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Martin Kuester
Adeyeye Agnes Omotayo
Mary Taiye Daniel

Jeremy R. Laughery
Joanna Starzynski
Walter M. Young

George Steven Swan
Thaddeus T. Ityonzughul
Forkan Ali

Abolaji Tosin Success
Segun Omosule
Adeyemi Oluwadamilare Oresanya

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editor

Sue Matheson

film review editor

Antonio Sanna

the quint welcomes submissions. See our guidelines
or contact us at:

the quint

University College of the North

P.O. Box 3000

The Pas, Manitoba

Canada R9A 1M7

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Sue Matheson

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EDITORIAL

It is September, and another autumn in the North has begun. The birds are leaving again, and the light is fading sooner. This, *the quint's* sixtieth issue, offers reading for the colder nights and early frosts, housing articles and reviews by writers from Germany, the United States, Nigeria, Australia, England, and Scotland.

Martin Kuester's insightful discussion of space, placelessness, and Canada being one of the last good places to live in "Between Scotland, Camberloo, Ont., and More or Less Sad Tropics: Place and Placelessness in Eric McCormack's Fiction" begins our fall offerings. Kuester plumbs the delightful possibilities attending Northrup Frye's question, "where is here?" in Eric McCormack's magic realism. Next, in "A RELIGIOUS APPROACH TO WOMEN'S ROLE IN FREEDOM ACHIEVEMENT: BIBLICAL DEBORAH AS A FREEDOM FIGHTER AND HER IMPLICATIONS," Agnes Omotayo Adeyeye, Mary Taiye Daniel and Tosin Success Abolaji consider the biblical Deborah's freedom achievement in its social and historical contexts. Discussing women's significant roles in the bible, Omotayo, Daniel and Success recommend Deborah as a positive and liberating role model for Nigerian women. Segun Omosule's "From Verbal to Digital: Cyberspace as Folk-Arena in the Study of Folklore" then interrogates the efficacy of studying indigenous oral performances in written and digital forms. Using aesthetics, he finds digital availability of folk items captures their synchronic meaning but does not their diachronic dimensions even though the signs studied may fulfil basic social functions among Internet users.

Following, Adeyemi Oluwadamilare Oresanya's "PSYCHOLOGY AS A FACTOR IN DIRECTING FOR CHILDREN'S THEATRE" traces the history of Children's

Theatre and examines the energetic, psychometric, interrogative, and symbolic stages of childhood for directors casting and rehearsing productions. Then, inspired by Russia's 2022-2023 assault against Ukraine, George Steven Swan's "WATERGATE-HERO AMERICAN BAR ASSOCIATION PRESIDENT CHESTERFIELD SMITH'S WARRIOR-HOMECOMING: AN APPRECIATION OF HIS LEGAL CAREER'S SECOND WORLD WAR-ROOTS" follows the money trail of casual rapine perpetrated by American troops in 1945. As Swan points out, this information has been long ignored and could lead to sobering reappraisals of U.S. legal history. Finally, "KILLING FOR LIVING: EXPLAINING THE ECONOMIC ESSENTIALS OF BADAN CENTRAL ABATTOIR, AMOSUN, 2009-2021" by Thaddeus T. Ityonzughul examines the economic essentials of Ibadan Central Abattoir (ICA), Amosun between 2009 and 2021, arguing that the ICA has affected the economy and society of Oyo State and Nigeria, and concludes that its positive effects surpass its negative ones.

The film reviews housed in this issue follow. Forkan Ali's "*Mohanagar: A South Asian Landmark in the Age of Web Series*" shows how this series' use of local words, body language and casual conversations effectively portrays the region's social reality and life philosophy of its people. Jeremy R. Laughery's "A Tiresome Conversation: *The Last Winter* as a Climate Crisis Capsule" finds *The Last Winter's* direct, didactic style nothing new for Larry Fessenden. According to Laughery, *The Last Winter* is a believable new voice in the cinematic conversation around the climate change crisis, but hamstrung by its stuttering, lethargic pace, it never introduces the sense of danger and urgency that ecohorror can craft for its viewers. In "Sin, Death and Love in Powell and Pressburger's *Black Narcissus* (1947) and *The Red Shoes* (1948)," Joanna Starzynski argues that these films, about women molding themselves to fulfill men's desire for perfection, continue

to be relevant and should be re-watched today.

