

## Thought on Tap #4 (Law, Ethics, and Justice)

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Transcript:

Introduction:

00:00:00.030 Bretton Rodriguez: You're listening to "Thought and Tap" a monthly podcast about the role of the humanities in the world today

00:00:03.810 Carlos Mariscal: brought to you by the College of Liberal Arts and the Core Humanities department at the University of Nevada, Reno

00:00:07.020 Bretton Rodriguez: this is Bretton Rodriguez, a lecturer in Core Humanitie and a co-organizer of "Thought on Tap"

00:00:11.340 Carlos Mariscal: and this is Carlos Mariscal, an assistant professor of philosophy and also a co-organizer of "Thought on Tap"

00:00:19.470 Bretton Rodriguez: and every month, we convene a panel of local experts to discuss the issues of the day and have a moderated discussion at the University Laughing Planet.

00:00:26.789 Carlos Mariscal: This month we're talking about the role of the humanities in law, ethics, and justice and now here is Bretton Rodriguez.

Law, Ethics, and Justice:

00:00:30.929 Bretton Rodriguez: First of all, welcome everyone to our fourth session of "Thought on Tap." [applause] So we will be talking about the role of the humanities in law, ethics, and justice today so thank you all for coming out. I would like to start just by thanking our sponsors. So first of all, I would like to thank Laughing Planet for having us here today and it's very generous of them. I'd also like to thank the Core Humanities program, also, the College of the liberal arts as well. What we are going to do is I will very briefly introduce our fantastic amazing panelists then I have a brief introduction of the event itself and how it will go and then we will go ahead and we'll have some organized questions which I'll ask our panelists and then after that we will open it up to all of you for any questions that you may have. Okay, so our first panel is all the way at the end is Jim Webber and Jim is an assistant professor of English here at

UNR. His first book explores how writing scholars and administrators respond to contemporary K-6 educational reforms. Jim is now working on a second book about rhetoric of venture philanthropists engaged in K-12 public education reform. This project explores how prominent public figures such as former Microsoft CEO Bill Gates, educational secretary Betsy DeVos and Netflix CEO Reed Hastings promote voluntary actions by nonprofit organizations, families, and corporations as a way of reforming the teaching professions. So let's hear for Jim, please. [Applause] Our second panelist is Christopher Church. Chris is a cultural historian and digital historian of the French colonial world who specializes in disasters, nationalism, and social movements in the 19th and 20th centuries. He employs new methods from data science and the digital humanities to answer age-old questions about the relationship between citizens, the public sphere, and the States. His intellectual interests include colonialism, citizenship, and environmental history as well as databases GIS scripting and web design. I don't know what GIS is but that's okay. His research interest include communal justice, natural and anthropogenic disasters, digital humanities, piracy and hacking. Chris is also an affiliated faculty member at the UNR cybersecurity Center. His current book project, *Hacking Society Vigilantes Outcast and Miscreants from the High Seas to Cyberspace* recuperates the story of those left behind and overlooked by the growth of modern globalized capitalism. Let's hear for Chris please. [Applause] Our next speaker is Holly Scala. Did I pronounce that right, Scala? Okay, good. Holly is pursuing a masters in political science with an emphasis on international relations. She would like to conduct research that will aid in the development of conflict resolution strategies especially in the realm of political violence. Let's hear it for Holly, please. [Applause] That's a fantastic response, I feel like you brought those people.

00:03:54.560 Holly Scala: My family.

00:04:00.829 Bretton Rodriguez: I love it, that's great. Okay, and our final speaker is Kate. Kate Groesbeck is a senior studying business management. She plans to pursue a JD upon graduation. She is passionate about government and has interned for the legislative branch at the state and national level. She currently works at the National and Judicial college, the University Writing and Speaking Center and she serves as a chief justice of the Associate Students of the University of Nevada. She was named a 2018 Truman scholar, so let's hear it for Kate, please. [Applause] So what we're gonna do is discuss the role the humanities in law, ethics, and justice. Since this is such a major theme, what we've tried to do is divide it into a few subtopics, a few general areas for us to discuss. The first topic that I want to discuss is looking at how the humanities can help us to understand and articulate our conception of law, ethics, and justice. What do we mean when we use these terms, how do we talk about these terms in general? So in other words, I want to examine how we think about and imagine these concepts and also how we use language to give shape and form to abstract ideas. The second topic that I would like to discuss is practical ways of the humanities as well as the skills that we learned in studying and kind of really examining the humanities. This might be useful for understanding and implementing ideas of justice and ethics in concrete ways. So for instance, given all of our ties to higher education, here in this room, what are some ways that we could develop more equitable and just forms of pedagogy and academic programming? For the next topic that I want us to discuss today is looking at possible responses that we may have when laws do not adhere to our conceptions of justice and ethics, so what should we do when a state or a community is set up unjustly? Along related lines, what are some ways that states and non-state actors

justify immoral actions? And finally, for the last theme of our discussion today I'd like to kind of end our discussion by looking forward and considering ways that the humanities might help us in forming more just and equitable laws and that lead to the betterment of society as a forum. So without further a-do, I'm gonna begin my questions, so I can turn it over to you all and let you all talk and let myself kind of shut up. So the first question for you all is what are some ways that the humanities intersect with and help us to understand the concept of law, ethics, and justice? So Jim, should we just go ahead and start at the end and we can just work our way and there's a mic here if you would like.

