to generate footprints by asking the members within the agency to participate in *Xuéxí Qiángguó, a* newly renovated virtual panopticon.

Moreover, *Xuéxí Qiángguó* introduces new links to the center-periphery relationships monitored by the party-state. Previously, material institutions like the CCP's Central Discipline

[28] Michel Foucault, "Panopticism," essay, in *Discipline & Punish*, 2nd ed. (Vintage Books, 1995), 201.
[29] Ibid, 201.

Inspection Commission (CDIC) dominated the role of the superior observer of the panopticon. According to Xuezhi Guo, the CDIC established in 1949 was intended to "better carry out the Party's political programs and concrete policies, protect Party and state secrets, purify the Party organization and strengthen discipline, maintain close ties with the masses, eliminate bureaucracy, and ensure proper implementation of all the Party's resolutions," and it "was entrusted with the additional responsibility of 'enforcing internal disciplinary education,' an important initiative that imposed the Party's ideological control and guidance on its members."[30] However, since the launching of *Xuéxí Qiángguó*, the media has proven itself to be a much more efficient observer of the periphery as links between the individual users and the surveillance center were instantaneously established when registration of the app was accomplished. Such efficiency bypasses the bureaucratic levels of a physical disciplinary machine, making units of individuals much more accessible.

Activism via Media

While the media remains a powerful disciplinary tool for the state, it also exerts liberating potential for activism against the rigid ideology imposed by the state, challenging the capacity of the state-assigned observers.

Hall sees the media as a "very contradictory space."[31] In his example of the "Sky Channel," a satellite TV service that could "speak across all of the European societies at once," Hall points out that "at the same time as sending the satellite aloft, Thatcherism sends someone to watch the satellite."[32] On the one hand, government authorities will always attempt to survey and censor contents of the media for their own interests in maintaining stability and unification within the unit of the state, but on the other hand, the media holds the bandwidth for boundless interpretations which can overcome restrictions imposed by states. Appadurai elaborates on the media's bandwidth through reinventing the media into the *mediascape*. The *mediascape* is one of the five landscapes categorized by Appadurai, whose presentation, synonymous with the geographic features of a physical landscape, is of "fluid and irregular shapes" and differs depending on the viewing angle.[33] It works as a more inclusive framework that captures the

[30] Xuezhi Guo, "Controlling Corruption in the Party: China's Central Discipline Inspection Commission," *The China Quarterly* 219 (2014): 598, 599.
[31] Hall, "The Local and the Global," 5.
[32] Ibid, 5.
[33] Appadurai, "Disjuncture and Difference," 297.

transient and evolving nature of the media for two key reasons. First, the *mediascape* has two layers of meaning that interact reciprocally with each other; it refers both "to the distribution of the electronic capabilities to produce and disseminate information" and "to the images of the world created by these media."[34] Contents delivered via the media possess self-reflective and transformative power, ultimately shaping new narratives that, in turn, influence the original media source. Second, the *mediascape's* transformative power could be explained through its "image-centered" and "narrative-based" characteristics, of which the reality only composes fragments of its delivery. The images and narratives that made up the initial composition of the media get disaggregated and reinterpreted upon its distribution, giving birth to critiques, confusion, and the desire to recreate.[35] It is the very nature of the *mediascapes*' transformative power that allows individuals to overcome the barriers posed by states. Therefore, similarly to nations, the *mediascape* is innately contradictory to the state, not only because its capacity is constantly restricted by the state, but also because the state struggles to contain its forever changing and self-deferring contents. The media fosters new possibilities for narratives to reside and develop beyond the constraints of a sovereign border, creating a space for anti-hegemonic narratives to emerge.

Take China's recent anti-Halloween incidents, for example: the media acted as a portal that facilitated swift communications against government mandates. The email mentioned in the introduction of the paper demonstrates how peripheral institutions, in this case, a school closely monitored by the Chinese Education Bureau, managed to break out of the fear of being watched and surveilled. Although the rebranding of the Halloween Party as the "October Celebration Party" was executed within a constrained private realm at a boarding school in suburban Shanghai, the acts attempting to change the government-imposed narrative and to distribute the information around to more people were powerful manifestations of the liberating power of media.

Meanwhile, transnational media blurs out the conventional boundaries of activism, allowing for contents of Chinese social unrest to travel beyond The Great Firewall, an umbrella term for the multiple sets of internet censorship systems established by the Chinese government within its jurisdiction over the internet.[36] With the simple installment of a VPN, a virtual private

[34] Ibid, 299.
[35] Ibid, 299.
[36] Ckjbug, "Hacking/Dark Web/What Is GWF?.," GitHub, 2018, https://github.com/ckjbug/Hacking/blob/

network that overrides the Chinese internet jurisdictions, Chinese netizens found ways to access foreign social media platforms like X and Instagram that are officially banned in China. While videos of Halloween celebrations were being taken down on Chinese media platforms, they were re-uploaded onto foreign platforms, granting the footage of the parade a sense of immortality. Photos and videos also make their way to mainstream news platforms of the West, such as *The New York Times*, annotated with captions validating its previous existence on another media platform: "Social media videos verified by *The New York Times* showed police in Shanghai escorting away people dressed in costumes."[37] The verification is well intended because it validates the presence of the original narrator of this theatrical incident, who is an ordinary Chinese individual living within the border of China.

More significantly, the ambiguous boundaries of the virtual realm, disintegrating sovereignty, legal jurisdictions, and national identities, subsequently inspired the creation of an online archive for Chinese activism. While footage documenting the Chinese Halloween celebrators' humorous but woke costumes, such as Winnie the Pooh (a mockery of Xi Jinping's image) and a surveillance camera, are eliminated within The Great Fire Wall today, foreign online platforms like China Digital Times (CDT), a Berkley-based independent bilingual media organization proclaiming to bring "uncensored news and online voices from China to the world," appeared to be proactively gathering excerpts of the incident from threads of Chinese netizen's online activities.[38] One of CDT's online columns is called "404 Wénkù (404 Literary Archive)," echoing the "404 not found" page after certain digital content has been demolished by Chinese censorship. On Nov 7, 2024, CDT updated this column with a mixed-media report titled "*Tāmen bàn de shì 'guǐ', dàn tāmen zhǐ xiǎng huó de xiàng rén!* (They dress as 'ghosts,' but they just want to live like humans!)."[39] The report embedded a series of videos, either produced by the CDT editors or transferred from other Chinese netizens' posts that have been censored domestically. The footage in combination with a curated collection of Chinese social media posts written by the participants of Halloween celebrations painted a vivid picture of the night of Halloween in Shanghai, effectively documenting and acknowledging the small yet powerful

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master/Dark%20Web/What%20is%20GWF%3F.md.

[37] Vivian Wang and Muyi Xiao, "China's Latest Security Target: Halloween Partygoers," *The New York Times*, October 30, 2024, https://www.nytimes.com/2024/10/29/world/asia/china-police-halloween-celebration.html.

[38] "About China Digital Times," *China Digital Times (CDT)*, n.d., https://chinadigitaltimes.net/about/.

[39] "【404文库】"他们扮的是'鬼'，但他们只想活得像人！"(外二篇)," 中国数字时代, November 7, 2024, https://chinadigitaltimes.net/chinese/712872.html.

instances of resistance initiated by Chinese individuals. The recollection and redistribution of images and videos, despite the absence of thorough written analysis, generate motifs of social unrest. Via the transnational media pathways, fragments of the resistance in China get reinforced and reinterpreted upon its reincarnation outside of the Great Fire Wall. Hence, reposting injustice and resistance within China on the foreign internet is in itself a powerful form of activism.

Conclusion

This essay is inspired by the courageous individuals who marched to the streets during the night of Halloween in China and by the media that shed light on a virtual realm for activism for the Chinese. In sum, the media operates as a paradoxical space that both enforces state ideology and facilitates resistance against it. As globalization induces more uncertainties, states seek ways to mobilize the media into a "virtual panopticon" that enables closer ties of monitorization; meanwhile, individuals within the state strive to utilize the transformative power of the media as outlets to voice activism. Transnational media pathways and archives like the "404 Wénkù" further immortalize acts of defiance of Chinese individuals, illustrating that even under stringent censorship of the state, media can foster activism that transcends borders. Halloween 2024 is just a small excerpt from the trajectory of Chinese social unrest. With new forms of digital resistance continuing to challenge state control, so much more awaits to be explored.

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Unearthing Our Time Scales

What is the middle of time? He asked
Me face up to the soil in the
Bed he made. Can you count it?
I misheard him: Yes, you can
Cut it, bilaterally, I renounced
Mother's ovaries, buried in deep
Time and silt, her tubes tightening
Ageing in concentric rings. Soil
Or soiled? He asked

Pressed to belly, nose to her navel
My head fiercely digging as if I could
Return to the center, our meeting place,
A corporeal cartography charted
Her womb. Or tomb. Did I mis
Spell? Did you say moon? He asked
Is this, the gravity of it all, the
Lifelong question and struggle and pull,
Not just an archeological project
To dig, must I start with my body?

We were interrupted, a phone call,
The State: We need documentation
To prove your gross income. What's so
Gross about money? He asked
Filth filing under his fingertips,
Head towards the garden bed, a
Demand, shifting from pot to plot
Chart the deficits now in bellies
Of stock, land, child, and beast.
Hunger presses on her navel from inside out
Side in. Don't you have to make a hole
To plant a seed? He asked, still digging

For a moment, I understood the endless
Heave of soil, of inquiry, to find the middle,
To never forego the grossness of it all,
To tempt the answers dressed in s(k)in,
As if knowledge can be laid down in a bed
And dug up again. You need a ritual, he said

I forgot resistance started here,
How we fold in sheets, in silt, in bills
To the corner of beds, to each other. How,
When I look at you each morning,
The sun rises with your eyes, and
The center of gravity shifts, as the moon
Peels back, to you, and my body
Bends to life's timeless demand: Love
Is a ritual that is made and unmade
In Earth's beds and bellies, pregnant
With a time we have yet to dig up and spell.
We forgot resistance started here,
In the erotic mundane geographic time
Scale of bodies questioning and digging
And meeting without measure.

Poem by Sophia Celi

Critical Theory of Digital Lifeworlds: Habermas in the Age of Prediction

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ABSTRACT: In this paper, I explore the impacts of predictive algorithms' increasing mediation of public communication through filtering and targeting information. I argue that this mediation does not merely bias what people see, but fragments the public sphere into a variety of parallel segments with incompatible standards of credibility. I make this argument using Habermas' framework, primarily the idea that democratic legitimacy requires public justification through communicative action and the contestability of validity claims. Predictive mediation disrupts these conditions through a breakdown in Habermasian lifeworld repair, rendering validity claims unintelligible across segment lines. At the same time, public communication shifts toward strategic action, as individuals are incentivized to present themselves as favorable sets of data points rather than as participants oriented toward mutual understanding. Current attempts at regulation aim at returning agency to individuals, but still do not address the fact that predictive mediation, without any malintent, alters public communication.

Introduction

Predictive algorithms increasingly mediate social life. They score friendships, rank content, filter opportunities, and transform our behavior into data points. In doing so, they not only influence our worldview as propaganda or advertisements once did, but they also become a precondition of discourse. What is known, what is trusted, what is relevant enough to discuss? The communicative sphere of public discourse is no longer the sole arbiter of what should be deemed salient and credible. Relevance and credibility are determined upstream by recursive, behavioral prediction, allowing public conversation to remain active while losing its coherence. The public fragments into mutually unintelligible segments with incompatible standards of credibility. The result is that public opinion becomes equally fragmented and less able to demand justification from political power.

This paper develops that claim using the social theory set forth by the philosopher and social scientist Jürgen Habermas. Habermas emerged from Nazi Germany with a question: How do we ensure that society never falls into such barbarity again? As a part of the German philosophical movement known as the "Frankfurt School," Habermas sought to critique the victorious Western world, ensuring that humanity had the tools to understand social pathologies as structural outcomes rather than as isolated moral failures: if a society repeatedly produces injustice, distortion, or manipulation, critique must explain the social conditions that make those outcomes normalized and self-reinforcing. That search led him to create an exhaustive

framework for describing mass society and everything in it. He offers descriptions of how people communicate, both individually and collectively, how norms are established, and how markets and governments influence that discourse. His critical contribution was to position everyday, mundane communication, which had been so dramatically distorted by fascism and could still be threatened even in liberal democracies, as the basis for the health of a society. He claimed that democratic legitimacy depends on justification, namely the ability of citizens to challenge and defend claims in public and the possibility that better claims can revise what people accept as true, right, or trustworthy.

Habermas's Framework: Lifeworld, System, Repair.

Habermas's theory starts with a fundamental distinction. The lifeworld is the organic social construction of meanings, norms, and values across everyday life that facilitate mutual understanding, in contrast to systems such as markets and administrative power, which operate non-discursively and require neither agreement nor understanding. The lifeworld is organic in the sense that it is constantly revised, clarified, and repaired through conversation; it is not a codified set of rules but implicit common sense that only becomes visible when questioned. Systems, on the other hand, neither require participants to agree on reasons nor to reach a mutual understanding. Instead, they operate through what Habermas calls steering media, such as money, incentives, authority, or procedures, that enable large-scale coordination among strangers with no requirement for understanding or shared values.

For him, a healthy lifeworld is contingent on understanding, and that understanding is repaired and reinforced by a process called communicative action. Communicative action works as follows. First, understanding must be the final goal of discourse. Individuals cannot enter into a conversation with strategic goals such as gaining social, political, or economic advantage by proving their counterpart wrong. If egocentric individual goals take precedence over intersubjective understanding, coordination shifts into strategic action. That is crucial because, for Habermas, communication is not merely an exchange of information; it implicitly raises the following three validity claims: truth, normative rightness, and sincerity. When someone makes a statement, they present it as factually true, as appropriate within the normative social context of the conversation, and as a sincere representation of what they mean.[1] Each claim corresponds to

[1] Jürgen Habermas, *On Society and Politics: A Reader*, ed. Steven Seidman, Boston: Beacon Press, 1989, 166.

an "objective," "social," and "subjective" world that the speakers presuppose as a constant, interpretive reference system: "Speaker and hearer use the reference system of the three worlds as an interpretive framework within which they work out their common situation definitions."[2] Ordinarily, these claims are implicit because the baseline of communication is to trust that people are not lying, acting in bad faith, or violating norms. But that trust is not unconditional; it is a provisional acceptance open to challenge at any time.

If an individual disagrees with a statement or believes that it violates any of the above validity claims, those justifications become explicit. The listener has the right to object and demand reasons to reach a common understanding. The speaker is then pushed to provide reasons that the listener would accept, because, crucially, the conversation is still oriented towards understanding. This process is what Habermas calls lifeworld repair. In lifeworld repair, validity claims are tested, and norms, shared meanings, and values are clarified, revised, or outright abandoned in favor of an agreed-upon alternative. Lifeworld repair requires, before the process can begin, exposure to challenge. Without someone calling into question validity claims, no repair can occur. Those validity claims must be open to contestation; if they become naturalized or taboo to discuss, disagreement hardens into incomprehensibility. The discourse must be granted social space and time for objections, responses, and clarifications. All parties involved must likewise be open to changing their opinion and remain focused on understanding as the ultimate goal.