No issue of *the quint* can be complete without its creative component. We are delighted to present more fascinating adventures of Walter M. Young's iGamer. Everyone needs to visit Level 40 in "iGamer: The later years and canvasser of The Party." *Ligularia sibirica*, a plant from Siberia, Central and Eastern Europe, thriving in Snow Lake, Manitoba, prompted my photo-study of Ukraine's unbreakable spirit as the Ukraine-Russian war continues on, into its second winter. Slava Ukraini. As we return to heavy frosts and frozen water, here is good reading and interesting viewing at home. Anticipating the snow-filled days ahead, *the quint* will be back in December with with more thought-provoking material for your Christmas stocking.

Sue Matheson

Editor



**Between Scotland, Camberloo, Ont., and More or
Less Sad Tropics: Place and Placelessness in Eric
McCormack's Fiction**

**Martin Kuester
University of Marburg
Marburg, Germany**

At the end of the twentieth century and the beginning of the new millennium, the concepts of place and placelessness have increasingly attracted the interest of literary scholars, and this is of special importance regarding writing from Canada, a country whose literature has always, as Northrop Frye argued in his famous conclusion to the *Literary History of Canada*, been haunted by the question “Where is here?” In this often-quoted conclusion, which was also reprinted in his essay collection *The Bush Garden*, Frye writes:

It seems to me that Canadian sensibility has been profoundly disturbed,
not so much by our famous problem of identity, important as that is, as

by a series of paradoxes in what confronts that identity. It is less perplexed by the question “Who am I?” than by some such riddle as “Where is here?” (Frye, “Conclusion”)

Whereas literary themes such as “place” seemed to have been relegated to the second rank of Canadian literary criticism with the demise of “thematic criticism” (see Omhové 38) for some time, they have nevertheless remained relevant in our discussion of literary texts, and the question of space and place has always been at the centre of interest of literary scholars from outside of Canada dealing with Canadian literature, as German scholar Konrad Gross shows for example in his essay “From Space to Place” focusing on the literary construction of a Canadian province, that of Manitoba, in the works of Frederick Philip Grove.

In his essay, Gross refers to American geographer Yi-Fu Tuan, for whom “Place is space made human, lived-in, and humanly significant” (Gross 206). As Tuan writes, “Place is security, space is freedom: we are attached to the one and long for the other” (Tuan 3). Place is obviously what we feel connected to and feel at home in, while space is a range in which it is easy to lose one’s emotional orientation. Similarly, James L. Peacock states about place “that it is anchored in, yet transcends, space through cultural, social, psychological, and bodily aspects of existence” (Peacock 94). In his 1976 volume *Place and Placelessness*, Canadian geographer Edward Relph writes that “There are at least two experienced geographies: there is a geography of places, characterized by variety and meaning, and there is a placeless geography, a labyrinth of endless similarities” (141). The latter probably corresponds to what Marc Augé would, some years later, in 1992, call a “non-place” or “non-lieu.” Augé also distinguishes between space and place and defines non-place as a space that does not provide a sense of identity, relationship and history: *12 Vol. 15.4* (September 2023)

“Si un lieu peut se définir comme identitaire, relationnel et historique, un espace qui ne peut se définir ni comme identitaire, ni comme relationnel, ni comme historique définira un **non-lieu**” (Augé pos. 982, my emphasis).

A year later, the American philosopher Edward S. Casey writes in *Getting Back Into Place* (1993) about “no-place” – which of course is also one of the translations of “utopia” – that

[t]he prospect of no-place is dismaying ... every time we are out of place, whether we are lost in a snowstorm, or our house has burned down, or we are simply without lodging for the night. In such situations we find ourselves entering into a special form of panic: place-panic. For we confront the imminent possibility of there being no place to be or to go. We feel not so much displaced as without *place*...