00:06:39.460 Jim Webber: Hello, so I'm in English and rhetoric is probably the oldest of the humanities not to have like an older, you know, discipline contest here but the popular usage of rhetoric usually contrasts it with reality, you know, what is rhetoric versus what is reality. Most of us who work in different fields we don't really have an unmediated experience of reality, we get it through someone's rhetorical framing somehow, so to speak of law, ethics, and justice, it means engaging with rhetoric as a creator of it, as a critic of it, and as a citizen and I'll just give a quick example. I study political debate about education reform and it often centers on the term equity. Equity was linked to the law under Lyndon Johnson's Great Society policies. For Johnson, justice meant not just equalizing outcomes as in closing achievement gaps among children but also equalizing inputs among those children. So to follow through on our nation's commitment to equity, Johnson argued we must align our laws with our values so stated that way it doesn't sound that radical but it was because it linked the value of equity to policy action. So to answer the question, I'd say one of the roles of the humanities is that it shapes the reality it gives a name to, the reality that we experience and allows us to do debate about that.

00:08:28.370 Holly Scala: So I think one of the biggest gifts the humanities gives us is the ability to think critically. Without that, we're kind of just a cog in the machine and that's something that Core Humanities students, at least, are very resistant to sometimes. I'm a TA for Core Humanities, so this is just coming from that experience, but the ability to analyze, evaluate, and criticize text and art in history is vital to forming our own conceptions of justice, law, and ethics. I mean I also think especially history gives us something to look back on for precedents and ideally it allows us to see what works and doesn't work, whether or not what is actually happening is up for debate.

00:09:12.740 Chris Church: Alright, excuse me, so as the historian on the panel I'm going to pick up with what history does and if rhetoric gives a name to the thing that we're using our critical thinking skills on. History tells you where it came from so humans in general, at least in my opinion, are really short-sighted right? I mean I can't remember when I was three and I definitely don't know what happened from my own personal ontological experience from before. I can't even remember what it was like to not have a cold because I've had a cold since like October. And so what history does is it goes back and it tells us where the things we're grappling with now came from and it recuperates contingency and contingency on both a positive and a negative side. So the understanding that things didn't have to be the way they are now, that we don't just have to accept the world around us as a given. This came from somewhere; it came from people's decisions, it came with an inherited set of baggage and assumptions about the world and then that gives us a kind of starting place to name the trends that we're grappling with, to critically

engage with them and then hopefully think up new solutions and ways out of the problems. At least at the the single individuals level like education, it's been a problem since I was in existence right? But there's a history, there's something that we can unpack. Those were all really great answers and I'm gonna leave that there.

00:10:56.090 Bretton Rodriguez: Alright, fantastic, thank you. Jim I love the fact that you recognize that I'm saying that rhetoric was the oldest discipline would be like a fight, I think that's great. So I enjoyed all of your responses, so I was wanting to speak a bit more about some ways that language and public discourse more broadly are used to shape ideas of ethics, justice, and fairness and also maybe if we could think about whether justice itself is ethical as well and maybe some of the relationship between some of these terms, right. So is justice itself ethical or not? I don't know if anyone wants to kind of jump it, yeah Kate.

00:11:40.520 Kate Groesbeck: Yeah so I am a huge proponent and believer in the power of language, *The Giver* is my favorite book and in that book they talk about the accuracy of language and the importance of using the correct word to describe what you're talking about, I think it's part of the human experience. Recently, I got the opportunity to watch Toronto Burke speak. I don't know if you're all familiar with her, she's the founder of the #MeToo movement, the most badass woman to ever exist and she talked about how she started the #MeToo movement to help women of color talk about their experiences. She said that her first step was teaching these young girls the language because if you don't have the language to talk about your problems you can't communicate with others and I think that we often get wrapped up, especially in this university, there's a lot of talk about engineering and math and that's amazing. Those are all worthwhile pursuits and I'm so grateful that those people exist but if they can't communicate their ideas then what's the point? So I think that I've learned a lot at the Writing Center about the importance of portraying your ideas in the way you mean them to come off. Sometimes using the wrong word, even a really small verbiage error, can have the wrong impact so I think that language is one of the most important tools of society.

00:12:55.070 Chris Church: So one of my other thoughts is that humans are inherently repetitive and so I'm going to again argue that everything has a history and in so doing prove that humans are in fact repetitive and language and the kind of discourse around equity, justice, and law all of that has its own history. I work on natural disasters and one of the first things that always comes up in a natural disaster and this was very salient for instance in New Orleans after 2005 Hurricane Katrina is the idea of looting and then also the idea of outside agitators. The people who are in this happens you know at UNR and there's a protest on campus whatever somebody disrupts what is seen as the norm and what the authorities consider to be acceptable it's always someone from outside and therefore the problem is always externalized. This isn't new, so in the 19th century, in my research in disasters in the French Caribbean whenever, there was a volcanic eruption, a hurricane, whenever people were scattered. You could transplant Martinique in 1891 and you could put it side by side with Puerto Rico and the two are analogous in incredibly eerie ways. And so what history allows us to do is see the way in which the language of the outside agitator, the language of the act from God that we have no control over and we

don't look at the social aspects of why disasters unfold the way they do, history and the humanities more broadly or disaster studies in my case shows that you know, kind of proves the lie of that, that we need to actually understand where this came from so that we can again, like I said before, to be repetitive, confront it, and hopefully think our way out of it.