An example of this in action would be if a friend cancels at the last minute on dinner plans. The friend sitting alone in a restaurant is hurt and tells them that it was disrespectful to wait until five minutes before their reservation to let them know they could not make it. The interaction now shifts from coordination to justification. The friend who canceled apologizes profusely, saying they were caught up at work and needed to finish an important project. In this situation, the listener can challenge the validity claims in the excuse: its factual accuracy (did work actually run late?), its normative rightness (does work justify breaking commitments to a friend?), and its sincerity (is the apology genuine, or was it simply a deflection?). Then, through discourse, the various claims are clarified, revised, or abandoned. They might agree that career comes first, but to text as soon as possible. If it were a romantic date rather than a friendly meetup, that norm could shift, and maybe the agreement would be that, no matter the

[2] Habermas, *On Society and Politics*.

professional obligations, date night comes first. Regardless of the agreement, when the validity claims were tested, the canceler needed to justify themselves, and norms were renegotiated.

Colonization

The above description presents communication and the lifeworld as they function organically, without disruption from systems. Yet Habermas does not see the lifeworld as existing without intrusion. Instead, he describes the lifeworld as in constant tension with systems. According to Habermas, systems serve an important role in modern society, facilitating large-scale logistical coordination between strangers. Non-discursive coordination allows for markets to function and governments to administrate, yet systems are not self-limiting. They require regulation to remain in their own specified roles, and without that regulation, they expand and colonize the lifeworld. When systems expand into realms grounded in mutual understanding, such as family life, education, cultural production, and the public sphere (the arena in which public opinion is formed), they overstep. Colonization occurs when questions that ought to be negotiated ("What is fair?" "What is true?" "What do we believe?") are answered for us by systems' efficient processes. The internal function of the lifeworld and communication itself become skewed, and lifeworld repair shifts towards automatic procedural fixes or managerial metrics.

This framework provides the language and tools to understand how opaque changes in an organization's communication brought about by predictive systems can have drastic impacts on public conversation as a whole. If healthy public discourse requires sensitivity to reasons, then the shift from reason-based communication to behavior-focused feedback in the form of clicks, dwell time, and data points not only disrupts communication but also undermines its foundation. The argument here is not that technology makes discourse impossible; rather, it makes discourse incapable of fulfilling the role Habermas set out for it: producing relevance, coordinating action through justification, and repairing breakdowns in mutual understanding.

Prediction as Extension

As time has passed, Habermas and those following in his footsteps have been forced to incorporate modern technology into that exhaustive framework. A natural response to this challenge is to treat technology merely as an extension of existing systems. In this view,

predictive algorithms are not new or discrete; instead, they are a new tool for increasing system efficiency. Habermas describes systems as functioning not through discourse but through steering media such as money and power. These are the carrots and sticks that coordinate large-scale cooperation between disparate individuals. Predictive systems function analogously. Prediction becomes a new steering medium; it allocates exposure (what information do we see), allocates risk (who is likely to recidivate or to become a political agitator), allocates opportunity (who is deemed a good hire or a good enough student for acceptance), and allocates credibility (who is trusted and amplified). All of the above coordination occurs without validity claims. No justification is required, and fundamentally, efficiency and optimization take precedence over understanding. Instead of asking what an individual deserves, means, or claims, institutions and platforms act on what a model predicts they will do.[3] Up until this point, predictive algorithms can be easily integrated into the framework as is. They change the reach of systems into the lifeworld, but not the fundamental mechanism.

Yet prediction does not simply intrude on communication from the outside; it ingests communicative processes as data and recomposes the preconditions of communication by filtering what is visible and discussable in the first place. If predictive systems were only an extension of existing systems, then Habermasian repair strategies would work, regulate intrusion, and rebuild communicative spaces. The critical shift is that prediction disrupts the preconditions before communication even begins, and, through the loop of data collection and further prediction, it continually improves its own ability to disrupt.

Shift from Communicative to Behavioral Feedback

Feedback then shifts from communicative, reasons, validity and importance, to behavioral, clicks, and dwell time: "What we feel or believe increasingly constitutes data to be gathered or inferred from things we do (e.g., clicks)."[4] This shift occurs across all forms of technologically-mediated communication, but none is more politically important than the public sphere. The public sphere, as briefly described before, is Habermas' term for the realm in which public opinion is formed. Historically, that has looked like coffee houses, speeches, articles and even individual conversations. Anything that informs or changes public opinion belongs to the

[3] Mathias Risse, *Political Theory of the Digital Age: Where Artificial Intelligence Might Take Us*, Cambridge: Cambridge University Press, 2023, 105.
[4] Ibid, 107.

public sphere. Crucially, the public sphere is an area of coordination firmly grounded in communication and understanding. Public opinion develops through cycles of argument, disagreement, and persuasion. Today, it looks different; while speeches and articles still influence public opinion, social media and targeted advertising make up an ever-increasing part of the pie. Even speeches are reduced to clips, organized, and distributed to those most likely to find them engaging. Elections are won not by understanding the desires of constituents but through predicting what language will result in a positive response. During the 2016 presidential election, the Trump campaign, with the help of Cambridge Analytica, pursued a Facebook ad campaign in which 175 distinct message variants were shown to different voter segments.[5] No validity claims crossed segment lines. The needs of the electorate have no value unless the need can be converted into clicks, shares, and ultimately votes. Nor do sincerity or truth matter unless they are predicted to impact those same behavioral metrics.

Recursive Prediction: How is it new?

The distinction between past-lifeworld colonization and the impact of prediction is complex, but the intrusion of predication is fundamental to the flow of communication, particularly in the public sphere. Political conversations of any kind are based on the same validity claims as communicative action. Is the information factual? A war was started, a protester was killed, or a trade agreement was made. Today, that information travels through multiple predictive features before reaching the public. A witness account circulates on social media, gains momentum, and is then picked up by major news organizations, which decide whether it is credible and likely to boost viewership. In 2021, Facebook's internal research revealed that the platform's algorithm actively amplified divisive political content because outrage drove engagement metrics higher.[6] Is a politician sincere? Campaign promises are made, and voters decide whether they trust the intentions behind those words. Does a law or statement align with norms and values? The electorate decides whether safety or freedom should be prioritized in the conversation about gun rights. In the process of forming coherent public opinion, all of these worlds are thematized and tested, and the ultimate effect is that the disparate

[5] Carole Cadwalladr and Emma Graham-Harrison, "Revealed: 50 Million Facebook Profiles Harvested for Cambridge Analytica in Major Data Breach," *The Guardian*, March 17, 2018.
[6] Jeff Horwitz, "Facebook Knows It Encourages Division. Top Executives Nixed the Fixes," *Wall Street Journal*, September 26, 2021, https://www.wsj.com/articles/facebook-knows-it-encourages-division-top-executives-nixed-the-fixes-11631654215.

beliefs tend towards a common understanding as conversation continues.

In the digital age, however, that process is mediated by prediction before it starts. Algorithms predict, curate, observe, retrain, and narrow in a constant process of recursion. The information seen is curated based on the likelihood of response; that response then informs future predictions, which further filter information. That filtered information impacts all validity claims. The clip shown to a particular segment is designed to show sincerity and an alignment of values. None of the above insulating processes requires ideological intent or outright censorship; it is inherent in the mechanism of prediction that exposure will narrow and disparate segments will move further from mutual intelligibility.

Public Sphere as Training Infrastructure

The implication of the recursive filtering of exposure is that not only are individuals biased by algorithmic exposure, but they themselves also become data points, as does the collective conversation of all individuals.[7] Risse lays out a framework for what it means to be an epistemic actor in a digital lifeworld. He presents four different roles that each individual fills in their involvement in digital life. They are the individual epistemic subjects "learners, inquirers, or knowers."[8] The collective epistemic subject that creates and maintains the rules and standards of inquiry.[9] The individual epistemic object who gets "to be known by others."[10] And finally, the collective epistemic object, the role that describes the entire public sphere as a field of data generation: "This role is that of a contributor to data patterns, parallel to that of maintainer of the epistemic environment where information is gathered."[11] By engaging with the digitalized public sphere, every statement, every view further improves the algorithm already disrupting the process of discourse. Merely participating in the digital lifeworld creates value for systems, further tipping the scales towards the system's supremacy.[12]

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[7] Risse, *Political Theory*, 107.
[8] Ibid.
[9] Ibid.
[10] Ibid
[11] Ibid, 108.
[12] Ibid, 194. Risse introduces the idea of data as a collection of social facts that without any requirement for permission both use individuals as inputs and predict their actions.

The Shift in How We Speak

As people become ever more accustomed to life in the digital lifeworld, the way they express themselves changes as well. Instead of identity being tied to communicative relationships, support, response, argument, and repair, identity becomes tied to the data trail that records every digital interaction. Individuals are incentivized to adapt their speech and identities to maximize predicted reception. Increased effort is put into how to display personal data to present oneself in a favorable light. Instead of engaging in discursive interaction with others to form friendships, find romantic partners, and get jobs, we focus on organizing our Instagrams and LinkedIn profiles, all to present a favorable picture of ourselves across the internet.[13] We increasingly prescreen partners and job applicants based on their digital footprint and form our social and political identities by performing segment-specific markers.[14] Who we are becomes less about how we comport ourselves when we interact with others, and more about the data that we produce: "You are the sum total of your data. No man escapes that."[15] Optimization takes precedence over understanding as relationships become increasingly strategic. Sincerity and rightness become optimized signals rather than contestable validity claims.

Why Habermasian Repair Strategies Fail

The Habermasian picture of lifeworld repair depends on how breakdowns in understanding become visible and how they can be corrected. When validity claims are contested, participants shift to explicit justification. Objections can be made, reasons demanded, and shared expectations revised. Unlike system coordination, which can operate with no mutual understanding, lifeworld repair is contingent on participants working within a sufficiently shared situation. Predictive systems do not merely introduce distorted content into the public sphere that still remains structurally capable of repair. They reorganize the environment of repair, doing so upstream of discourse. "More discourse" and "better arguments" are not a sufficient remedy. The change is structural: predictive systems reorganize the conditions under which disagreement

[13] Risse, *Political Theory*, 107. This is how Risse's individual epistemic object and individual epistemic subject roles play out in everyday life.
[14] Ibid, 64, 103, 171. "Segment-specific markers," in this context, mean the ideological and moral framings that signal membership in an algorithmically clustered group. Under engagement-ranked systems, cues that reliably elicit response within a segment tend to be amplified, making strategic use of those cues a reasonable decision. This not only incentivizes strategic performance, it actively funnels individuals towards packaged identities within segments by tailoring sets of markers for each identity.
[15] Don DeLillo, *White Noise*, New York: Viking, 1985, 141.

becomes both publicly legible and repairable. The repair mechanism still exists in principle, but the social conditions that initiate it, allow it to persist and stabilize the lifeworld post-discourse are systematically weakened by the design of predictive mediation.

Historical Fragmentation

One might object that the public sphere was always fragmented, and that the argument here depends on romanticized fiction. Nancy Fraser's critique of Habermas demonstrates that the bourgeois public sphere systematically excluded women, the working class, and colonial subjects from the outset.[16] Fragmentation, on this reading, is not a pathology introduced by prediction but the historical baseline. The objection is correct, and it is beside the point. This argument does not presuppose that a unified, inclusive public sphere ever existed in practice. Its normative target is not the historical public sphere but the communicative conditions Habermas identifies as necessary for democratic legitimacy: the contestability of validity claims, the openness of norms to revision, and the possibility that better reasons can revise what people collectively accept as true or right. Those conditions were imperfectly and unequally realized long before algorithms. That imperfection does not dissolve the structural question of what further undermines their realization.

Selective Challenge

Validity claims must be challenged for discursive revision to occur. In face-to-face interaction, this exposure is straightforward. One hears a claim, feels the impact, and demands clarification or revision directly if its assumptions seem problematic. In a digital space, however, exposure is increasingly mediated by ranking systems and predicted response.[17] That curation is not inherently intentional or ideological. Reducing exposure only requires content to be optimized for behavioral response. If an algorithm learns that a user or segment is more likely to engage with content if shown congenial information, or shown conflict through a partial lens, then the system is prepared to curate exposure so that some challenges are never considered salient enough to register as challenges at all. Discourse and challenge continue, but selectively. Some norms are never clarified because they are selectively filtered out of the collective flow of

[16] Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," *Social Text* 25/26 (1990): 56–80.
[17] Risse, *Political Theory*, 114.

content. People may want to make clarifications or to reach an understanding, but if the conditions under which objections enter the public consciousness are undermined, the discourse never gains momentum.

Cross-Segment Exposure

A second objection is that predictive systems do not uniformly narrow exposure. Virality mechanics, trending features, and shared links mean that content regularly crosses segment lines. If cross-segment exposure persists, the argument runs, then so do the conditions for repair. The objection is not wrong about exposure. It is wrong about what exposure requires. Habermasian repair does not begin with content appearing before someone; it begins when a validity claim is recognized as such and met with a reason-responsive reply. What prediction-driven virality delivers across segment lines is content that has already been optimized for engagement within the receiving segment. It does not arrive as a contestable claim; it arrives as confirmation of what the receiving segment already suspects about the out-group. Christopher Bail's empirical work on cross-partisan exposure bears this out: individuals exposed to opposing political content on social media became more polarized, not less.[18] Exposure without shared conditions of uptake is not the precondition for repair. The distinction matters because it reframes what is actually being disrupted. The problem is not that segments never encounter one another's content. It is that the encounter is mediated in a way that forecloses the kind of sustained, reason-responsive exchange repair requires. As described below, contestation in a predictive lifeworld is metabolized as engagement feedback rather than as an occasion for justification. Cross-segment exposure, under these conditions, does not initiate repair. It provides the raw material to fuel further segmentation.

Divergent Norms

As predictive systems provide disparate segments with increasingly distant content curated to best sustain engagement, different population segments develop partially incompatible standards of what counts as evidence, what counts as sincerity, and what counts as normative rightness. This is the most corrosive way in which prediction interferes with repair. In Habermas'

[18] Christopher A. Bail et al., "Exposure to Opposing Views on Social Media Can Increase Political Polarization," *Proceedings of the National Academy of Sciences* 115, no. 37 (2018): 9216–9221.

framework, repair does not occur simply with objections being stated[19]; they are met with a sincere, reason-based response that eventually leads to at least collective provisional acceptance. Reasons must be accepted as such across contexts and segments. An appeal to evidence, an accusation of bad faith, or a claim about what is normatively right must be able to reach some shared common space of contestation. Disagreement is organic, and complete agreement is equally problematic, but recognizing validity claims as reasonable is a basic requirement for productive contestation. Once segments begin to diverge at the level of standards, validity claims become locally intelligible but entirely non-transferable. Claims become obvious and uncontestable in one informational environment and entirely incomprehensible in another. What, in one group, can be a conclusive refutation, is seen in another as proof that the out-group is coordinated, corrupt, or delusional.[20] The perfect example of this widening gap is the discourse surrounding COVID-19 vaccine safety. A study by Jon Roozenbeek et al. found that the same CDC mortality data circulated simultaneously as proof of vaccine safety in one algorithmic segment and as evidence of suppressed adverse effects in another.[21] Disagreement no longer initiates repair; it solidifies mutual incomprehensibility.