... Yet place-separation ensues not only when we are literally without a home. We can feel out of place even *in* the home, where *Unheimlichkeit*, the uncanny anxiety of not feeling “at home,” may afflict us. (Casey ix-x)

Another, and probably the most profound Canadian look at place and space in Canadian literature by a non-Canadian literary critic is Claire Omhové’s *Sensing Space: The Poetics of Geography in Contemporary English-Canadian Writing*. She comments on most of the theorists and critics mentioned so far (and many more), drawing attention to phenomenological aspects in both philosophy and geography as they are for example raised in the cooperation of American philosopher William Spanos and Canadian poet and novelist Robert Kroetsch in their foundation of the journal punningly entitled *Boundary 2* in 1972:

Spanos and Kroetsch's refusal to historicize change, their reliance on a spatial metaphor presenting mutability as process, and not necessarily as progress, gains further resonance when set in parallel with the preoccupation of Canadian writers with the location of (their) culture, as a pre-requisite to the formation of a national identity. (Omhovère 28)

That space and place are not only constructed in writing but also in other media that one might have taken to be more "objective," is shown by Alena Strohmaier and Angela Krewani, who show that space and place are also a very much media products:

When viewed against this background, media could always have been conceptualized as spatial agents, since most media – traditional and analogue ones as well as new and digital ones – inscribe themselves into spaces or help to construct and communicate these spaces. (Strohmaier and Krewani 10)

In this paper, I would like to discuss aspects of place and placelessness in the fiction of a fascinating contemporary and postmodernist Canadian author who creates the kind of places "characterized by variety and meaning" (Relph 141), but which nevertheless sometimes turn into uncanny labyrinths: Eric McCormack, who died May 9, 2023. While McCormack's novels are briefly treated in histories of Canadian literature – for example, William H. New refers to his "arch ironies" that "may well be tangentially related to ... version of gender politics" (New 317) – for some reason, he seems to be left out of many recent book-length studies of the Canadian short story genre such as Michelle Gadpaille's *The Canadian Short Story* (it appeared too early), Maria Löschnigg's

The Contemporary Canadian Short Story in English or Reingard Nischik's *The English Short Story in Canada*. Scottish-born, and thus to a certain extent perhaps representing the imperial centre, McCormack, formerly a professor of English at the University of Waterloo, has written several rather unique novels, which were preceded by a volume of short stories, *Inspecting the Vaults* (1987), which W.H. New describes in his contribution on the short story in *The Cambridge History of Canadian Literature* as "combin[ing] magic realism with the macabre" (New 384).

In this collection of surrealist (according to Alan Weiss) or postmodernist (according to Stanley Fogel) stories – in his own words "dabbl[ing] in the marginal, slightly alien areas of everyday experience" (McCormack, *Inspecting* xiii) – McCormack creates uncanny and eerie places of magical realism. They either remain largely and mysteriously unnamed, or they bear invented names so that they are situated somewhere between the realms of place and placelessness. Amongst other places, there is an expedition camp in Patagonia where uncanny stories are told by the campfire; there is also the town of Trempe, Saskatchewan, starting from which "a chasm three hundred feet in width, one hundred feet in depth" (*Inspecting* 99) will surround the globe; and there is the South Pacific island of Oluba, offering a somewhat anthropological but not exactly sexually arousing description of the unusual aspects of sexual initiation there. That may well be the reason for which the narrator prefers not to give us the exact geographic location in order to protect the island "from marauding anthropologists" (*Inspecting* 139).

Some of these imagined places mentioned seem to be based on McCormack's home region in Scotland, while others centre around the somewhat fictionalized Kitchener-Waterloo region of Ontario where McCormack settled down and taught after having received his PhD from the University of Manitoba, and yet again others are set in exotic

Latin American or other tropical locations.

In this paper, I will focus on McCormack's technique of playing with overly detailed descriptions and definitions of locations while at the same time undermining our faith in their existence and thus putting the places "under erasure" by playfully parodying anthropological and/or literary theories and pre-texts. McCormack's short story volume will thus be interpreted concerning the light it throws upon the setting of his later novels and especially with regard to his magic realist and playfully postmodernist creation and deconstruction of place and placelessness in his real and imagined worlds.