00:14:37.110 Holly: Just to refresh we're talking about language right and ethics and [yep] okay. I study genocide and any chance I can get to talk about genocide I will, so specifically I'm interested in dehumanization and this kind of new concept called toxification and that's really the driving force behind any kind of massive murder ethnic expulsion genocide, any kind of political violence or violence in general, so you'll notice you can pick up these patterns there are people in your fields that do computational linguistics and mine as well but I haven't ever done it to analyze these patterns in the language and to look at the repercussions, I mean three percussions of language of words like rat or in Myanmar right now "filthy color" is the chosen dehumanizing word against the hinge in Muslims. It can result in genocide so I think that's something very powerful to remember about language.

00: 15:44:810 Jim: I'll just give a quick example following up on what I was talking about earlier with equity. So when I was talking about Lyndon Johnson, you know in the 1960s if you're gonna declare that equity is a public value and that our laws should reflect that commitment, that's one thing and then if you know with a historical perspective we can look back to the early 20th century when equity meant that black access to k-12 education meant that northern white philanthropist would pay for that so that public funds secured through taxes would not go for access to public education. So when we look at the relationship between our key terms, for our values and then how they get acted on and how they get framed for policies and things like that, I do find that the historical perspective is awfully useful and then sometimes really shocking, the idea that you know that we would start the century saying that philanthropist will provide access, universal access, to public education and by the end of that century we're having an entirely different conversation about the same concept, so that's what I feel like you know, not to pretend that I'm a historian, but looking at the meaning of language over time often reveals those surprising differences.

00:17:25:120 Bretton: That's great, thank you. So kind of building on that a little bit, what are some ways that we can see the humanities in forming policies and public discourse and ethics and social justice? For instance how might the humanities be useful in thinking about new types of pedagogy and techniques in the classroom that are more fair and equitable for students? So why don't we start maybe in the middle this time, I don't know Chris if you want to start us off perhaps? [Laughter]

00:17:50.650 Chris: I'm gonna take the first half of that question and then hopefully while I'm answering that, I'll think of an answer to the second half. In terms of what role does the humanities play in kind of society's approach to ethics, one of the things that disaster studies shows very clearly is that when there is some sort of environmental hazard, the thing that we actually call a disaster, the thing that makes the news and causes human suffering is not a product of the environment alone and so disaster studies has now broken up natural disasters and kind of human disasters into natural genic or nature induced disasters and human induced disasters. And by doing this what it allows us to do is look at the social cleavages, the social decisions, the policy decisions the economic disparities, the very real differences in

access to disaster relief funds, insurance payments and the like and the ways in which that causes a kind of cyclical or disaster cycle as it were that keeps people in the socioeconomic status and location that they were previously. And then in terms of pedagogy, I mean I could just talk about generally in pedagogy it is bringing the idea that giving students the ability to critically engage with the world around them and not just accept it as a given and the way to do that, is like in my classes I have them take the readings which are right now in the early 18<sup>th</sup> century and finding some sort of parallel or current event that you're seeing similar structural dynamics and encouraging them to see what is it that's going on in the past and how that unfolded and then seeing the contingency in the present moment and where small decisions or small actions by themselves. They can feel empowered that they actually have an influence over it even if it doesn't feel emotionally like they do in the present moment.

00:19:56.370 Holly: So I think even more broadly the humanities inform policy by trying to instill empathy. Without empathy, our policies are going to be more misguided than some of them already are, so reading the *Epic of Gilgamesh* might not seem like it will have any effect on policy or society but it does. Reading about lands that you've never heard of, religions, getting yourself out of a bubble that's crucial, and that's why I try to instill that in my students and Core Humanities. I also think in terms of pedagogy just drawing on Dewey, that continuity between school and life. He famously took a pragmatic approach to education and instilled in his students everything that you do in your everyday life. You need to know what you're doing and know where these chips are coming from and there shouldn't be a divide between school in life. I don't know if that answered the questions little tangent.

00:21:10.070 Jim: I'll give a quick example, so how many here are familiar with UNR's campus master plan? This is a little bit of an audience of ringers here but so over the last couple years, I and several of my colleagues have been asking students to read this in writing courses and what it often gives them is the experience of being addressed as a member of a public because the document is explaining, you know why is UNR going to expand and how is that going to change the relationship between the campus and the Reno community and students and in my experience have been pretty surprised at how they're being addressed. The things that the institution is describing as here are the public benefits of our growth and they have a moment there where they both see themselves in the public, that UNR is imagining with that document and they also don't see themselves in there. So to get to the question about pedagogy, I think it's a valuable experience to read and feel addressed as a member of a public and also recognize how you're not being addressed when something is directed to you as a member of a public and that for me is always kind of a starting point and it starts locally where people are and honors their experiences and their perspectives.

00:22:37.600 Bretton: Great thank you, Kate you want to.