The point is not that people disagree more or that polarization increases. It is that predictive mediation moves the area of epistemic coordination. When each group is fed the stream of information most likely to keep them engaged, the public sphere stops operating as a single arena in which claims are contested and revised in healthy argument.[22] Instead, the public sphere becomes a collection of parallel arenas of discourse with different criteria for what warrants thought and what warrants discussion. The fragmentation makes Habermasian repair increasingly difficult as it requires large-scale social coordination replete with agreement, objection, and mutual legibility. Moreover, the result of public discourse must be considered credible; when public conversation in one public sphere is accepted internally, it is considered absurd in another.

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[19] Bail et al., "Exposure to Opposing Views."
[20] Jon Roozenbeek, et al., "Susceptibility to Misinformation about COVID-19 across 26 Countries," *Royal Society Open Science* 7, no. 10, 2020.
[21] Josh Simons, *Algorithms for the People,* Princeton, NJ: Princeton University Press, 2023, 4.
[22] Ibid.

Contestation as Engagement

Contestation itself is transformed. In a healthy repair process, contestation demands justification; it makes claims explicit and incentivizes productive discourse. In a predictive digital lifeworld, contestation is absorbed as behavioral feedback. Outrage and argument register not as valuable areas of discussion; instead, they are metabolized as engagement metrics. Arguments are moralized and presented to different segments pre-optimized for continued engagement. Contestation can intensify while its reparative function weakens. Disagreement becomes ubiquitous, but its function shifts from producing revision across ideological lines to hardening tribal borders.

Time

For this reason, time matters. Lifeworld repair is a coherent process that requires an objection to be met with a response, clarification with revision, or affirmation. Prediction interrupts this process by re-ranking content based on engagement before reasons can be processed or responded to. The object of discussion shifts faster than reasons can be exchanged and understanding stabilized. Public spheres remain active while becoming less able to facilitate the extended back-and-forth that makes repair possible, especially across ideological divisions.

Strategic Speech

Finally, epistemic actors are incentivized to present themselves strategically with predicted perception as the guiding force. When predicted engagement determines visibility, it is reasonable to speak in ways that will be deemed credible by their segment and use language that will trigger algorithmic engagement signals. Sincere statements become part of the ideological package if and only if they result in digital virality. Communicative action is not destroyed, but the public sphere becomes saturated with strategic actors, and the few sincere claims no longer instigate discussion of validity; they act as markers of membership to a particular segment. Public spheres continue to function, but they no longer move towards genuine understanding and ultimately repair. The claim is not that lifeworld repair ceases to function. Friends can still negotiate norms and values, as can isolated ideological segments. It is that the public sphere's function as a direct tie between communicative action and society-wide public opinion capable of influencing policy is severed. Discourse is provincialized, and repair loses the ability to

reliably generalize as do norms, reasons, and criteria for credibility. Without a reliable connection between discourse and a unified, negotiated, public opinion, the public sphere loses its ability to function as Habermas intended. Policy is no longer directly tied to public sentiment. Yet that cynical direction is not an inevitable outcome; Simons states that "internet platforms can use machine learning — either to drive short-term engagement and fragment public debate or to encourage shared understanding and experiment with innovative forms of collective decision-making."[23] With conscientious regulation, based on a legitimate understanding of how predictive algorithms function and their impact on public communication, agency can be returned to a coherent public sphere.

Regulatory Responses and Their Limits

Regulators are already fighting for a more equitable digital existence. As prediction "shifts the point at which humans control decisions" from the interaction itself to the program architecture, regulation focuses on targeting the inputs and design of prediction, data collection, profiling, recommender design, and ad-targeting.[24]

Political Advertising Regulation

An example of a regulatory strategy is to protect political dialogue, specifically by regulating political advertisements. This protection takes the form of transparency of sponsorship, targeting techniques, and the requirement of explicit consent for use of data for political advertisement.[25] This increases visibility for individuals and journalists and helps make validity claims more widely contestable. But it does nothing to touch the "organic" recommendations that act as the primary impetus behind public sphere fragmentation.

Recommender Transparency (DSA)

Another strategy is outlined in the EU Digital Services Act (DSA), which requires platforms using prediction to explain the "main parameters" behind recommendations and give

[23] Simons, *Algorithms for the People.*
[24] European Parliament and Council of the European Union, Regulation (EU) 2024/900 of 13 March 2024 on the Transparency and Targeting of Political Advertising, Official Journal of the European Union L (20 March 2024), art. 6-17.
[25] European Parliament and Council of the European Union, Regulation (EU) 2022/2065 of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act), Official Journal of the European Union L 277 (27 October 2022), art. 27

users the option to modify their recommendation settings.[26] For very large platforms, the DSA requires a recommender option not based on profiling.[27] The implication is that users can regain exposure to challenges from outside their segment by opting out of personalized recommendations.

Systemic Risk Assessment (DSA)

The final and most relevant strategy to limit the systemic disruption of public discourse is to treat platforms as sources of systemic risk to civic discussion rather than merely as hosts of bad content. The DSA requires platforms to internally assess systemic risk, including negative effects on public discourse and electoral processes.[28] It also mandates that access to platform data be granted to researchers to study those same systemic risks.[29] All of the above regulations provide epistemic actors with additional tools to understand and limit the intrusion of systems into the digital lifeworld. Yet they do not automatically solve the problems of non-discursive relevance formation or that of validity-claim fragmentation.

Conclusion

The claim of this project is that predictive mediation does not merely bias the content of discussions that take place. But the process of conflict, which leads to clarification and the stabilizing of validity claims throughout the public sphere, is reorganized. Democratic legitimacy depends on the public sphere being able to contest shared justifications across segment boundaries. Prediction shifts feedback from reasons to behavior, making engagement, rather than justification, the steering mechanism behind what is deemed credible and salient. The result is not more disagreement; it is the segmentation of the public sphere into multiple parallel and mutually unintelligible spheres of discourse. In this environment, objections do not necessarily lead to discussion and ultimately repair. Instead, those challenges are repurposed to maximize engagement with different versions being seen in each separate sphere. Even when discourse increases, it does not reliably lead to repair, understanding, or coherent coordination. Current attempts at regulation aim to understand the impacts of the system design and limit its negative

[26] European Parliament, Regulation (EU) 2022/2065 of 19 October 2022, art. 35
[27] Ibid, art. 34
[28] Ibid, art. 40
[29] Risse, *Political Theory*, 176.

impacts. These measures can reduce the intensity of segmentation and make the algorithm itself more visible, but they fail to address the fundamental problem.[30] Prediction itself, without any ideological intent, systematically undermines the ability of the public sphere to coordinate action discursively. If Simons is right, and platforms are incentivized to develop systems that prioritize "shared understanding and experiment with innovative forms of collective decision-making," then perhaps the digital age can strengthen instead of disrupt the public sphere.[31] For that to occur, individuals must resist the temptation to act strategically and instead risk making sincere statements and responding to challenges with understanding.

[30] Simons, *Algorithms for the People, 4.*
[31] Ibid.

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IED(ove)

Levi Lee

Digital Painting

IED(ove) is a digital painting about false peace. The dove, held in a spectrally ambiguous hand, is deceptively docile, when in fact, a closer inspection of the head reveals the truth: the dove is a bomb. The inclusion of religious imagery such as the halo is meant to remind us how religion is often used in conjunction with other reasonings to justify war and genocide. Despite its deceptive nature, the dove still holds an olive branch in its beak, and is targeted by an outside source. Similar to how the dove is never let out of the hand's grasp, this piece shows how false peace is often issued or spoken regarding current conflicts without ever really being about a peaceful resolution. It forces us to ask the question: is peace even still possible? Or are we doomed to a cyclical recreation of violence and bloodshed forever?

Guilty. Occidental College's Students for Justice in Palestine hosts a people's tribunal of the Board of Butchers (i.e. trustees and administration) in Los Angeles, Tuesday, September 30, 2025. (Photo by Marty Valdez).

Plastic Prescription: A Pharmacopornographic and Psychopolitical Analysis of Dilation as a Prosthesis of Postoperative Architecture

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ABSTRACT: This paper examines dilation through the postoperative lens of prescription, attempting to reveal the normative sense of its corporeal construction, without readily prescribing a nonnormatively invaginated paradigm. While clinically discharged, dilation shapes the neovaginal canal to the mold of expectation. This paper first examines the structure of subjectivity in MTF vaginoplasty through the case of Agnes, characterizing the paradigmatic origins of surgical productivity through the structures of its 'natural' cisgender referent. Dilation, as a prosthesis of postoperative subjugation, is then shown to extend disciplinary architecture at the pharmacopornographic and psychopolitical levels, relying on the frameworks of Paul B. Preciado and Byung-Chul Han. As the clinic is intercorporated through prescription, patients are materially and temporally oriented in relation to clinical structure; repetition works to cast the canal in certain contours of plastic penetrability. Following Eric Plemons, postoperative productivity is viewed as a function, defined by the surgical script of neoliberalism as distributed through pharmacopornographic capitalism. A turn to phenomenology then ruptures the structures of these subjective assumptions. In this break, I aim to find a politics of post-pathology through discharge, reading Agnes' case through the queered background of Sara Ahmed. Finally, anarchitecture, the forthcoming theory by Jack Halberstam, serves as a blueprint for the unbuilding of this subjectivity.

Introduction: Agnes, as She Appeared

When Agnes appeared in the 1958 office of Dr. Harold Garfinkel following a series of psychological evaluations by his colleague, Dr. Robert Stoller, diagnosis practically clung to her desire. Agnes was "convincingly female," with the added privilege of being white, 19 years old, and single. The case report characterizes her as "tall, slim, with a very female shape," calculating this assessment with note of her "38-25-38" measurements.[1] For all intents and purposes, Agnes was the "real thing," but reality can be a stilted referent. Between Agnes' sloping hips was a pair of male genitalia. Garfinkel declared the case evidence of "genuine hermaphroditism," invoking the diagnosis of "testicular feminization syndrome," which provided it as his surgical duty to correct this biological incongruence.[2]

The surgeon, bound to the doctrine of nonmaleficence, "do no harm," finds linguistic elasticity in the rhetoric of pathology. What defines harm is stretched like taffy: warped around

[1] Susan Stryker and Stephen Whittle, *The Transgender Studies Reader*, Routledge, 2006, 60.
[2] Paul B. Preciado, *Testo Junkie: Sex, Drugs, and Biopolitics in the Pharmacopornographic Era*, The Feminist Press at the City University of New York, 2013, 381.

the structure of the symptom. Agnes, in her appearance as a clear-cut case of corporeal dysfunction, turned to the clinic for help. This turn, as theorized by Judith Butler, is crucial to subject formation.[3] Garfinkel, in repairing "what was meant to be there," fulfilled his professional duty, turning Agnes' "wrong body" into its functional "right."[4]

Seven years post-op, with a coherent stabilization of her "hormonal identity" and "physical identity," Agnes told a different story. From a young age, she admitted to syphoning off her mother's supply of estrogen pills, steadily crafting the fiction perceptible to pathological conception. Agnes' narrative weaponized the clinical architecture of assumption, wielding the intersexual diagnosis as a legitimizing conduit for her request. Before appearing in the clinic, a careful corporeality of clinical palatability was assumed. Agnes slipped into the synthetic signification of properly feminine somatic, popped in pharmaceutical form. Though the prescription was her mother's, the mark of its mass production provided the pragmatized patient with excess for the clinically expected dose of expression.

The pill reveals the subjective *hole* in Garfinkel and Stoller's report: the sterile script of narrative had leaked from the operating table outside the waiting room[5] and into the domestic; her desire was pre-conditioned with a clinical prescription. Agnes' case reveals how the miniaturization of disciplinary technologies and their subsequent prescriptive consumption produce a new form of post-disciplinary subjectivity. Through the frameworks of Paul B. Preciado and Byung-Chul Han, we see that Agnes was shaped by the pharmacopornographic regime at the psychopolitical level. She molded her material body into properly pathological alignment, consuming the ready-made prescription of presumption.

A post-disciplinary exploration of trans-subjectivity affirms the structures of clinical subjugation that follow discharge, sticking like a silicone shadow. Agnes' case provides a starting point for understanding the psychopolitical patient, but we must move beyond the case report and the expectant rhetoric of her subjective entrapment. Her story did not end in the clinic, nor did it begin at the top line of her file.

I aim to explore the contours of outpatient clinical subjectivity, the unwritten file of discharge, and excavate the structural gaps, holes, and voids of clinical prescription. In this

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[3] Judith Butler, *Excitable Speech: A Politics of the Performative,* New edition, Routledge Classics. Routledge, 2021, https://doi.org/10.4324/9781003146759., 33.
[4] Stryker and Whittle, *The Transgender Studies Reader*, 60.
[5] For an analysis of the waiting room, see Lubin and Vaccaro, "The Sexological Floorplan," 364.

paper, I will demonstrate the prescriptive imposition of dilation as it comes to shape the post-operative trans body. Following Eric Plemons, I explore the surgeon's role in legitimating what the "proper function" of the neogenitals ought to be, and how this function is internalized by the postoperative patient.[6] I argue that prescription serves to keep subjects engaged in clinical productivity, embodying the disciplinary structures of subjugation at the individual level. As an animating force of pathology, I reveal the prescriptive orientation of the trans-body as productive.

This paper focuses on the subject postoperatively, as dilation keeps the body clinically confined. I will argue that prescription maintains productivity — progress is valorized in plastic, measurable in medicalization. I examine the dilator, much like the pill, as a prosthesis of the pharmacopornographic regime. Prescription produces and maintains the paradigm, tautologically valorizing penetrative intercourse as a technology of compulsory heterosexuality.[7] As such, the postoperative self is "whole made in hole."[8]

In examining the post-operative subjugation of dilation, I will rely on the post-disciplinary conceptions of the pharmacopornographic and psychopolitical regimes, revealing how they incubate biopower at the individual level. From this, I will examine the paradigmatic tropes of the cisgender vagina and the surgically reconstructed trans-neovagina. I demonstrate how the pharmacopornographic and psychopolitical regimes warp the temporal and material subjectivities of the post-operative patient. From here, I seek to deconstruct the discharge. I use the concept of phenomenology, specifically Sara Ahmed's "queering" of the discipline, to rupture subjective invisibility and make way for an anarchitectural politic of unbuilding.

Characterizing Post-Disciplinary Power Regimes

The Pharmacopornographic regime is a two-tentacled revision of its Foucauldian predecessor.[9] Rather than existing within the structures of power, architecture is molecularized,

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[6] Eric D Plemons, "It Is As It Does: Genital Form and Function in Sex Reassignment Surgery," *The Journal of Medical Humanities* (Boston) 35, no. 1 (2014): 37–55, https://doi.org/10.1007/s10912-013-9267-z., 37.
[7] Adrienne Cecile Rich,"Compulsory Heterosexuality and Lesbian Existence," *Journal of Women's History* (Baltimore) 15, no. 3 (1980): 11–48, https://doi.org/10.1353/jowh.2003.0079.
[8] Gayle Salamon, *Assuming a Body: Transgender and Rhetorics of Materiality,* Columbia University Press, 2010, 91.
[9] Michel Foucault, *The History of Sexuality*, Vintage books edition, with Robert Hurley, Vintage Books, 1980.

intercorporated at the somatic level. “Pharmaco” refers to the miniaturization of pharmaceutical technologies and their mass-commodified consumption. Disciplinary structures are synthesized, taken in pill form, and distributed through the “pornographic” channels of cultural hypersexualization. “In disciplinary society,” Preciado writes, “technologies of subjectivization controlled the body externally like orthoarchitectural apparatuses, but in the pharmacopornographic society, the technologies become part of the body.”[10] Here, the body-power relationship is tautological; the body becomes the power, serving to subjugate from within.