All in all, as mentioned before, McCormack is probably known less as a short story writer than as the author of sexual Gothic novels such as *The First Blast of the Trumpet Against the Monstrous Regiment of Women*, which won him a nomination for the 1997 Government General's Award. He often picks up the settings of earlier stories later on in his literary career and integrates them into his full-length novels, but both in his stories and his novels, he creates uncanny places that are on the one hand described in great and gory detail but which, on the other, are non-existent and or part of the unknown continent of placelessness which has never existed in reality or is in danger of disappearing just like Lévi-Strauss's sad tropics or – as the translation of *Tristes Tropiques* into English was entitled – *A World on the Wane*.

In the introduction to his short story volume *Inspecting the Vaults*, McCormack writes that many of his stories "dabble in the marginal, slightly alien areas of everyday experience," but one of the reasons for writing, he says, is celebratory, especially for him as a Canadian writer: "Perhaps it's his way of shouting his hurrahs for being, at last, by the purest of luck, in a good place. For many of us who are travellers, in mind or in body, that's what Canada is – one of the last of the good places" (*Inspecting* xiii).

The first story in McCormack's collection bears the same title as the collection itself: "Inspecting the Vaults" (*Inspecting* 1-19). It starts with a reference to "this settlement," a marginal place (or non-place?) in which rather extraordinary people are incarcerated in the vaults of buildings and thus kept prisoners by others who themselves seem to be almost as much prisoners as those incarcerated in the vaults: This situation is rather Kafkaesque, and the supervisor states, "It is not always easy for a man like myself to understand how our administration decides who should be the vault-dwellers, who the inspectors" (*Inspecting* 16). No further geographical details are given about the location of the settlement, and the narrator, who is in charge of supervising the vaults, is himself affected by his own feeling of placelessness, because his becoming an inspector is related to the fact that the administrators claim that his supposed home village does not exist: "... they accused me of falsifying my papers, and said that there was no such place as the village named there" (*Inspecting* 16). In the end, the ruins of his village of origin are found, but they link the inspector to a possible murder.

Foreign and strange rituals have forever been at the centre of anthropologists' research, and one of these rituals comes to the fore in "The Fragment" (*Inspecting* 23-26), a very short story in which the narrator discovers – in the Glasgow Cathedral library – a fragment that depicts a sect of Christians who live on an unnamed island (probably off the coast of Scotland) and who are so radical in literally obeying Scripture's commands to be chaste, silent and blind that they have their genitals, tongues and eyes removed from their bodies.

In "Sad Stories from Patagonia" (*Inspecting* 29-39), we listen to campfire stories told by the members of an expedition looking for dinosaur bones in southern Argentina and Chile. The first and most intriguing of these stories is that told by the expedition

leader about an experience with religious practices in Lower Borneo. It deals with the disfiguring method of “restructuring” the body of a future “Guardian of the shrine of . . . the spider-god”: A child’s body is twisted “so that the shoulders are turned” until “the torso is turned one-hundred-and-eighty degrees around” (*Inspecting* 30). The report evokes “general acknowledgement of the requisite element of sadness in the story” (*Inspecting* 30). Other stories told around the Patagonian campfire include that about the European saint Thomas à Kempis’s being buried alive, and the story that is picked up later in McCormack’s novel *The Paradise Motel*, of a doctor killing his wife and disposing of her body parts by sewing them into the bodies of their children. In an uncanny reflection of perhaps Joseph Conrad’s ending of *Heart of Darkness*, the “Sad Stories” end: “Soon the fire would be dead, and the darkness would extinguish us all, here in Patagonia” (*Inspecting* 39).

The story “Knox Abroad” (*Inspecting* 65-78) transplants the Scottish reformer John Knox, thus a historical figure who is known to have been forced to work on a French galley for a time in the late 1540s, to New France, what is now Canada, where he proves to be a more powerful shaman than the First Nations wise men he meets. He thus may be seen as a prototype of Calvinist missionary zeal, but the New World he haunts is itself a haunting place not unlike the New England where Peter Ackroyd’s imagined John Milton finds himself in *Milton in America* serving, in Anne-Julia Zwierlein’s words, as “a caricature Puritan, castigating ‘vice’ wherever he finds it and battling against American natives” (Zwierlein 415).