00:22:46.030 Chris: I just have one real quick point, I don't want to hog the mic but to go off Holly's point about empathy and bring literature into it. Lynne Hunt has an excellent book called *Inventing Human Rights* that's specifically about how without literature and without novels in the 18th century you would

not find it conceivable to even think of human rights and so I think that's a really salient example of what humanities can do.

00:23:04.210 Kate: I want to talk about the pedagogy and talk briefly about my background. So we've heard about the historical background, the rhetoric background, and the genocide studies, I think that's all awesome. My personal background is a business major; my dad sent me off to college to study business to become more conservative, I don't think it's quite worked yet, but I'm graduating in May so we'll see if there's a draft ship, I'll keep you guys updated. But in the meantime, I think that business has had a big shift in the way it teaches over lasts even 30 years. It used to be focused solely on competition so-- I grew up, my dad's a businessman-- I grew up learning competition makes everyone better and it does I think that's an economic truth but lately at least in the last four years in the college of business, I've learned the importance of collaboration, especially in this day and age it's not always a competition and if you can work together with people to find a better answer that's what you should be doing. I think as far as in the classroom, I think our education system is critically flawed, I think a lot of people would agree with that. Memorization in this day and age I don't think is that useful of the skill, especially when you can look things up I think that spending 12 years of your life in a classroom and having teachers talk at you and then seeing what you can regurgitate on a test isn't very beneficial. I think teachers need to focus on teaching students how to think rather than teaching them what to think. I think that discussions are vital so if you can get out in the world and have discussions about real topics I think it's also detrimental to society really that we've been taught that some issues are kind of taboo so like we don't talk about politics, we don't talk about religion in public, but why not? These are so important to who we are as people and I think that we need to teach, especially-- I don't wanna say the younger generation, I'm 22 so that's me I'm the younger generation-- I think we need to teach young people how to have these conversations that are important and how to do it respectfully. I think that in the national dialogue there's been a huge lack of that, of decency and respect so I think that's something I hope could come in the future from changing the pedagogy.

00:25:03.950 Bretton: Excellent, thank you. As someone in Core Humanities, I do want to say this is kind of what we try to do. This is definitely what we're here to do, this is definitely what we want to do, so that's great to hear you kind of wanting that as well. Okay, so the next question for you all and we'll change gears a little bit and that is how should we as individuals, as groups, communities respond when laws conflict with ethics or justice and what strategies might one use to address unjust laws? So a nice easy question for you all to knock out in two minutes who'd like to jump in first? Kate if you're rolling.

00:25:44.119 Kate: Here we go, so I'm currently writing a thesis about marijuana law-- pretty controversial topic-- and huge discrepancies between state law and federal law and the Controlled Substances Act outlaws marijuana, states are allowing it. Okay, details that don't really matter, moving on. It's hard when laws conflict like which one do you follow, if you follow one law and break the other is that illegal? I think that's a huge problem, I think it's harder when it's not law when it's morals that are conflicting with laws not laws conflicting with laws. In my business law class, we learned on the first day he said, "Moral does not always equal legal and legal does not always equal moral," I think that's

something that's really important. Morals vary by person, if you ask every person in this room what your morals are, they'll all be different. If you asked every person in this room what laws they have to follow, they'll all be the same. I think law is a blanket statement, a blanket to try to put over society to act like morals for the people that maybe you don't have them as strongly as others but laws often are wrong and we've seen that and we've seen civil rights protests, we've seen all of these things. I think the best way to change it honestly is to become part of it and to change it, so get into Congress. We're seeing so many young people, especially young woman of color in Congress now changing the systems that they don't agree with and I think that's the way to do it. I have a lot of respect for a peaceful protest, all of that is phenomenal but I think the way to make the most substantial change is to get into the system with what you don't agree and then change it from the inside out.

00:27:12.260 Jim: Alright so to answer how to solve all of the problems with laws and their unjustness in 30 seconds or less.

00:27:21.080 Bretton: If you could answer in two sentences that would be great.

00:27:29.660 Jim: I think a thing to understand in the perspective the humanities gives is that laws are always intricately tied into power and who has power, they're not some transcendent thing handed down from capital-T truth but they're tied into power. I was just lecturing today on the death of William fly, a pirate in 1726, he was put on a ship with a privateer captain a perfectly legal captain who abused the daylights out of him and the rest of the crew so he threw him overboard and then sailed to sea for about two months before he got captured and had a showdown with Cotton Mather in Boston. Cotton Mather wanted him to repent for everything that he did and kind of classic almost like which trial fashion: "Admit that everything you have done is wrong before the eyes of God, before we execute you," and he refused. He kind of doffed his cap everyone, hopped into the execution cart, went to the gallows, and the last thing he said before they hanged him was, "I will not consider myself guilty of murder. My captain abused me and everyone else is barbarously. Why don't you ask them about the murders?" and there's a sense of when you look back in history you see the ways in which people on the margins of power are constantly contesting those at the center and those who make the laws to preserve the structures of power. I don't think we should all go a pirating outside of the Carolinas and Boston but I think that's what the humanities does is again kind of gives us those stories to perhaps think our way outside of the box.