The medicalization, miniaturization, and molecularization of feminizing hormones provided Agnes with a material orientation to pharmacopornographic productivity; she appeared in the clinic with an adherence to assumption, her body contoured to the pathology of expectant prescription. The pill, as Preciado argues, shook the rigid fixity of the sex/gender binary; its genesis ruptured the disciplinary order.[11] Agnes was able to refigure her somatic at the molecular level because of a latent paradigm in her mother’s pathology. Pharmacorpornographic technology, in its miniaturized state, melts biopower from its structured inscriptions on the clinic wall and into the domestic. Agnes used this crystalline subjecthood as a prosthetic narrative of clinical productivity.

As a catalyst for the legitimacy of Agnes’ demand, the pill helps characterize the subjective orientations of pharmacopornographic capitalism at the psychopolitical level. Prescribed alongside a placebo, the pill conditions the pathologized subject through the performance of routine. As Preciado writes, prescription “evokes a chemical calendar in which each day is indicated by the indispensable presence of a pill.”[12] As a pharmacological prosthesis, hormones are introduced at the molecular level. Invisibly, this action physically transforms the material conditions of subjecthood. In the post-disciplinary era, “Biopower doesn’t infiltrate from the outside. It already dwells inside.”[13] Placebo accounts for user error, conditioning a corporeal state of compliance and regulated cerebral calendar.[14] Prescription is discharged to the domestic. The structures of disciplinary power stick to the subjective script. The pill is packaged for the caul-de-sec’d clandestine; it is camouflaged and incorporated at the innermost level.

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[10] Preciado, *Testo Junkie*, 78.
[11] Ibid, 191.
[12] Ibid, 198.
[13] Ibid, 208.
[14] Ibid, 208.

The pharmacopornographic regime aligns closely with Byang Chul Han's notion of the psychopolitical and similarly critiques disciplinary power at the nexus of neoliberalism. As capitalism's "mutant form," neoliberalism generates needs of its own, and by degrading individual subjects into "genital organs" of the enterprise, these "entrepreneurial" subjects perceive these needs as belonging to them.[15] The pharmacopornographic body is commodified into a "project," an ongoing engine of entrepreneurial efficiency.[16] Psychopolitical power is invisible, quietly directing neoliberal subjects into productive embodiments of pragmatism. Postoperative prescription becomes the very substance of this neoliberal subjectivity, as power is internalized and incorporated.

Han characterizes this psychopolitical subjectivity through a serpentine analogy: "The snake," as the "animal of neoliberal control society, to which disciplinary society has yielded." This figure juxtaposes "the mole" as the "laborer" of disciplinary society. In psychopolitical logic, the snake is an entrepreneur, "a project inasmuch as it creates space through the course it steers."[17] The pragmatic possibility of the snake becomes the basis of neoliberal subjugation, diverging from the mole's confinement to "predetermined spaces" subordinated to "spatial restrictions." As an entrepreneur, the snake moves linearly, much like the neovaginal canal. Invisibly, the subject slithers to a productive paradigm of possibility. Dilation is emblematic of this serpentine psychopolitical process; the canal is pragmatized by a linear logic of prescriptive possibility.

Paradigmatic Origins

To understand what constitutes a functional neovagina, one must understand the normative assumptions of its cisgender referent. "Before the first incision is made, surgeons must decide what female and male sex organs look like and do," notes Eric Plemons. They then "must develop surgical techniques in order to (re)produce these characteristics."[18] Productivity is distilled into a preemptive paradigm; the possibility of plastic certainty reifies this with a performative repetition. Virginia Braun and Celia Kitzinger argue that the very "notion of a perfect vagina and its corollary, an imperfect but perfectible vagina, is evidence that

[15] Byung-Chul Han, *Psychopolitics: Neoliberalism and New Technologies of Power,* with Erik Butler, Verso Futures, Verso, 2017, 5, 7.
[16] Chris Shilling and Arthur W. Frank, "The Body and Social Theory," *Body & Society* 1, no. 1 (1995): 184–87.
[17] Han, *Psychopolitics*, 17-18.
[18] Plemons, "It Is As It Does," 39.

[disciplinary] norms extend to the private/hidden domain."[19] The normative vaginal imaginary, through an occulted mystique, is relegated to the clandestine hegemony of the private sphere.[20] Through assumption, it is imbued with the inertia of self-optimization. In its idealized form, the vagina is tight, but not too tight.[21] Condensed with an objective distillation of "meaning making," vaginal character becomes a functional corollary, revealed amidst acts of sex, birth, and menstruation.[22] As a site of productivity, these conditions are exposed only when necessary. With an occulted assumption, silence speaks as a natural negation of nuance.

The vaginal canal, as the site of reproduction, has been an object of paternalistic concern since Greek antiquity.[23] Once a vagina has given birth, however, the post-dilatory canal loses its paradigmatic tightness. In comes the surgeon, armed with the omnipotent will of the scalpel to perfect the vaginal imperfection. Harm is thwarted here in pursuit of the presumed husband's pleasure; the canal stitched tightly in his namesake.[24] In pharmacopornographic analysis of the husband's stitch, the surgeon acts as a Fordist mechanic, rearranging and lubricating the rusty bits of the unproductive, defined by patriarchal conception.

J. Marion Sims, the "father of gynecology," has been heralded as the "architect of the vagina," coining the term vaginismus as a pathological signifier to a vagina's impenetrable unproductivity.[25] Once pathologized, Sims prescribed dilation with "wedges of varying sizes," enlarging the vaginal canal but only "so men could fit inside."[26] This is one of the earliest prescriptions of modern dilation, performed for the possibility of penetration. As an architect, Sims constructed the structures of disciplinary subjugation separate from the structure of subjective consent.[27] Sims saw the vagina as a "territory of exploration," an objective terrain of imperial conquest, opened and examined through the lips of Sims' speculum.[28] From the earliest

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[19] Virginia Braun and Celia Kitzinger, "The Perfectible Vagina: Size Matters," *Culture, Health & Sexuality 3,* no. 3 (2001): 263.
[20] Betty Friedan, *The Feminine Mystique*, 10th anniversary edition, Norton, 1974.
[21] Braun and Kitzinger, "The Perfectible Vagina," 266.
[22] Plemons, "It Is As It Does," 37.
[23] Robert M. Goldwyn, "History of Attempts to Form a Vagina," *Plastic and Reconstructive Surgery 59*, no. 3 (1977), 319.
[24] Braun and Kitzinger, "The Perfectible Vagina," 265.
[25] Joanna Frueh, "Vaginal Aesthetics," *Hypatia* 18, no. 4 (2003), 144.
[26] Ibid, 146-147.
[27] These backyard gynecological experiments were performed on unconsenting slaves, with little regard for their health or wellbeing.
[28] Frueh, "Vaginal Aesthetics," 158.

conceptions of vaginal paradigm, it is clear that productivity is mapped in relation to phallic penetrability.

In this way, the pallus is privileged in the construction of its inverted referent. As Plemons in an examination of the surgical literature, "the 'adequacy' of the vagina is figured in these terms, as the reverse of and ultimate place for a penis."[29] The residue of psychoanalysis reflects in a residual "mirror stage."[30] The valorization of the phallus has oriented phallogocentric culture to privilege its structural significance, phantasmic as its genesis may be. Even in its Butlerian reversal, the signifier/signified relation is bound "to an essential relation in which difference is contaminated."[31] The phallus, though the discursive intent is muddled, is not the penis as an ontological organ, but instead its "privileged signifier."[32] Still, this psychological privilege shapes the structures of knowledge and the institutions that reproduce it. "Within the model of penis idealized into phallus, the intolerably invisible vagina is amorphous," writes Johanna Frueh.[33] I do not wish to entangle this paper too tightly (!) within the dizzying strands of psychoanalysis; instead, I scatter these signifiers to note the historical constructs of which the language and materiality of the phallus orient subjects to the phantasmic referent of their patriarchal productivity.[34]

The paradigmatic vagina exists before its surgical reproduction, with each intertwined with a relation of compulsory heterosexuality[35] (and compulsory sexuality.)[36] Analyzing the rhetoric of penile inversion vaginoplasty (PIV), the penis is contrived with the possibility of castration,[37] as the "invagination" of the penis represents the latent possibility of femininity within masculinity.[38] Conversely, in cases of MTF surgical procedures, the prefix phallo is sutured to plasty, rather than peno.[39] It is assumed that the post-operative MTF subject will be properly productive in her sexual pursuits; as such, dilation serves to prepare the canal with a performative adequacy.

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[29] Plemons, "It Is As It Does," 48.
[30] Jacques Lacan, *Freud's Papers on Technique, 1953-1954,* with John Forrester, Norton Paperback, W.W. Norton, 1991.
[31] Judith Butler, *Bodies That Matter: On the Discursive Limits of "Sex,"* Routledge, 1993, 90.
[32] Paul B Preciado, *Countersexual Manifesto. Critical Life Studies,* Columbia University Press, 2018, 60.
[33] Frueh, "Vaginal Aesthetics," 151.
[34] Butler, *Bodies That Matter*, 68.
[35] Rich, "Compulsory Heterosexuality and Lesbian Existence"; Plemons, "It Is As It Does," 47.
[36] Elizabeth F. Emens, "Compulsory Sexuality," Stanford Law Review 66, no. 2 (2014): 303–86.
[37] Luce Irigaray, qtd in Plemons, "It Is As It Does," 48.
[38] Preciado, *Countersexual Manifesto*, 102.
[39] Plemons, "It Is As It Does," 52.

With a plastic certainty, proper connotations of embodiment impress on the corporeal contours, orienting them to a calculable state of productivity. Ideally, neovaginal depth should be at least 10 cm, and its diameter should be 30 mm.[40] Materially, dilators are made of hard plastic, embossed with 5 dots for measurable progress. As a metric of regimented psychopolitical surveillance, dilation is reducible to miniaturized inputs and outputs, like the Fordist factory line of domestic sexual productivity. Each function serves a phallogocentric purpose: dots measure serviceable depth, while the multicolored sizes calculate the canal's cooperative circumference. Post-disciplinary power works through the invisible tentacles of data. Han writes, "persons are being positivized into things, which can be quantified, measured, and steered."[41] Dilation is data; it is the calculable contour of post-pathology, properly passive.[42] Bound to the object of prescription, hegemonic will is internalized — paradigmatic adherence is predictable and profitable.

Temporal Conditions of Dilation

With a sense for the background of the patriarchal paradigm, I venture to examine the animation of pragmatism through what I call a "temporality of prescriptive post pathology." In deploying this, I draw on a lineage of scholarship on queer and crip time, situating the concept into the medicalized framework of trans subjectivity.[43] As a prescriptive case study, I *turn* to the Mayo Clinic's guide to "Dilation After Gender Affirming Surgery," in which an off-screen narrator indoctrinates you (the presumptive patient) into the pharmacopornographic order of post-operative care. The anonymous Narrator proclaims, "Vaginal dilation is important to your recovery and ongoing care. You have to dilate to maintain the size and shape of your vaginal canal and to keep it open," further emphasizing, "You will need to do vaginal dilation for the rest of your life."[44] These remarks, embedded into the browser history with the confectionery cookies of cybernetic compliance, act as a recipe for referential completion. This recipe is a half-baked idea, but with a seductive orientation to futurity, it forms in the flesh.

[40] R. B., J. J. Hage Karim and J. W. Mulder, "Neovaginoplasty in Male Transsexuals: Review of Surgical Techniques and Recommendations Regarding Eligibility," *Annals of Plastic Surgery (Hagerstown, MD)* 37, no. 6 (1996): 669–75.
[41] Han, *Psychopolitics*, 12.
[42] Plemons, "It Is As It Does," 47.
[43] Jack Halberstam, *In a Queer Time and Place: Transgender Bodies, Subcultural Lives*, Sexual Cultures, University Press, 2005; Ellen Samuels, "Six Ways of Looking at Crip Time," *Disability Studies Quarterly* 37, no. 3 (2017), https://doi.org/10.18061/dsq.v37i3.5824.
[44] Mayo Clinic, "Dilation After Gender-Affirming Surgery," 2021, https://www.mayoclinic.org/vid-20517182.

The fumes of neoliberalism permeate all areas of pharmacopornographic life, where even 'leisure time' can be co-opted by the pragmatic undercurrents of self-optimization. Even when relaxing, neoliberalism markets an optimal means of rest, inviting you to emerge from the sauna with retinol-glossed undereyes, as an efficient vessel for labor. The Mayo Clinic affirms this unsubtle pursuit of productivity: "You need to stay on schedule even when traveling. Bring your dilators with you. If your schedule at work creates challenges, ask your health care team if some of your dilation sessions can be done overnight."[45] This schedule is the substance of surgical subjectivity. With discharge, a temporality of prescriptive post-pathology ensures the patient's body is oriented in perennial conjunction with the productive occupation of time, oozing with posterity. This is all in service, of course, to the presumed heterosexual penetration. The productive capacity of the post-operative body exists in a state of perpetual becoming, always in the future.

Lee Edelman, in *No Future,* argued against the perpetual pursuit of this futurity. Queerness, in the text, is understood as a relation of negation, gaining ontological substance from its ability to disturb the dominant expectation.[46] Edelman argued that society, by "allowing reality to coagulate around its ritual reproduction, creates an ever-shifting emphasis on the needs of the Child," calling this paradigm "reproductive futurity."[47] Queerness, then, serves only to uphold the hegemonic order through its status as a "gap or wound of the real that inhabits the symbolic's very core."[48] This argument, while polemical and subject to critique,[49] shines an uneasy UV light at the hotel bed sheets of hegemony. Dilation is a technology of reproductive futurism, deferring the subject's needs to the faceless figure of wholeness.