00:29:07.359 Holly: Just a couple quick strategic thoughts, I think one main priority in social movements or any kind of movement addressing injustice is cohesion. I think it's really easy to have a social movement become divided and then that is the death that's a social movement we saw that with Occupy Wall Street and we saw the antithesis of that during the civil rights movement which was extremely organized and cohesive, I don't know, you might have other things to say about that but for the most part. I think the other really important ability is argument in dialogue and logic everything becomes very convoluted in the political sphere, sometimes argument doesn't get you anywhere but being able to do that in a proper logical way is really important.



00:29:58.229 Chris: So I guess my thought on this would be that we all have different strengths and we all engage with issues in different places in different ways, so you know we are all gravitated here on Valentine's Day to talk so we're a certain kind of people and we're attracted to a certain kinds of conversations and so I'm probably not gonna be the person at the barricades but I am probably gonna be the person who wants to understand how the people who did go to the barricades, how they approached the situation and then how can we understand that more fully so that the next generation of people, you know some of them will be working in a professional capacity, some will be working in nonprofits, some will be you know like you said getting into the system in order to change her from the inside, some of us will be recording the history, some of us will be doing the analysis. For me, what resonates with me is the recognition that all these contributions create a fuller picture that we can act on because not all of us will be that person at the barricades.

00:31:16.870 Bretton: That's great, thank you. I do like the classification of Masala as a certain type of person, I think that's right on. Okay, so the next question then for you all is how do you think states and also non-state actors justify violence and other actions that are considered by some to be immoral, so kind of going back a little bit to this idea of language, as well in the way we talk about justice, the way we talk about morality. Holly would you want to start off with this one?

00:31:41.540 Holly: Sure. I don't know where start. I think if anyone's familiar with Foucault's power knowledge, controlling the knowledge, it's kind of circular so you control the knowledge that gets you power, if you have power you control the knowledge, so inciting hate makes it very easy to turn your subjects into the docile participants in whatever violence is going on or you just repress the hell out of everyone and no one can do anything about it until there's other movements. I think also framing-- I'm sure you'll have something to say on this-- framing and propaganda, it's really easy to do if it's coming from a source of power which is something the humanities can help with is that critical thinking, you don't just eat up all the propaganda you see. I think religion is definitely something that we've seen on all sides of it in protecting your state or your people that's where that dehumanization comes in if you can frame other people as a threat to your own, it's really easy to get people to act violently towards them.

00:32:57.799 Jim: I think we externalize when you justify violence particularly against an individual you externalize why it's happening. In the case of the example I gave before Worth Cotton Mather, he appeals to the notion of a higher power and justice before a divine authority before the hangman kills another human being. In the case of the present day, you appeal to "We are a nation of laws," this kind of external notion that it is not a human individual making a conscious choice about the well-being of another human individual, it is some sort of external structure, power, organization, hierarchy what have you. I mean this is the inside of the Milgram experiments right that you can get people to do heinous things simply by appealing to some abstract notion of authority of the white coat in the other room whether the white coat in the other room is a deity or a notion of legal structures and laws or literally in the case of the

Milgram experiment some scientists in the other room, you're able to get people to justify acts of violence against one another.

00:34:16.669 Chris: I have a hopeful one-ish. If you're familiar with Primo Levi an Italian philosopher survivor of the Holocaust and he described kind of in the same way that you folks did about how people make a deeply controversial and deadly idea seem palatable. He explained it as in terms of a major premise and a minor premise and he said you know in his experience the major premise was that threats to a society must be eliminated and he said the minor premise the thing that most people didn't pay attention to was that people who were different constituted a threat to society and he said it's slippery and it's so difficult to intervene in it because everyone is responding to the major premise the idea that threats must be eliminated and so I don't know I remember learning that it was an offhand comment in a class my first year in college and for some reason of all the many things I need to remember which I can't remember that one is still in my head and so it just reminds me that things that sound reasonable then are often just sitting right next door to something that's still objectionable and when you can find that thing that's still objectionable you can return that idea back to a debate before people start acting on it and start ignoring you know the deadly consequences of this action, so I think that's one thing that we can do.

00:36:01.510 Kate: I want to look a little bit more recent. I think the historical background is vital and we talked about humanities and I think that history repeats itself it's also important, I'm just not knowledgeable enough to speak on it so I would rather the three of them do but more present-day I think an example of state actors justifying violence, a great example as a death penalty, this is a an issue that I very clearly see both sides of. If somebody murders another we then punish them by murdering them because murder is wrong so I think that's a really interesting justification and the idea is the greater good right they won't kill anybody else killing this one theoretical mass murderer will save the lives of others and I think the concept of the greater good is often used to justify violence. The question at the end of the day is that violence truly justified and I again I'm 22 I don't know but that's a huge question and I think that another way violence is often justified is through religion and I think that religion to the core is a very very good thing, I think that religions are more similar than people give them credit for, people like to focus on the differences, I think they're generally very similar, the ideas would be a good person and do good but I think that it's often skewed and used in a way to perpetuate violence.

00:37:28.740 Bretton: Great, thank you. So since it is Valentine's Day I would like to kind of end on a more positive note, hopefully, and so we do have one more question and then we'll turn it over to you all, so if you wanna start thinking of questions you want to ask to our panelists. My last question is this so how do you all think that the humanities could be used to create more just, ethical, and equitable laws, or practices that can contribute to the betterment of society in general so what are some ways we could kind of use the humanities to kind of make things more just, more equitable, basically just better? Again, a nice easy question to just knock out, so who'd like to start? Jim do you want to start us off here?