As discharged subjects pursue the hollow habits of prescriptive penetration, they mistake the needs of futurity of those with their own subjective fulfillment. Prescription mandates this perpetual compliance with futurity, where each moment is "pregnant with the Child of our Imaginary identifications"; this binds the postoperative patient in perpetual pursuit of "meaning whose presence would fill up the hole in the Symbolic."[50] As prescribed, the 'natural' shape of

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[45] Mayo Clinic, "Dilation After."
[46] Lee Edelman, *Bad Education: Why Queer Theory Teaches Us Nothing,* Theory Q. Duke University Press, 2022, 17.
[47] Lee Edelman, *No Future: Queer Theory and the Death Drive*, Series Q, Duke University Press, 2004, 30.
[48] Ibid, 22.
[49] José Esteban Muñoz, *Cruising Utopia: The Then and There of Queer Futurity,* Sexual Cultures, University Press, 2009, 95-96.
[50] Edelman, *No Future,* 15-16.

pathology appears on the paradigmatic horizon of habit. In this temporality, the natural becomes an ever-receding concept that one can always work toward, yet can never quite arrive.[51] No future outright deploys the rhetoric of dilation as Edelman writes: "the nonsatisfaction that perpetuates desire and finds its defense against jouissance in the narrative dilation that endlessly begets the future by always deferring it."[52] To dilate is to delay, to put off the subject's needs in favor of the productive potential of futurity.[53] The self in its subjective w(hole)ness exists just beyond reach, dangled like a carrot of futurity.[54]

Imbricated in this cult of reproductive futurism, the subject comes to identify with a phantasmic wholeness — the figure of completeness at the other end of proper penetration. In characterizing this function, I find it helpful to turn to Merleau-Ponty's notion of transposition, which Gayle Salomon calls the "engine of sexuality."[55] There is a "felt sense" to these paradigms, as they are intercorporated at the psychopolitical level.[56] We must then attempt to understand the mechanics of desire, as embodied in action. The compulsion of pathological adherence is a valid form of postoperative embodiment, and this paper makes no attempt to strip the value of this "felt sense." To declare the normativity of an act is not a value judgment, but an attempt to characterize the subjective relationship as such. Thirst provides a universal basis for this comparison. As the body is thirsty, it reaches forward to take a drink of water, in doing so "the arm itself tends to recede from view or disappear…the object of desire supplants the self as center."[57] In this invisibility, we see the animating force of neoliberal subjectivity. Time is dilated through desire; the reciprocal is also true: desire is dilated through time. The dissolves, like a sugar-coated pill, on the subjective tongue; it becomes an extension of the self. Desire, what presumably will make the subject complete, lengthens the body into an ever-receding horizon of futurity.

The subjective 'wholeness' promised by the paradigmatic hole fails to materialize because the process is prescriptive; it is reified in the perennial stage of subjective performance. Patient futurity is oriented toward the perpetual state of becoming, as the productive paradigm

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[51] Plemons, "It Is As It Does," 46.
[52] Edelman, *No Future*, 86.
[53] Patricia Parker, "Dilation and Delay: Renaissance Matrices," *Poetics Today*, 1984, https://www.jstor.org/stable/1772377?seq=1.
[54] The largest dilator is often orange and carrot-like.
[55] Salamon, A*ssuming a Body,* 51.
[56] Ibid, 14.
[57] Ibid, 53.

must again become penetrable through the performative invocation of plastic. Time and again, one must 'make room' for desire.

Material Confines of Neoliberal Subjectivity

Dilation is domestic, occurring occultly at "home." "Dilation requires time and privacy," the Mayo Clinic prescribes, "Plan ahead so you have a private area at home or at work."[58] The patient must ask for permission, losing sleep before she loses depth. Through prescription, home is a malleable mirage; privacy extends to privileged productivity. The clinic is everywhere, as it is a psychopolitical enterprise — be it the workplace, the car, a filthy bathroom, or a flea-festered motel. Home is a malleable concept, orienting the subject around the furniture of futurity.[59]

As Jay Proser notes, transition becomes a way of feeling "at home" in the body.[60] Comfort, in the backdrop of neoliberalism, is consumable; it is a consumable commodity. The body image is protracted through the purchase of privacy. Prescription, through psychopolitical narrative and technologies of pharmacopornographic distribution, carves into the cerebral contours of clinical expectation. Invisibly, this pacifies the patient with a clandestine comfort. As it is felt "at home," passing is a pragmatic act. This motion can take the shape of a verb; the body can *home*. In homing, the body relies upon "technologies of convention."[61] This act "makes room" for the shape of the future: presumed heterosexual penetration. The home is extended wherever it can pragmatically fit into a productive schedule, pushed perpetually into the future. Pharmacophonographic capitalism "homes" disciplinary architecture in the psychopolitical state of comfort.

During dilation, the patient must find a "comfortable position in bed or elsewhere."[62] In this state of supine subjectivity, the body mimics the familiar comfort of the clinic, assuming its augmented affect. Repetition makes room for the bodily home. Eventual comfort is found in the disjointed negotiation between the signifier and referent, which invisibly coddles the cult of futurity. Ahmed notes, "for bodies to arrive in spaces where they are not already at home...involves hard work."[63] In working toward home, we tend toward productivity, taking

[58] Mayo Clinic, "Dilation After Gender-Affirming Surgery."
[59] Preciado, *Testo Junkie,* 381.
[60] Jay Prosser, *Second Skins: The Body Narratives of Transsexuality. Gender and Culture*, Columbia University Press, 1998, 101.
[61] Sara Ahmed, *Queer Phenomenology: Orientations, Objects, Others,* Duke University Press, 2006, 168.
[62] Mayo Clinic, "Dilation After Gender-Affirming Surgery."
[63] Ahmed, *Queer Phenomenology*, 62.

Zoom calls in our pajamas and remaining perpetually reachable through the mobile prostheses of communication.[64] What is painful is pathologized and prescribed as normal. As the Mayo Clinic reminds, "Dilation will most likely be painful at first. It's important to dilate even if you have pain."[65] Pain is pragmatic as it is veiled by a rhetoric of necessity; we come to valorize the grit of calloused comfort. In regular doses, the disciplinary melt walls into the domestic, like the glacial bleed of the Arctic. Post-disciplinary power is contoured comfortably as a memory foam mattress — shaped by habit and cradled by structure.

The feeling of being "at home" in one's body is predicated on comfort — achieved through the assiduous repetition of assimilation. Prescription stretches the canal with a comfortable consistency. As they fade into invisibility, these devices serve as a prosthesis of "domestic architecture," dilated domestic.[66] The object can then no longer be separate from the body, but rather a necessary extension.[67] As pharmacopornographic technologies seep into the domestic sphere, the body both extends its "felt imaginary" to the comfortable and impresses back upon the structure.[68] The home, while a paradigm of disciplinary analysis, is intercorporated prescriptive pathology of pharmacopornographic and psychopolitical prescription. This is the synthesis of disciplinary subjectivity, an internal indoctrination of external expectation.

In the pharmacapornographic regime, biopower "sleeps with us," alongside the comfortable contours of memory foam. As such, it inhabits within.[69] The productivity paradigm is swallowed in pill form. This is the subjective miniaturization of disciplinary architecture; it is what Preciado calls the "edible panopticon."[70] Jeremy Bethem's panopticon was the "model of disciplinary social orthopedics," serving as a Foucauldian exemplar of disciplinary subjectivity.[71] Inside, power dissolved from a teleological point of authority, disseminating through the concrete capillaries of the edifice. From the inner watch tower, a single guard could keep watch over the entire prison. In its edible form, this surveilling efficiency is encased in prescription, coated with sugar, and swallowed alongside a morning bowl of Wheeties. "*The prison cell has become the body of the consumer*," writes Preciado, who recognizes the stilted perspective of

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[64] Paul B Preciado, *Pornotopia: An Essay on Playboy's Architecture and Biopolitics,* Zone Books, 2014, 145.
[65] Mayo Clinic, "Dilation After Gender-Affirming Surgery."
[66] Preciado, *Testo Junkie*, 185.
[67] Ahmed, *Queer Phenomenology*, 130; Preciado, *Pornotopia,* 61.
[68] Prosser, *Second Skins*, 85.
[69] Preciado, *Testo Junkie,* 208.
[70] Ibid, 173.
[71] Ibid, 204.

entrepreneurship.[72] Incarcerated, the subjective body is patrolled at the personal level, and surveillance becomes comfortable.

The Dilator, as a prosthesis of subjugation, is the physical panopticonic tower; it surveys with a physical regularity and is pulled into the psychopolitical with a pathological extension of personhood. Pharmacopornographic power is miniaturized and distributed with a steady efficiency. The clinic is the disciplinary predecessor of the dilator, which finds a comfortable place in the bedside drawer of the domestic, furnished alongside the comfortable chaos of consumable excess.

As a miniature panopticon, the dilator patrols the "cell" of the post-operative consumer. Pharmacopornographic power incarcerates the subject in the "cell" of its canal, regulating the subject with quantifiable dimensions of freedom. The psychopolitical entrepreneur "bears its own internal panopticon within,"[73] and the pharmacopornographic subject injects disciplinary power in pill form, with their miniaturization and invisibility, "tend to produce the subject they claim to shelter."[74] The prescription is, again, tautological; through intercorporation, the body comes to inhabit the plastic paradigm, appearing productive through its continued engagement with power. Pathology is bound to prescription; the two are isomorphic reflections of identity. One must become comfortable to achieve the productive orientation of prescription, finding home in the psychopolitical incubation of disciplinary miniaturization. Visually, the body absorbs Bentham's phallic blueprint, allegorical to the panopticonic internalization of power. The body makes room for the paradigm and is shaped by its structure; this process is repeated until the paradigm becomes invisible. The post-operative subject comes to identify productivity with personhood, flowing into the expectant confines of embodiment. This is where we must lean fully into phenomenology.

Phenomenology

It is at this juncture that I would like to 'break' the fourth wall — *hello there*! I extend my writerly linearity, structured neatly within the syntax, to break the narrative banality. In this rupture, things seem unfamiliar; the steady page by which you were reading, unquestioned, is thwarted by the unfamiliar. Know my presence here in these sentences; understand the

[72] Preciado, *Testo Junkie*, 205.
[73] Han, *Psychopolitics*, 61.
[74] Preciado, *Testo Junkie*, 205.

disconnected feeling from your one steady subjectivity. I am orienting your consciousness toward the crux of disciplinary intercorporation: Phenomenology.

Naturally, phenomenology has been at the 'background' of this paper, poking its head in and orienting my narrative in a linear pursuit of this very point. It was there all along, with the narrative's naturalness. It has gotten us this far, so we may well explore it. Phenomenology, in a broad sense, comes to examine phenomena as they become apparent from a first-person perspective of consciousness. There is a material weight to the shape of the objects that make themselves available to us, but invariably, we can only see so much of the picture. There is a hollow uneasiness to assumption, which is why chaos is cloaked with the steady brush of banality. This is the comfort discussed above; there was a steady tension of passive engagement with the text, but the roles shatter under the artificial scrutiny of normalcy.

A famous phenomenological example offered by Heidegger was the hammer; it serves, much like the prosthesis of the dilator, to extend our somatic capacity. A person with a hammer, under the backdrop of neoliberalism, is a person with an extended capacity to labor; they wield force insofar as they carry the prosthesis of power. The hammer, in its extension of strength, turns the body into a hammering body. We come to accept this process as familiar — until, that is, the hammer breaks. As Ahmed writes, "when the hammer is broken, or when I cannot use it, I become aware of the hammer as an object-in-itself, rather than as an object." The hammer, in its moment of "failure," is perceived as having properties.[75] In this moment of disconnection, we became aware of our orientation. Failure brings things to light, queer and disjoined.

The dilator, like the hammer, is a prosthesis of personhood; it makes the body a productive post-disciplinary subject insofar as it is intercorporated correctly — invisible, that is. Prostheses that serve to extend the body along desired contours of comforting normalcy are "straightening devices," as Ahmed calls them. Like the psychopolitical snake, what is productive is the linear pursuit of entrepreneurial progress. The body extends its sense of comfort through an orientation with linearity. Ahmed furthers, "Being 'in line' allows bodies to extend into bodies that have already taken shape."[76] The phenomenological object slips our gaze with its linearity. Shaped in the pathologized confines of the clinic, the subject is "oriented" as readable through an extension of this embodied linearity. The dilator, like the pill, physically restructures the canal at

[75] Ahmed, *Queer Phenomenology*, 48.
[76] Ibid, 9.

the psychopolitical level with an adherence to pharmacopornographic normativity. Phenomenology excavates the expectant mechanism that extends the pharmacopornographic laboratory into the psychopolitical domestic. The disciplinary is homed, making room for prescription; the subject takes the pill and makes room for the plastic.

Thus, prescription becomes normative and is unquestioned until a rupture. As Ahmed argues, "The lines that direct us…are in this way performative: they depend on the repetition of norms and conventions…but they are also created as an effect of this repetition."[77] Repetition orients a subject to the textured history of familiarity. Subjects, as extended by these lines, "become straight as an effect of repetition."[78] The canal is straightened with the regimented imposition of the dilator, appearing effortless through effort.[79] While the process is arduous at first, prescription becomes a prosthesis of selfhood, extending the bodily image into the framed structure of productivity. The power is prosthetic, invisible until the subject is made aware through failure.

But a queer phenomenology, with attention to the background, sees possibility in this subjective "brokenness." As Ahmed writes, "A hammer might be broken and not enable me to do one thing, but it could still let me do something else."[80] By rupturing our subjective entanglement with structures of subjugation, we can enable liberation through their queer reorientation. This then returns us to Agnes, whom we can read, within the phenomenological background, as an attempt to rupture the narrative linearization of her co-opted story. We must, however, question the structure. What holes exist in the narrative? What does the case report leave out?

Returning to the Ruptured Agnes

Agnes not only appeared at Dr. Garfinkel's clinic, but her story had survived a series of interviews with his colleague, Dr. Stoller. Agnes weaponized the clinical narrative of expectation. Wielding the pharmacopornographic straightening devices with an inverted recalcitrance. Her subjectivity appeared linear, but there was a strategic resistance to its substance. It played on clinicians' phenomenological expectations. From their stilted vantage

[77] Ahmed, *Queer Phenomenology*, 16.
[78] Ibid, 92.
[79] Ibid, 56.
[80] Ibid, 49.

point, they could only see the "young face with pretty features."[81] Agnes perfectly pragmatized her privilege; propelled by pill-pressed deviance, her "biological" orientation found the fictive folds of bureaucracy. Appearing in line with intersexual expectations, Agnes extended her embodiment towards a palatable preoperative pathology, but her postoperative remarks ruptured the certainty of the narrative.

Discharged from the clinic, Agnes was expected to adhere to the clandestine code of proper pathology; she was rendered a desirable female referent and, with an assimilable assumption, was released into the structure of the postoperative world. But her ruptured discharge, in its divestment from a structured politics of stealth, brought awareness to the straightening devices of her pathology. One can, as Preciado does, read Agnes as a blueprint for pharmacopornographic "bio hacking" that mirrored the autotheoretical tilt of his experimentation. Preciado notes, "abnormal bodies today have become imbued with political power and, consequently, present possibilities for creating forms of dissident subjectification."[82] Preciado furthers in this claim to open a revolutionary terrain for the invention of new organs and desires, for which no pleasure has been defined."[83] There is radical potential[84] in the process of unbecoming, but it is precisely the unbecoming that holds potential. We must prescribe "nothing," in the full sense of the term's lack.