00:38:13.830 Chris: We're doomed, no, I think that one of the ways that humanists can do is help get involved in the creation of laws, I mean oftentimes as you were pointing out in the present day justifying something like the death penalty or justifying notions of border security at least as a historian giving people the proper context to understand where these fears came from and how adjacent the very frightening premise is to the perhaps more palatable premise and holding people accountable for it. I mean I'm one of those people whose eye twitches and becomes infuriating whenever I hear a politician justify what they're doing by saying history tells us, as if history is some sort of capital-H transcendent thing that speaks to people when they nap at night but I think that perhaps more historians should be telling politicians rather than them appealing to some sort of vague idea of history that they've concocted in their own mind to suit their politics.

00:39:24.790 Jim: I have a quick thought and it is that I love the humanities, it's where I work, it's what I do, I also am not a humanities chauvinist and I don't want humanities people to be that either so what I'm saying is in whatever areas and professions that you work in I think you're gonna find your training to be useful and I don't mean you know it's just useful because it's gonna be job skills but because you're used to looking at issues as both practical considerations as well as deeper and larger ones with consequences for yourself and for other people around you. For me, that's the sort of the ethical impulse that comes from looking at whether we're looking at you know historical accounts or current events and whether we're working in fields that look like the humanities, or that look like engineering, or the sciences, or whatever, so that's what I think we can do. I think we develop it here and when we react on this wherever we go.

00:40:39.910 Holly: There's a really famous international relations book called *The Clash of Civilizations* by Samuel Huntington and his theory was basically that after the Cold War there wouldn't be any interstate war there would only be clashes of religions, cultures, civilizations which is pretty bleak so I think what the humanities can do to push against that is to expose people, I mean it's the simplest thing that you think of when you think of the humanities to other civilizations, other cultures, religions, and I think all of us in the classroom have the duty to kind of balance between letting kids or students to kind of think on their own, think critically and not condoning bigotry and kind of not steering their minds but exposing them to texts, art, and history that will probably do that for them. I've had lots of students that had no idea what Islam really was so the more we learn about things the less we can "other" people and "othering" people is what leads to bad policy and violence.

00:41:56.660 Kate: Looking ahead, looking to the future I'm actually really optimistic and maybe I'm just young and naive but I think we're lucky to be alive right now we have the language. I think we have so many people to build off of and like you said it isn't history with a capital-H, nobody wakes up and they're like, "Oh history, this happened, this is what we're gonna do, it's gonna work," but we can learn from other people, I think that we're lucky we have centuries of the greatest minds to learn from and to build off of so it's kind of goes back to that idea of collaboration and just working together to find the best solution. I look around at some of my classmates, I remember when I was younger my dad read a book called the *Dumbest Generation* and it was about young people, Millennials, Gen Y, Gen Z talking about

how dumb we are, we're lazy, we're entitled all these things and I was personally offended like very angry actually, kind of irrationally and I remember saying to him, "I'm not like that, I'm not like that," and he said, "Kate you're an exception," but I look around and I'm not, I really see hope in this generation, I see my friends who work so hard and they have big ideas and I think that we have the language and we have all of the knowledge and tools to make a change in the world, so I'm genuinely optimistic looking ahead.

00:43:09.990 Bretton: Excellent, thank you. I do like that our youngest member is the most optimistic for the future. I think that's great, I think it says a lot of good things as well. Alright so at this point we are going to open it up to questions, any questions that you all may have, we'd be happy to address. Yes, please.

00:43:32.280 Questioner: Hello, going back to you in the classroom and inequity, do you all think that there is equity in the curriculum and the pedagogy of how humanities is currently taught whether it's here at UNR or at other institutions of higher education, if so what makes it equitable if not what are some areas of growth?

00:43:52.089 Holly: I think it's always a work in progress. I read a book last semester called *Living the Feminist Life* and it was basically talking about how diversity is a lot of boxes being checked, a lot of going through the motions. I think the ideas are there and it's not always implemented, for instance, in my first Core Humanities class that I TA for, we read maybe three women, in my current Core Humanities course we're reading zero so not to bash on Core Humanities or the curriculum but I think there are ways to work in other voices even if those voices were repressed in context, there are ways to not repress them now. So I think it's definitely always a work in progress.

00:44:46.299 Kate: On pedagogy I think it goes back to language, I think that language can be really exclusive, I only know the word pedagogy because I worked at the Writing Center and there's a meeting and she goes hey what's the current pedagogy and I sat in the back like, "Should I quit now, what's up, like tell me," so I think it can be a short conversation just to get everybody on the same page and I think it's important to realize that not everybody comes in on the same page. I think about this a lot with law-- I want to be a lawyer—right now I'm studying cases for my thesis. A lot of law is genuinely easy to understand, the concepts are justice, you know, like concepts that we've been talking about tonight and the way it's worded is not simple, it is not user friendly, they like to throw in some the Latin phrases, just to throw you off. So they ensure that the legal profession stays relevant because you need lawyers to interpret the language that they created. I think about that with a lot of professions, the language around it is so elevated and it could easily-- there's a quote I think it's Albert Einstein I might be wrong that's like if you can't explain it to a six-year-old you don't understand it-- so I think that's important to remember to bring the language down here so that you can have those conversations.

00:46:09.360 Bretton: So you all could respond to that as well or we could open it up again, it's up to you.

00:46:17.250 Jim: I'll just really quickly say about equity, I think it's important to define what we mean by that and it you know what we were talking about here is expanding representation in the curriculum, creating more opportunities for the different experiences, different language, different culture but then also you know in the course work that we do, so this is my way of answering the question, do we have an equitable curriculum? I say often we don't because we privilege single forms of learning for assessing student work and for assessing the value of contributions and so you know at least for me in my field what that means is a wide range of forms of writing so you know I think in all the fields that that privilege different kinds of communication as a way of assessing that's a place to start with equity.

00:47:16.200 Chris: I'm trying to think of the most diplomatic way to be critical but what I will say is that it is an uphill battle if you're talking about equity in terms of representation in a curriculum all of the materials still are produced from a Eurocentric point of view. I was at the H-A two years ago going around talking to publishers, "Do you have a Caribbean history textbook?" I was creating Caribbean history, no. Latin American perhaps kind of the Americas broadly maybe one or two but there's nothing kind of the region of the Caribbean as it having its own history. Often at times it's treated as derivative of a European history or of an African history or of an American story and so it's very difficult when you're in the position of the instructor, you have to really go that extra mile. It's getting easier, there are more and more source books coming out that you can incorporate into the classroom but we still if not in name in structure wrestle with the idea of teaching at Western Civ curriculum that is centered on the Greeks to now as if there's a continuous through line.

00:48:36.000 Bretton: Great, thank you. Do we have any other questions? Yes, please.

00:48:45.180 Questioner: Okay, so in regards to the current political environment and your honor and the fact that well a lot of you are talking about the fact that you're very optimistic in terms of let's see our generations or just the you know the will of the American people at least those of us who supposedly you know want change in a certain direction are able to do anything; however, I well just talking to people also been listening to what I'm listening to lectures and political philosophy understand that some people have the opinion that's this isn't a situation like that because it's more of a-- because what we're experiencing right now especially if we're talking about the actual well-- all at this point all facets of American society what we have is an ideological split and when I say this in particular where some people would say we're in a situation in which we can't cooperate with others because our goals are inherently different which essentially means the foundation of our society is essentially crumbling. I remember some of you say I'm saying something on this, what would you have to say to that?

00:50:13.059 Chris: I think any good answer begins with Arnold Schwarzenegger, no, so probably about two months ago, Arnold Schwarzenegger was asked you know in his capacity as former governor of California what he thought about the potential that we would lose liberal democracy and he totally missed read the questioners answer and thought he meant liberal as in leftist as in Democrat and he gave this rambling answer that made no sense and I think that that's I mean a characteristic of Schwarzenegger

to be sure but I think it's also indicative of the way in which the middle has fallen out of society. The commitment to a liberal democracy that a parliamentary style democracy that respects the opinions of a variegated in diverse group is a very difficult thing to sustain and so if we were to look at history I think and many historians have sounded this alarm not to say look at the early 20<sup>th</sup> century as a recipe for what will happen but as a warning story for what happens when that middle falls out, when the idea of a liberal democracy becomes so easily dismissed and criticized as if it meant a political party rather than a commitment to some notion of human rights and ideals. Again, I'm the pessimist.

00:51:40.869 Bretton: Let's give it to the optimist.

00:51:47.710 Kate: Optimist coming at you. I think the middle is where change happens so I don't think that at least positive change doesn't happen all the way to the left and doesn't happen all the way to the right. I think that compromise is the key to politics especially today and that's what's missing and the political scheme nationally which is upsetting. I think it's important to focus on the diversity of thought, so I'm a business major we talk a lot about diversity and inclusion, I think that's vital and I'm so grateful that's becoming part of the pedagogy but I think something that's been forgotten truly is that a diversity of thought. So even in student government, which I'm not trying to equate this to real government I know it's very very different, but student government I'm pretty liberal, I have these ideas of like let's make tampons free, these great ideas and the my closest friend and ally in ASUN is very very conservative and she and I work together and we keep each other in check and I think that's so important, I think that often politicians today see themselves as like, "Oh I'm very liberal, I need a very liberal group. We will work well together," but that's not necessarily how it should be. I think that having people around you that disagree is absolutely vital. I think it was President Lincoln whose cabinet were his political enemies, he appointed them and he was like, "Hey you're gonna fight me on everything but this is what I need," and I think that should be brought back, that idea.

00:53:00.770 Bretton: Great, thank you. So do you all want to address this one or should we move on to the next one?