In this way, I venture to conclude this paper with an "anarchitectural" reading of the postoperative patient, relying on the forthcoming work of Jack Halberstam. Inspired by the artistic practice of Gordon Matta-Clark, Halberstam's theorization of anarchitecture finds an emancipatory potential in the "holes, gaps, fissures, and crevices within the built environment."[85] Matta-Clark gained notoriety for his "inventive site-specific cuts into abandoned buildings demonstrated approaches to the concept of home and to the market system of real estate that were anarchistic, creatively destructive, and full of queer promise."[86] The abandoned state of these structures is a metaphor for the trans-bureaucratic subject, bound to the forgotten will of dejected expectation. Reading the surgeon as the architect of the trans-neogenitals, the postoperative patient can find anarchitectural potential of an unresolved unbecoming, premised

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[81] Stryker and Whittle, *The Transgender Studies Reader*, 60.
[82] Preciado, *Testo Junkie*, 385.
[83] Preciado, *Countersexual Manifesto*, XV.
[84] This "orgasmic force" is termed "potentia gaudendi" Preciado, *Testo Junkie*, 41.
[85] Jack Halberstam, "Unbuilding Gender." *Places Journa*l, ahead of print, October 3, 2018, 12.
[86] Ahmed, *Queer Phenomenology*, 4.

on the exposure of structural logic and grammar, seeking to collapse these "comprehensively legible systems" through a logic of destitution.[87] Matta-Clark was known for the aphorism "nothing works," wherein "nothingness becomes a site for dynamic change." The destitute state of disciplinary architecture can be ruptured by a turning of post-operative subjectivity, realized in its necessary compliance and negation. As Halberstam continues, "It is the void rendered visible by the cut; nothingness emerges as a site for queer and trans life."[88]

Destitution, in this way, is aimed at the institution; it claws at the structures of subjugation from the undercommons. Halberstam inverts destitution in its goal to "tear down, dismantle, and cancel prevailing political institutions without proposing others to replace them."[89] This, I believe, is the emancipatory potential of queer futurity, divorced from resolution, content with contradiction. The postoperative body "becomes a leaky vessel, a shattered surface, a mess of entrails, a discontinuous circuit for fluids and electricity, ideas and desires."[90] What if we, like Agnes, collapsed the logic of prescription? From a phenomenological rupture of pharmacopornographic and psychopolitical invisibility, the structures of discharge can be dismantled. In the very volatility of discharge is the void of abjection;[91] we can dilapidate the disciplinarian dregs of dilation, seeing them as reclaimed sites of destitution. Clinical discharge is the unwanted residue of assimilation, abject in service of sterility. Nothing works.[92]

What is disregarded, discharged, and destitute is the unproductive failure of noncompliance. In this prescriptive rupture of repugnant visibility is the process of anarchitecture. Stenosis, the mark of neovaginal failure, is a common "complication" of postoperative embodiment. From the earliest conceptions, "It was observed that without maintenance the cavity uniformly stenosed or obliterated."[93] This stenosis, obliterated by its unmaintained state, is the grout of anarchitecture; in its gaping graft is the negative space of discharge. A post-disciplinarian anarchitecture of stenosis can rupture pathology. But it cannot be

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[87] Ahmed, *Queer Phenomenology*, 13.
[88] Ibid, 21.
[89] Jack, Halberstam, "Anarchitecture After Everything' - Events - e-Flux," n.d., Accessed February 11, 2026, https://www.e-flux.com/events/659999/jack-halberstam- anarchitecture-after-everything., 9:17.
[90] Halberstam, "Unbuilding Gender," 9.
[91] Julia Kristeva, *Powers of Horror: An Essay on Abjection,* with Leon S. Roudiez, European Perspectives, Columbia University Press, 1982.
[92] Edelman, *Bad Education*, 43.
[93] Andrew J. Zilavy, Richard A. Santucci, and Maxx A. Gallegos, "The History of Gender-Affirming Vaginoplasty Technique," *Urology* 165 (July 2022): 366–72, https://doi.org/10.1016/j.urology.2022.03.032, 368.

prescribed; the political future of post-pathology comes first in a subjective rupture. It is a call to awareness, a change to see the negation, the future, and the object in its vacant background.

Rupture, in the failed sense of continual repetition, destabilizes the presumptive stranglehold of pathology on postoperative bodies. This paper has ruptured the logic of dilation as confined to the clinic. The patient, structured in the subjective architecture of disciplinary orientation, is empowered to unbuild. Gaps, voids, and scars — the same ones before — will emerge, lurking in the background of novelty.[94] In these spaces, I leave the nothing. In place of productivity, I leave the unsatisfactory stenosis of noncompliance. A break without a mend. A question left unanswered. Discharge drips from the clinically discursive, out from the disciplinary cracks. No logic of futurity will neatly wrap up the narrative.

[94] Edelman, *Bad Education*, 10.

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Your Body, My Temple

Levi Lee

Digital Painting

Your Body, My Temple is a digital painting that explores my personal experiences of gender dysphoria. The body is consumed into the ground and the tree around it, largely genderless and with a non-visible head. When I experience bouts of extreme dysphoria, it is often immensely overstimulating and overwhelming, leaving me with a sense of despair and confusion. I aimed to convey those feelings through the riot of colors on the page. Despite this, the hearts and stars throughout the piece symbolize how it is not for a lack of loving myself, but rather an inescapable grasp of not feeling right in my own skin. The title Your Body, My Temple tries to explore the dissonance I feel between myself and my body, and sometimes the dissonance between myself and humanity and being human. The distinction of the self from the body is, to me, a core experience of gender dysphoria. The sublimation of the human form into the ground around it aims to express the feeling of not truly having a sense of the self. I hope that through this art, the gender dysphoria experience can be seen by people who do not experience gender dysphoria.

Forgive Me Father For I Have Sinned
After Fred Moten's 'There is Religious Tattooing'

confession shook my spine like a bell
that said sit and repent and buy back
the secrets. far back mother's wallet bent

every time the service bell rang. bills
slipped between fingertips bare from
palms pressed into palm-pressed baskets.

mother's dues don't suffice for the sins father
charges me for. repentance is a poor man's chore
that robs my name to buy back the book he swore

I couldn't break. my breaking open starts
with a spine, bone to page. the seat branded
into my back: confess. another sinner sat

waiting for the bloody bell to rejoice
to the sound of repentance tramp
stamped onto my back. spine split

the page. sit still and secrets spill
out the book like blood: confess. buy
a seat and break spines like bread: confess

with the tongue he castrates before
I can break what he forbids: confess.
sit on the bell: confess. break open

palms on spines that he tattoos:
confess. empty pockets and palm the
secrets he bought back: confess. someday

I'll confess standing up and bargain
for a bell mother can afford and a
back father cannot break. buy back: confess.

Poem by Sophia Celi

When The Subject Speaks, He Speaks Sex: Michel Foucault's *The History of Sexuality* And the Voluntary-Involutary Confessional Drive

Percy Byron | Occidental College

Enter the Confessional

Sex begins with a mumbled, paternal-drawn prayer. *Forgive me, Father, for I have sinned…* There follows the litany of mor(t)al minutiae, an amateur appeal to some expert in rosary-catharsis. Michel Foucault, the prose-wielding prophet of sex discourse, hears too well the shifts of psyche spurred by Catholic signifiers. The last gasp of *ars erotica* rested in this sacral space, where the self became inseparable from the not-minor threat of flesh sins, and the soul's state took on erotic shape (soon to be speechified): sex. How strange, Foucault muses, for the first laity to be commanded thus; cloistered in the veiled den in which damnation hinges upon the tongue, salvation became upon turning out one's insides.[1] Forgiveness comes after judgement, and the sentence serves as trial; the confessional constituted sex as a danger conversible, something necessitating expression to the point of verbose obscenity: "everything had to be told," in infinitely exhausting detail.[2] Yet the pilgrims of that transitory epoch had no self of which to speak, and certainly limited language with which to speak it; sex was not a catechism committed to memory. It had to be invented, kept by the ruse of contagious secret, then coaxed unceasingly as sound — an embodying lexicon made, promulgated, and internally appropriated by beings always-already within apparatuses designed to listen, and listen forever. Hardly repression, Catholic confession wove the Western consciousness from a pattern of ritual disclosure, a deeply embedded cathexis of the worded self; speak, and you shall be known. The subjectivizing and subjecting dictum, long festering in the Christian desperation for exorcising desire, was born as technical utility.[3] Secularization traipsed not around this explicitly designed

[1] Michel Foucault, *The History of Sexuality, Volume 1: An Introduction*. Vintage Books, 1990, 60.
[2] Ibid, 19.
[3] Ibid, 21.

body-vocabulary, for too crucial a system it was to be censored.[4] Rather, the imperative of sex-knowledge-discourse spread beyond a Church's particular external space; recursively expanding, it burrowed inward as individualizing drive. The priest metamorphosed to libertine, and the libertine bowed to the patient. More characters afflicted by sex-speech infection took to the observed stage, some paradoxical in performance.[5] To be known as subject, now, is to be analyzed, interpreted, prompted to tell private truth — flesh, spirit, sex, psyche. All are reliant on the "perverse implantation" of talk, the revealing rhythm to which the Western sex-life is bound.[6] Modernity has risen from its kneeling submission before a God-conduit to movement, one of a mouth never-faltering in its expression of internal depths. That is to say, Foucault precisely tracks the path, tread individually and en masse, from confessional to couch (and in that clinic, bearing power's penetrating panoptic gaze, nothing is quite private); linguistic mechanisms multiplied and transformed as the will to self-sex discovery remained burning. Contemporary power technologies were fashioned from teleology, an openness to the mystery of that marked as hidden, carrying still the burden of dispersive divulsion. No longer soul-writ, the problem of sex now plagued the individual from the period in which words first form.

Inventing Self

Individualization of the flock prefigures the practice of shearing; for the singular privacy of sex to be hunted out, it first necessitated a figural locus (body), and thought-patterns stamped with the seal of polymorphous drive (self). Sex does not pose for linguistic still-life, but paints a writhing-within of speech; but who would speak without a life to speak of? What life was there to be had beneath the shadow of sword and scepter? One was at the sovereign's totalizing mercy (or lack thereof), interiority a plaything of limited purpose. The force of the Catholic Church, technological contamination of the consciousness, animated the sexually inciting vectors of

[4] Consider "My Secret Life," one of many literary instantiations of the confessing impetus. "Walter," the pseudonymous source of "My Secret Life" (1888), shatters socially-prescribed suppression, prose wrung from him as if by ecstatic exorcism. Composed as a stream of stories relating his erotic exploits, such obsessive filth flooded his Victorian epoch with ink-as-deviance, as delectable flesh. Language, desire's abject acolyte.
[5] The modern transmisogynist feminist type, for instance, condemns sex-censorship while monologuing about the essentialism supposedly denied.
[6] Foucault, *The History of Sexuality*, 36.

vocabulary, by which the self became thoroughly entangled. Foucault observes a telling linguistic evolution by which speaking selfness was potentialized: the word *avowal*, so crucial in times of punitive inquest and exonerating command. The contingent definition of avowal came to reflect less the world than the man: "[F]rom being a guarantee of the status, identity, and value granted by one person to another, it came to signify someone's acknowledgement of his own actions and thoughts."[7] Internal complexity, subjective truth, belonged to the individual; sex, too, was something to be owned, that ownership divulged by courtroom cries and clinical whispers (far overleaping the obstacle of hesitation). The psychic life, mired in gnarls of sex, could be known by speaking *out*. But why risk speech? Complexly, appropriating Freud as spring-point (not crutch; Foucault is chary of that power-limb called sexology), a case is made for an inorganic drive, conditioned and channeled by the "talking cure." Freud imagined an invented institution heavy upon his brow, catharsis born from confessing the self, tainted by sex-secret, continually. Yes, secret — an impossibility to the subject of monarchy — a secret cradling the spark of private truth. But rarely came catharsis for Freud's patients, no healing, though the self grew pained to the point of speech: "The truthful confession was inscribed at the heart of the procedures of individualization by power."[8] This is not repression, nor taboo, nor censorship, but self-making. A convalescence of coaxing verbosity from calibrated reticence (the priest mulls his response, Freud reclines, the Serbian resistance leaders demand a recruit to rewrite his life narrative) — a positive, productive explosion. Making individuals was the project of power in conversation, an intensification of speech from which the specific personage, branded excessively by sexual type, emerged.

Sex is the product of speech in that empty space between admission and diagnosis; the self is crucified in the midst of that terrible secret and the imperative to speak it, and speak it often. Often publically. Choice was now coded within the confession, a conditioned willingness to begin the task of intimately interrogating one's confidential reality. This impulse is made possible by internal appropriation of the confessing drive, which, no longer kept confined by faith, connotes implanted individuality as enigma: "The infinite task of extracting from the

[7] Foucault, *The History of Sexuality*, 58.
[8] Ibid, 59.

depths of oneself, in between the words, a truth which the very form of the confession holds out like a shimmering mirage."[9] Freud's office was freely entered. The exasperated notion of "coming out" operates on this very principle of self-mystery; the truth is found in admitting confusion, subjectivity constituted in narrative disclosure. One becomes a participant in power by virtue of speech, echoing verbal structures implying sex-secrets; confession is, vitally, a partnered ritual.[10] *Uproot the hidden, dig until you are dirty.* When the filth of becoming known begins to cloud your morality, choke your tongue, then you need an expert; to reveal this teeming, innate (truly, invented) presence, sacrifice privacy on modernity's altar of surveillance.

Secularizing, Surveilling, Scientizing

Confessional patterns, as Foucault makes recursively evident, have long been captured by capitalism-induced paradigm shifts. As forms of religious inquest violently unravelled, having codified self-truth as a knowledge to be coaxed (or coerced), science took on the force dangerously dark lest it be brought to a sanctioned listener's light. Enter institutional mediation; enter the expert other, capable of braving the lexiconal membrane of sex. "For a long time, the individual was vouched by the reference of others and the demonstration of ties to the commonweal (family, allegiance, protection); then he was authenticated by the discourse of truth he was able or obliged to pronounce concerning himself."[11] The subject's singular proclamation, however, was not quite enough to satiate the secular powers' "endless windmill of speech," appetitive as it was for the affirmation of sex-threat.[12] Psychoanalysts brought the titillation of word to this listening ritual, the eternally-expanding register of diagnoses ("strange baptismal names") for marginal sexual 'maladies,' made and nominalized.[13] Educators raised the alarm of onanistic children, organized pedagogy around parental guilt and structured sex into school architecture. The Western woman, man, and child are sexually saturated in *scientia sexualis*; the world, a confessional. Infinitely, "one confesses in public and private, to one's parents, one's

[9] Foucault, *The History of Sexuality*, 59.
[10] Ibid, 61.
[11] Ibid, 58.
[12] Ibid, 21.
[13] Ibid, 43.

educators, one's doctor, to those one loves; one admits to oneself, in pleasure and pain, things it would be impossible to tell anyone else, the things people write books about."[14] The margins grew, and spoke, and wrote, and opened their hearts (among other parts) to voyeuristic analysis — the trick of power's multiplicity was in appearing natural, its multi-armed embrace merely a healthy penetration of privacy, a matter of secularly scheduled life (drop the children off at school, attend marriage counseling, visit the doctor). "This form of power demanded constant, attentive, and curious presences for its exercise; it presupposed proximities; it proceeded through examination and insistent observation; it required an exchange of discourses."[15] Not discovery, no; proliferation.[16] Self totality, necessarily ruptured in its sharing, must be surveilled lest its particularity introduce perversity to the precious populace. The hygienic imperative, for the great sake of the desired social body, became identifying sexual deviance immediately, as it tumbled from mouths unsuspecting, and encouraging dialogue perpetual. Pleasure and power embrace in such surveillance, during this two-step dance routine of secular sublimation: "An impetus was given to power through its very exercise; an emotion rewarded the overseeing control and carried it further; the intensity of the confession renewed the questioner's curiosity; the pleasure discovered fed back to the power that encircled it."[17] The windmill continues to turn. Scandalous, unmediated, the common Catholic tongue loosened analytic speech; constant stimulation of the confessing drive necessitated the implementation of new, and more, observatory techniques and specialized knowledges.[18] From penance to pedagogy, psychiatry, pediatrics. Muteness is no option.