00:53:05.190 Jim: So I'm actually gonna go against the trend here on diversity of thought for a second, it's not really against it but it's just qualifying it. You invoked John Dewey earlier, his famous formulation in the public and its problems was that experts are good for providing technical knowledge, the public is good for providing judgments about values. I'm not interested in diversity of thought on technical expertise, I want to know whether this plane is gonna crash or whether this car is gonna start, that's not room for me you know and so hence the issue of the place of science and society but of course as we know science is only science because it has the respect and the institutional backing behind it for people who regard it as a value. I mean that Dewey's formulation has been pushed back on many times but for me honestly like just in one-to-one conversations with people just separating it between the, "Is this about technical information or is this about a value judgment?" and if I just count someone who has a you judgement by using my technical expertise that's when people are pissed and so I do find that you know

trying to at least understand what it is that we're arguing about and that's super hard so I want me to make it sound I don't mean to make it sound easy but that's where I start.

00:54:48.009 Bretton: Great, thank you. Okay, so I think we have time for about one more question if anyone has one additional question before everyone. Yeah, up in the back.

00:54:59.769 Questioner: Okay, so I have a question. In my class, I've just read about Frederick Douglass and in the work, *What is the Independence Day to a Slave*, how he argues that there should be more emotional argument and sublogic in argument in politics. So in today's society, where technology and internet allows people to voice many emotional statements in arguments to the point where the argument is drown out and becomes insignificant and in a social structure in which language is now seem to only matter when expert and people power influence speak. So the question is how do we get our voice to be heard?

00:55:44.489 Bretton: It's a great question, also something really difficult to answer in about a minute but Holly go ahead, you can start us off.

00:55:49.059 Holly: So I think there's definitely a balance, I think emotion has a place in policy and in society and in politics in general but I think as you just said the technical expertise needs to come into play too especially when we're talking about disasters or genocide trying to think of what else. We need to have expert knowledge on the implications of certain things but we need society to be the judge of values, so emotion, does that answer question at all like where it was the role of emotion and getting your voice heard? [Inaudible talking]. Yeah, I don't have any more answers to that.

00:56:37.730 Kate: I think the ideal argument is composed of both facts and emotions and stories. I agree if you're asking if a plane is gonna crash you probably shouldn't have five people there in a year saying different things, so technical facts are absolutely black and white and I support that, I think those are important to have and I think that you need to think about your audience when you formulate your argument. So in front of Congress, I remember or actually the State Senate there was a bill about domestic violence and some woman came in and they said, "One in four Nevadans will be a victim of domestic violence," they had all of these statistics which are so powerful and you could see some State Senators nodding along like, "Oh man, one in four," that really stuck with them and some of them were really just not interested, they're like, "Oh numbers, I'm out," okay. Another woman comes up next and tells the story of her experience of domestic violence and you can see the other Senators nodding like, "Oh this is a real problem," so I think that the ideal argument, the best way to have your voice heard is to have pathos, logos, and ethos not to be super basic 7th grade English class but emotion as well as fact.

00:57:47.720 Chris: Yeah, so I'm gonna try to tie together Dewey's formulation with the emotion thing through statistics. One of the biggest things that people like you said appeal to is statistics and it's incumbent that people remember that math is itself a language and that it is not itself divorcable from the values that make up the data that the math is about and so the place for emotion is giving a face to the stats. A good example is EJI and Art Studio have two projects on lynching in the United States and in one the EJI one which was done with backing from Google, they aggregate all of the numbers and so you have a county by county. This is the way the Tuskegee Institute that collected these numbers have been doing it since the 1930s and there's a great deal of research into statistics, they dehumanize the people that they're about and so there's a competing visualization of that exact same data that has every single instance of lynching as a single pinpoint which has a story about that individual and what they were lynched for and where they were lynched and who did it and those are both stats, they're both driven by data but they're two very different stories, one that recuperates the humanity of the people that they are about and one although I think the equal justice initiative has admirable goals, one that obscures that. On the flip side, I don't want five people giving me emotional explanations of why the plane is crashing, I want someone who has the technical expertise and I think we have to find that balance and not just use experts. A good example is Mo Rocca—I don't know if anyone's familiar with Mo Rocca, used to be in The Daily Show, he's a comedian-- he actually had a small career as a make-believe expert and he showed up on the 24-hour news cycles, he was on Food Network for a while as a food expert and he admits he knows nothing about it and so being critical of the idea of expertise but not pushing that too far, so making sure that we keep the humanity of the people that were exercising our expertise about in full view.

01:00:15.799 Holly: Just to drive all of those points into the ground a little bit more, violence fatigue in Africa or any of those fatigues, it's what makes people stop caring so I think it's everyone's job to push back on that and take people's heads out of the sand and humanize the stats like you guys are both talking about and when your family says they don't want to hear about it you talk about it anyways. I don't care if it's Thanksgiving, you talk about it, you talk about the people who are dying and their families who are talking about it at their Thanksgiving because we can't just be in the background enjoying our lives and being insular and safe.

01:01:02.090 Bretton: Fantastic, Jim do you want the last word on this?

01:01:07.460 Jim: Sure, I think everyone's kind of illustrated the thing I was gonna say which is how to be heard is to illustrate the consequences of a bigger idea so if you're experiencing a policy it matters how it's impacting you and relaying that to the larger conversation at least begins the process of having them acknowledge you as a person and why it matters to you. Bretton: Excellent, thank you, so unfortunately we are out of time. I would like to thank all of you for coming, it's great to see you all and if we could please get a round of applause for our speakers. [Applause] [Music plays]

01:01:54.549 Bretton: Also we will be back the second Thursday of next month, we will be here again.



THE END.