Anatomo-Politics and The Revolutionary's False Discourse

If wordlessness is an untenable position to be had in this sex-speech aggregated age, why, then, is reclaiming hidden discourse figured as an act so intensely transgressive? Simply, the sense of power as blatant, unclever, unwilling to listen to that which seethes in the margins, is

[14] Foucault, *The History of Sexuality*, 59.
[15] Ibid, 44.
[16] Ibid, 48.
[17] Ibid, 44-45.
[18] Ibid, 106.

dismally errant. The externally-born, internalized drive to confess, and confess constantly, has become so bodily necessary that its naturalness can now be interpreted as reactionary. "This internal ruse of confession" comes to front contemporarily as something liberatory, a particularizing universal, a threat the throat poses to ones in power.[19] A personal truth (in the quintessential tradition: a free thing), unshaken by relations to those easily-identifiable beings in control (the no-sayers, the negative relations). Not so, cries Foucault. The very language grasped to theorize sex, wrench it from repressive and regressive thought patterns, has been organizationally implanted from one's very entry into the lexiconal membrane of power's vessel: anatomo-politics, a mobile mandate of birth. Anatamo-politics literally embodies the subject, embraces fringe species so as to better watch. The project is not dissociative, nor denying. "One is always 'inside' power," caught up psychically as much as corporeally, and bid to speak.[20] Speak of self with the only offered language, that which is panoptical; definitions of identity, verbal expressions of radicalism, spring from the structures of no-escape. There is, then, no externally viable resistance to the invented structures of sex and self — no "locus of great Refusal, no soul of revolt, or pure law of the revolutionary."[21] The discourse of the revolutionary is a false discourse, flush against the proliferating unlimit of power.[22] The flesh has become word; the word is confession. Anatamo-politics saves no space of distinction between absence and presence; there is an overabundance of incorporating organization, a permeating penetration of prolix drives directed towards knowing the sexed self.

Sex as Verbal Structure

In a morphing movement worthy of Freud, the Western world has sublimated sex as a loquacious symptom to such severity that, perhaps, it would be best to classify *sciencia sexualis* as the full appropriation of *ars erotica*. Indeed, the erotic experience manifests in speech: the

[19] Foucault, *The History of Sexuality*, 60. The operating principle of the repression hypothesis posits power as something to be possessed, a personal object.
[20] Ibid, 94.
[21] Ibid, 96.
[22] Public and private are too spatial to be categories of this being-transformed; intimate or dispersive may be better in denoting power's fluidity.

generalized confessional of being, our existence a buccal space. The sex-drive is symbiotic with language. No longer is confession a sacral weekend practice; it is a mode of being. Yet there can be no secular metamorphosis of confession's catharsis; spiritual cleansing, the so-forgiving gift of some trained priest (clear the rounds of a rosary and sodomy-be-gone!), does not perfectly transpose into power's polymorphous techniques. "Matrices of transformation" adapt, or implode.[23] The priest is a vestigial organ, the psychiatrist is transplant, but the tongue never stills. An expert's speech of sexology, met with modern medicalization tactics, must forever stoke the fear of illness-return to remain operable. Confession has changed us, blissfully (orgasmically?) or ruinously — it is now a terminal condition, a command twisted into choice, a "ritual in which the expression alone, independently of its external consequences, produces intrinsic modifications in the person who articulates it: it exonerates, redeems, and purifies him."[24] The subject can shout his sex in the streets, if he so prefers — confess in placeless alleys, in bathrooms and sticky bars. But the result would likely be the same: a professional consulted, a solution sought, a sentence to the asylum, the jail, or better education. Be careful. But not too careful. If you are careful you may lapse into silence. And silence (a hailing further, but the observer may be silent — hearing and diagnosing are double imperative), too, is a discourse — not the one preferred, if the ventriloquy act of subjectivity is to be incited internally and surveilled (outed).[25] There can be no being without total exposure, a testament to the confessional's consuming expansion. Where does this sexual-linguistic current carry the modern man? Straight to power's driving, spiralling undertow; and drowning feels quite like swimming.

[23] Foucault, *The History of Sexuality*, 99.
[24] Ibid, 62.
[25] Ibid, 27.

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Notes from the Field

Sanctuary on the Sidewalk: Melting ICE with our Joy

Reesa Calderón Venterea | Columbia University

Introduction

The rain finally stopped, bringing all the visiting loved ones to rest their umbrellas in the sharing tin. The family groups began to huddle towards us for their morning coffee. We volunteers were grouped under our long, recently donated (and poorly wind-resistant) white tent. An onlooker or semi-truck driver on this highway pulloff may have perceived our setup as chaotic and messy, but we stood proud in its organization and always incessant offerings. Kathy, a fellow volunteer, rang a four-tonged bell to grab our eyes from our guard surveillance — horns and sirens were commonplace for us, but not a gentle bell. Kathy smiled gently in her short yet mighty stature, exclaiming, "We have not one, but two cakes! In honor of Sally's special day" — a surprise to most of us. We all erupted into song, as if we had rehearsed days in advance, the visitors approaching and whooping as loudly as we were. We quickly versed into the Spanish translation of "Happy Birthday," Kathy anxiously slicing into the cake to disseminate the tastes as quickly as our chorus concluded. It did not matter that the honking semi-trucks kept racing by, or the stench of the waste facility half a mile away lingered in our gasps of glee. The joy we created under that tent, 15 feet from this ICE detention center's fence, was our only priority.

Delaney Hall is an ICE Detention Center located in Newark, New Jersey, repurposed and reopened by the Trump Administration in 2025 to aid the largest mass deportation campaign in American history. Media depictions of ICE kidnappings and the inhumane conditions of these holding facilities frequently prioritize the terror, grief, and supposed deservingness of this removal. As a nation, we frequently confront the pain of immigrants taken through media vignettes, though we seldom encounter the emotions of those who are fighting (activists, volunteers, coalitions) and those who are waiting for them to come home (families and loved ones). While the building of Delaney is off-limits to the public, its parking lot and adjacent sidewalks have been transformed into a hot spot of mutual aid and community. To illuminate these lost voices among portrayals of the immigrant community, I conducted my participation-based fieldwork on the outside grounds of Delaney Hall, with my role as an art leader emerging as primary to my engagement with this community; names of visitors and volunteers have been changed for confidentiality. I observe joy — which I define as radical

displays of excitement, laughter, and unconditional empathy — as central to the atmosphere and inter-actor dynamics. Grounded in my fieldwork, I use this ethnographic piece to argue that while mainstream understandings of the 2025 mass deportation campaign are grounded in tragedy and grief, the community response at Delaney Hall prioritizes a joy essential for shifting and challenging current anti-immigrant narratives. I hope to illustrate the cruciality of documenting counternarratives and resistance strategies to lift the experiences of individuals, families, friends, and communities directly impacted by anti-immigrant rhetoric, policies, and practices. These highlighted narratives must not be treated as unique but as *commonplace* and *worsening in magnitude* during this paper's production.

Setting and Methods

Amidst the Trump Administration's mass deportation campaign, the kidnapping and detainment of 61,000 people in the United States continues to rise and worsen in violence and widen in scope.[1] In awaiting "deportation" — a term I use sparingly in this work because it implies a *legal* process, which seldom exists in the 2025 political and legal landscape — our *hermanos y abuelos* rest in facilities with concealed conditions. Delaney Hall is a 1,000-bed facility operated by the GEO Group, an institutional facilities company that operates prisons and drug rehabilitation centers. It rests across the street from a wastewater treatment plant and is three blocks from an asphalt mixing site, the Essex County Correctional Facility, as well as several warehouses and trucking stations.

Delaney's visiting hours occur on Tuesdays and Thursdays from 4 pm to 9 pm, and Saturdays and Sundays from 7 am to 6 pm. The family members and loved ones of those detained in the center (visitors) would arrive with no specific peak time, usually dropped off by another family member or an Uber that our coalition would sponsor. The visitors would either sit or stand outside the metal-hexed fence for as long as it took the leading guard to announce a "line-up." The guard would then screen the loved ones based on their form of identification, clothing (they held a strict dress code), and presumably other, subjective considerations. These line-up calls were unpredictable, often not taking everyone at once, and leaving families to wait a

[1]Muzzafar Chishti and Valerie Lacarte, "Article: U.S. Immigrant Detention Grows to Record .. | Migrationpolicy.Org," Migration Policy Institute, October 29, 2025, https://www.migrationpolicy.org/article/trump-immigrant-detention.

few rounds to see their loved one. New visitors would often arrive crying, approaching the volunteers with questions on how the entry works. Weekly visitors, those we formed friendships with, would approach our Dunkin' Donuts and coffee table first, inquiring about any new resources or scheduling for the day. Many of the returning children would remember me as the art girl, wandering over to watch my setup.

I made my first visit as a participant at Delaney in mid-September 2025, which evolved into my weekly Saturday participation, either early morning (5 am) or midday (12 pm). Due to my rigorous school-work schedule and the commute from Manhattan to Newark, I was unable to engage in or observe Delaney Hall on Tuesdays, Thursdays, or Sundays. This is an important shortcoming of my ethnographic work, as I advocate for a more holistic engagement in the site in future studies. I entered this site as a volunteer, experiencing and facilitating all forms of categorized interpersonal relations outside the facility. The interpersonal interactions and relationships I analyzed in the public parking lot of Delaney Hall are designated by: volunteer-volunteer, visitor-volunteer, visitor-visitor, guard-volunteer, and guard-visitor. I communicated with both English and Spanish-speaking families as they requested direction and navigation of our provided resources under our series of white tents. Many of these activities involved getting visitors clothing and shoes that fit the center's dress code (which felt as if it was changing and growing unnecessarily stricter by the day), directing them to the snack and food table, extending jackets as the weather grew colder, inviting their collaboration on our current art build, presenting our grocery bags, conversing with children and families, and ordering taxis as the visitors transitioned home.

The volunteer set-up was characterized by three long horizontal tents parallel to the hall's fenced perimeter. From left to right, we had an art table for kids and volunteers; a private tent for breastfeeding and changing; piles of unsorted clothes; boxes of donated essentials; a food area with coffee and snacks; and finally, an inward-curving "Radical Hospitality Zone" displaying organized clothing and decorated with our posters and murals from the art build section. Most of the volunteers were white, in their late 40s to 60s, and members of their local community alliances centered on immigration, peace-making, and neighborhood safety. Other volunteers were in their early to mid twenties, Democratic Socialists of America members, teachers, or members of Communists of New Jersey. The majority of volunteers had a career not tangential to

policy, law, or social work (there were pharmacists, professors, and retired firefighters), using their work at Delaney to resist in a space where they frequently feel powerless.

My intrigue with this site, and its practicum of grief and joy, is personal. I am Mexican, Italian, and Native American. My family never 'immigrated' to the United States but was absorbed during the Mexican-American War in 1848. Significantly, my citizenship status differs from that of the currently kidnapped and grieving loved ones. I also acknowledge that my position as an Ivy League student affects perceptions during my interviews with both volunteers and visitors. My fieldwork was likewise spurred amidst rising calls against ICE on my college campus, fear for loved ones affected by racial stereotyping from agents, having friends' parents engage in 'self-deportation,' and a regular media intake of anti-immigrant trauma porn.

Existing Literature

Immigrant families today live in constant fear of detention and removal. Indeed, the dangerous conditions immigrants experience while detained by ICE coincide with "little government oversight of detention centers" and "ICE officials' impunity."[2] Anti-immigration policies endorse cruel patterns of state-sanctioned violence, fueled by the U.S.'s founding colonial attitudes and impacting immigrant lives psychologically, occupationally, and physically.[3] These realities solidify what Delaney Hall symbolizes for this movement: a perpetrator of the ICE industrial complex.

These violences pervade the media that U.S. citizens consume, effectively invisibilizing strategies of strength and identity maintenance through campaigns of joy. Like Vaquera, Castañeda, and Aranda further illustrate, our daily networks depict undocumented immigrants as "outsiders, at best, and criminals, at worst."[4] Such narratives normalize xenophobia, reinforcing a public response that oscillates between hostility and pity. When paired with Du Bois's theory of double consciousness, these portrayals reveal the burden immigrants carry: knowing their own

[2] Alejandra B. Portillos, "Breaking the Ice: Immigration and Migration Enforcement, Latinx Testimonios, and Abolition," *Journal of Latino/Latin American Studies* 13, no. 2 (July 1, 2024): 26–46, https://doi.org/10.18085/1549-9502.2024.11.or.008, 29.

[3] Elizabeth Vaquera, Heide Castañeda, and Elizabeth Aranda, "Legal and Ethnoracial Consciousness: Perceptions of Immigrant Media Narratives among the Latino Undocumented 1.5 Generation," *American Behavioral Scientist* 66, no. 12 (March 24, 2022): 1606–26, https://doi.org/10.1177/00027642221083538; Portillos, "Breaking the Ice," 24.

[4] Ibid, 2.

humanity while navigating a society that denies it.[5] Yet these lives are not solely defined by their suffering. Du Bois reminds us that joy and play are not distractions but essential tools for reclaiming humanity — an insight often absent from media portrayals but central to my initial curiosity about the community around Delaney Hall.

In response to this state-sanctioned violence, a subculture of community caregivers has emerged. As Hudgins and Heffernan detail in their critical autoethnography within the asylum accompaniment process, the process of observing the imprisonment and treatment of the U.S's migrant populations incites an inherent "motivation by a desire to alleviate suffering."[6] However, scholars such as Sonn et al. caution that this impulse may reproduce forms of white saviorism within immigrant advocacy work.[7] While these authors differ in their assessment of the motivations behind care, they agree on the significance of what this desire produces. In the case of Delaney Hall's parking lot set-up, the willingness to aid not for the publicity of it but out of genuine concern centers an altruistic practice within these coalitions. By analyzing the research on the internal inclinations present in fostering solidarity, a fuller analysis of the community-based practices of activism can be better contextualized.

Scholars similarly emphasize the power of transforming oppressive spaces into sites of collective empowerment. Buckingham et al. highlight the importance of "growth and community building…peer-based support…and shared leadership," echoing Sonn et al. and Hudgins and Heffernan's insistence on trust-centered volunteer-visitor collaboration.[8] This scholarship also values the method of reversing subjugation's expectations: transforming darkness into joy and lightness. Laurie Penny, an international activist and author, wrote for the *New Statesman* following Trump's first win in 2020. In her article titled "Joy is an Act of Resistance," she refuses to accept the belief held by the "old and white and rich and mean and scared" that our happiness constitutes a threat.[9] Her language on social movements, emphasizing the goal being

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[5] W. E. B. Du Bois, *The Souls of Black Folk: With an Introductory Chapter by Booker T. Washington*. Read Books, 2016; Vaquero, Castañeda, and Aranda, "Legal and Ethnoracial Consciousness," 5.
[6]Audrey Hudgins and Amanda Heffernan, "Bridging the Policy Gap: A Critical Autoethnography of Asylum Accompaniment," *SSRN Electronic Journal*, 2025, https://doi.org/10.2139/ssrn.5070935, 3.
[7] Christopher C. Sonn et al., "Fostering and Sustaining Transnational Solidarities for Transformative Social Change: Advancing Community Psychology Research and Action," *American Journal of Community Psychology* 69, no. 3–4 (June 2022): 269–82, https://doi.org/10.1002/ajcp.12602.
[8] Sara L. Buckingham et al., "The Roles of Settings in Supporting Immigrants' Resistance to Injustice and Oppression: A Policy Position Statement by the Society for Community Research and Action," *American Journal of Community Psychology* 68, no. 3–4 (May 7, 2021): 269–91, https://doi.org/10.1002/ajcp.12515, 3; Sonn et. al, "Fostering and Sustaining Transnational Solidarities," 275; Hudgins and Heffernan, "Bridging the Policy Gap."
[9] Laurie Penny, "Joy Is an Act of Resistance," *New Statesman* 149, no. 5546 (2020): 28–31. EBSCOhost, 3.

as not *to win* but to *have survived*, holds a unique relevance to this ethnography's endorsement of emotional *coexistence* in Delaney Hall's parking lot.

Choosing joy within struggle fosters collectivity and sustains networks of mutual aid. Yet, as scholars like Du Bois and Penny demonstrate, positive emotions remain under-recognized in contemporary media narratives despite their centrality to movement building. At Delaney Hall, embracing joy enables volunteers and recently released individuals "to envisage complex future-oriented temporalities" otherwise foreclosed by stagnation and fear.[10] This forward-looking orientation produces a ripple effect of optimism in spaces marked by grief, uncertainty, and anxiety.[11] When paired with the righteous anger that so often fuels resistance, this loud, radical love becomes not just possible but foundational to the organizing culture that emerges around the facility.[12]

Themes and Important Findings

Grief and fear were the ultimate foundation of each participant's (visitors and volunteers) entrance to this field site. This truth should not be downplayed by the coping mechanism of joy I amplify in this research. Delaney Hall's community prioritizes togetherness through food, art, laughter, and mutual aid practices. At the same time, external and internal hostility, strict rules aimed at divisiveness, and the emotional realities of unpreventable losses shape the community's resilience.

Implied Borders and Division

The very location of Delaney Hall caters to an atmosphere of unwelcomeness. Its unsettling setting underlines how rare it is for joy to have even emerged, given its juxtaposition with the bleakness of the environment. For example, Delaney's fences made clear who was allowed in and who was not, by size and noise of the boundary itself:

> It was time for the first line-up of the day. Juliana's family immediately perked up and ran to the front in hopes of being screened first. The metal fence, controlled solely by Mr.

[10]Ana Deumert, "When Things Fall Apart: On the Dialectics of Hope and Anger," *Language in Society* 53, no. 5 (November 2024): 881–900, https://doi.org/10.1017/s0047404524000721, 882.
[11]Alice Mills and Jeremy Smith, "How to Be Happy by Calling for Change: Constructs of Happiness and Meaningfulness amongst Social Movement Activists," *The Qualitative Report*, January 14, 2015, https://doi.org/10.46743/2160-3715/2008.1587.
[12]Laurie Penny, "Joy Is an Act of Resistance."

> Sunshine (this was the name that the volunteers coined for Delaney's grumpiest guard), reeled upon with a metal screeching scream that would normally repel people from approaching.

In any other setting, the draw of the metal against the parking lot ridges would represent only bleakness. But to these families, it generated relief and hope for seeing their loved ones. Noise and screams were likewise commonplace, as displayed in the fieldnote reaction below:

> The facility itself is barely in a public-reaching spot, tucked to the side of a highway that cargo-carrying cars and, rarely, if any, passenger cars pass through. The screeching of the trucks and cars passing by today, almost rhythmically, meant that our voice volumes had to be raised in sync with their tire screeches. The honks and screams from the driver's seats were always on full blast, too.

This description and recurring experience highlight the hecticness of the space, portraying the difficulty we had in performing our work and practicing our care ethic as delicately as possible. The sensory effects extended to the smell from Delaney's unfortunate proximity to a wastewater plant, with the fumes frequently filling the parking lot:

> The first time I came to Delaney, my friend from Columbia warned me of its stench. Other volunteers told me that when detainees were given the choice of outside time, they often cut out on it early due to the smell. Today, it stunk outside, more so than usual. I don't think the rain was helping, and some visitors and volunteers had tied shirts and covers to their noses.

The cumulative effects of the metal screeching, the verbal abuse from outside actors, and the unsettling stench nearly disqualify Delaney's parking lot from emerging as a hub of friendship and fun.

The Coexistence of Joy and Anger

Despite the setting almost excluding Delaney's parking lot as a community haven, the joy ethic within the visitors and volunteers triumphed. In turn, the location emerged with gaiety. This is best demonstrated by the volunteers' duality of emotions. ICE vans regularly rolled into the lot, prompting volunteers to seize the moment to document *who* was being hauled up in these vans and *who* was behind the masks. We would take pictures of the vans, trying to get a look inside, but their tinted-almost-black windows usually left us with no new information. This was

often where I saw the volunteers translate their joy into a rightful rage for the happenings of ICE's cruelty:

> Charles, holding a comparable stature to an always enthusiastic car salesman, erupted into a strident, fierce face of resistance. Swinging out his phone and calling to his peers, he ran to the vans as if to jump inside, with the sole intent to document who was driving and who was trapped in the back.

This duality of emotion practiced by Charles reveals the caregiving and protective role the volunteers stepped into. These behaviors fostered the collectivity in this lot, as observing these humans go to bat for those they did not know established a framework of trust and unconditional empathy. Similar love-centered reactions also came when truck drivers yelled to condemn our setup:

> A semi-truck zoomed by, interrupting our conversation with both car and vocal noise: "Send them back!" and "They don't belong here!" Once again, a brilliantly kind, gentle human transformed into a frontliner, but not by returning animosity. Tommy stepped so delicately out of our conversation to yell in return: "You are not the problem," and "We are not the problem," to which he said right as the truck driver skirted away with a finger remark, "We have a common enemy, and it's neither of us."

Transparency was always prioritized, even in interactions where most people would fight violence with more violence. But joking and humor were commonplace, if not the standard, for our daily practice:

> As we continued to discuss our experiences of academic and creative censorship at Columbia, our volume and jokings grew, prompting Charles to sarcastically shout—"Uh, oh — the socialists are conspiring!" Obviously, we erupted into laughter.

Sometimes knowing we were in an echo chamber with our fellow volunteers felt the most conducive to our friendships and the work we all communally cared about. Two joyful stories stuck with me closely. The first experience I recall was of a Puerto Rican woman in need of size six closed-toed shoes that we could not find. She violated whatever dress code the guards had decided on for that day (it was always unpredictable):

> There were five of us rummaging through the shoe bin to find her the most appropriate pair. Line-up felt encroaching and that only added to our scramble. We landed on a pair of white Reeboks in a woman's size eight. When she put them on, she said she felt like a

"*payasa*" (clown). We laughed and agreed warmly. We ended up giving her two pairs of thick, wool socks to wear for a tighter fit. She laughed as she tried them on, and I bent down to apply pressure to the toes of the shoe as my mother would at the shoe store. We locked eyes and burst out laughing at the intimacy of the moment.

The next was when two women, who had never crossed paths prior, discovered that their husbands had become close friends inside of Delaney:

> Shawna shares with Jalana a story her husband told to her during her previous visit, of another man and him creating some kind of tally or measure of humorous occurrences on behalf of the guards. This is when Jalana interrupts her with an "OH MY GOD. That is my husband, my husband told me that story. Hugh, right? Is that your husband?" Shawna bursts out laughing. They become shaken by the reality that the random conversation with the random woman outside mirrored the same friendship they knew their husbands had found with each other inside of Delaney.

This visitor-visitor interaction reveals the emergence of joy unexpectedly within a site that represents state violence, interrupting the dominant narrative of grief. It also reveals how community forms across boundaries, both inside and outside the detention center. When Shawna and Jalana laughed together, their joy bridged this separation between the 'inside' and 'outside,' revealing a shared social world despite the carceral boundaries.

Community Joy Through Art

This site would be the last place where one would expect painting and laughing to ripple through. In this art building space, we usually filter in requests from our Signal (encrypted messaging) group chat on requests for specific demands. This would lead to me designing the cardboard rectangle with bubble letters, then inviting others to paint it in with me. This brought frequent interactions of joy. One day, a volunteer named Zach and I began painting a mural that would eventually spell out *LOVE*:

> We did not necessarily know where to begin, but the words were bolded in black, so our color scheme became the focus. Zach was reluctant to start because he's a high school history teacher, not a creator. I only drew stick figures, I shared, which began a stream of gentle, teasing banter for the day. Ironically, we filled the big L and O with red and then blue, glancing at each other and laughing, "fear we have lost the plot," Zach exclaimed,

> as we scrambled to reach for the greens, pinks, and oranges to switch up the current patriotic scheme we curated.

Many times, other volunteers like Charles, Kathy, and Raymond would drift over to our art table:

> They often stood around and talked, reflecting on their own experiences with art, sometimes just watching us paint away. I internalized this as wanting some level of separation and tranquility from the normal rhythm of chaos at the opposite side of the tent.

I would also frequently engage with the children of the visiting families. I asked a young girl, Pome's niece, Juliana, if she wanted to help me color the mural once. This sparked friendship as she and I were always there on Saturdays:

> "*¿Quieres ayudarme?*" I asked, and she immediately nodded, tracing her tiny fingers over the larger-than-ordinary markers in our makeshift box. Pome asked me questions about my focus, responsibilities, and where I was from. When I asked about his cousin inside, Juliana's father, he said he tried to stay in high spirits, and Juliana was the reason he could.

This visitor-volunteer interaction represents how joy more broadly reconfigured this space. Here, the act of coloring the mural is both playful and political, as it transforms the parking lot (an extension of a detention facility) into a creative, communal space. In truth, it underlines how joy is a material practice of resistance in this ethnography, not just an emotion.

Proposal for Future Study

Throughout this work, I hope not to have generalized nor downplayed the persistent abuses in the fight against anti-immigration violence and rhetoric. Instead, I intend to amplify a counter-narrative of joy that has been utterly excluded from conventional media coverage of the immigration and kidnapping tragedies. I likewise acknowledge that my participation in the Delaney Hall resistance community is not inclusive nor generalizable to the public situations of other ICE detention centers in the United States. My observational and participatory engagement only occurred on Saturday mornings and afternoons at Delaney. In future research, I would engage with this work on Tuesdays, Thursdays, and Sundays, diversifying my temporal measure of observation. Although I desired to speak directly to and interview the guards, I restrained myself when the chance arose. I did not want to become a familiar face, and so I could get closer

to the fence without verbal retaliation (unlike many of my fellow volunteers, who were blacklisted by the guards and unable to approach or go in proximity of the fence when line-up occurred). For future studies, I encourage public observation of other detention centers active in the U.S. in 2025, including La Salle in Louisiana and Otay Mesa in California. Moreover, the outside experience does not do justice to the emotions or feelings experienced by the detainees on the inside. Thus, I strongly urge observations and studies of what the conditions resemble on the inside of Delaney. While I prioritize joy given my experiences on Delaney's perimeter, an understanding of the resistance effort on the interior is just as, if not more, critical to coping with and organizing amidst the loss and violence experienced by immigrant communities in the United States today.

Conclusion

Within Delaney Hall's parking lot and the shelter of our white tents, volunteers cultivate a space where visiting loved ones can feel, express, and momentarily reconfigure the pressures of our nation's xenophobic landscape. These expressions are rooted in a shared grief and fear, which are transformed through community exchange, laughter, and collective art making. At a time when news coverage is addicted to amplifying the most tragic dimensions of the 2025 mass-deportation mania, this ethnography serves as a counterarchive: it documents the joy that disrupts cycles of isolation and reframes what resistance can look like and is understood as (violent) in contemporary and digital society. Joy appearing in a place built to extinguish it is what makes the humanity of anti-immigration resistance visible in the first place.

My research intervenes by offering a counternarrative to dominant representations of anti-immigration resistance that focus solely on loss or conventional ideas of large-scale mobilization. Instead, I aim to highlight the political possibilities embedded in intimate, local acts of care and creativity. This raises a broader question about where we locate social change, as institutional transformation feels increasingly uncertain, we must develop forms of everyday relational work to sustain communities in the meantime. The ethnographic moments in this project suggest that joy is not merely a byproduct of resistance but one of its necessary infrastructures. Attending these small-scale practices invites scholars, organizers, and policymakers alike to reconsider how movements are built one relationship at a time. More

broadly and personally, we must recognize joy as a vital condition for imagining, and eventually achieving, a more just and equitable global community.

I position this work as essential in using joy to help us rethink what political 'success' looks like. When the truths of resistance efforts that occur at places like the outside lot of Delaney Hall are not shared, we neglect the slow, continuous, everyday forms of resistance that are keeping communities whole in the meantime. This is important because it forces us to rethink where resistance happens, who gets recognized as a political actor, and it reframes the goals of migrant justice movements around livability, not just legal outcomes.

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Second Wind. The Palestinian Youth Movement Rise Up for Gaza Protest in Los Angeles, Saturday, October 4, 2025. (Photo by Marty Valdez).

Jasmine

Arab Spring, not summer.
Spring, Jasmine, blossoming amidst the cracked and dry walls of
a Tunis home.
Immolated, from within the wall, like Mohamed Bouazizi. 2010.
Jasmine, burned by the mob. Our hopes evaporated.
The western gaze, from afar, immolated the soul of Tunis.
Not white, nor red, but black–bombs, grey–smoke.
Arab Summer, unbearably hot, scorching, the sun reflecting off Mediterranean water.
Summer—scorching—the smell of burning corpses: martyrs, *alayhimu s-salam*. Arab,
not summer, Arabs, scorched by the bombs of the immolators.
Bombs of imperialism touching, marking, scratching, the bodies of Arabs.
Jasmine, extinct, or rather replaced as the crucible of hope. *Shahadat*, hope.

Poem by Basem Nasir

Shahadat

Ash hadu anla ilaha ilala. Said the man. That is what the masses say, that is what I say.

Ash hadu anna Aliyan Waliullah. Said the man. That is what I say, not the masses.

Yet he mutters it under his breath.

Ash hadu anna Aliyan Waliullah, Ash hadu anna Aliyan hujutallah.

Qad qamatis salat, qad qamatis salat, (now is the time for prayer), he repeats, aloud.

Asked if he could repeat his second call, he hesitates, reluctance filling his eyes, petrified, alas he repeated: *Ash hadu anna Aliyan Waliullah*.

His head, met, impulsed, collided with the stock of a comrades rifle.

It was time to pray the prayer.

Ash hadu anla ilaha ilala. Said the hundreds of men gathered.

Poem by Basem Nasir


CT SJ

CAN I GET

A LIGHT?

Hannah Lieberman
2024