“Festival” (*Inspecting* 115-28), set in an unnamed northern community, lends itself to an anthropological analysis again, as the festival includes a strange duelling ceremony reminiscent of Russian roulette, in which the narrator finally feels guilty of having caused

the other duellist’s death. But he also feels that he has been tricked into shooting that person, as – opposed to what he was made to believe – the person he shot had not been provided with a loaded weapon.

The probably strangest story in the collection is “A Train of Gardens,” which is composed of two parts. Part One is entitled “Ireneus Fludd” (*Inspecting* 137-51) and Part Two “The Machine” (*Inspecting* 155-60). Ireneus Fludd, whose name may remind us of that of the seventeenth-century Scottish physician and occultist Robert Fludd, is a strange character whose parents keep his fetus in a sort of aquarium instead of allowing him to be born. He is a God-like figure: “Nor is it easy to picture him. He is one of those who can undermine words” (*Inspecting* 137). He has written about his friend Watonobe from the South Pacific Island of Oluba, another one of McCormack’s geographical inventions: “To protect the island, Fludd says, from marauding anthropologists, he will not give its exact geographic location” (*Inspecting* 139). Owing to a potent hallucinogen that Watonobe introduced him to, he was introduced to “bizarre sexual practices.” These practices will again be mentioned in McCormack’s 2014 novel *Cloud*. Among them is the one that in exchange for sexual pleasures, men have to sacrifice parts of their own bodies. This kind of amputation may be reminiscent of the loss of body parts that the monks on the island in the earlier story “The Fragment” had to undergo, although the monks give up their body part for spiritual rather than sexual pleasures.

Interestingly enough, another (or the same?) Ireneus Fludd appears again in a text, *Unveiling the Islands*, that Harry Steele, the narrator of McCormack’s latest novel, *Cloud*, hits upon during one of his travels on the already mentioned island of Oluba: it “was written by one of the first Western travellers there, an anthropologist named Ireneus Fludd” (*Cloud* 268).

In a novel geographical turn, the Train of Gardens is composed of wagons representing different countries and epochs, and the single wagons are like museum showcases or perhaps rather travelling shows, like those that brought aboriginal Canadians to Europe and exhibited them in zoos and circus events (see, for example, Hartmut Lutz's essay on Inuit exhibited in the Hamburg zoological garden): "He would construct a travelling Botanical Gardens to bring the true splendours of nature into every city, town, village, hamlet of North America, South America, Europe, Asia. THE WORLD" (*Inspecting* 155). Thus all continents are exhibited and concentrated in one place.

What about place in Mc Cormack's other fiction? *The Paradise Motel* (1989) is a postmodern novel or novella about the narrator Ezra Stevenson's search for the four Mackenzie children, whom we may or may not remember from *Inventing the Vaults* and hear about later, for example in *The Dutch Wife* (156). In the end, however, all the rather vague geographical locations in Canada, Britain, Patagonia and the South Atlantic in *The Paradise Motel* and all the characters evaporate in the deconstructive final sentence: "The words, whatever they were, dissolve into white foam on the beach" (*Paradise Motel* 221) outside the Paradise Motel somewhere on the east coast. It is not a big surprise, then, that the ungracious *TLS* reviewer found that "Everything is pointless, especially critical reading; we have been pre-empted" (Greenland).

The Mysterium (1992), the second novel of McCormack's, is set in Carrick, a lugubrious mining town probably located in the author's Scottish homeland, a region where the fog "wipes out the borders between countries and the lines between earth, sky, sea and shore" (*Mysterium* 5). Consequently, it is not made entirely clear in *The Mysterium* in what island country Carrick is situated, but McCormack himself writes in a 1993 essay that "the novel is set in a country that isn't quite Scotland, but something

approximating it, amid blunt hills and mists, like those of the Southern Uplands, where I lived for a time" (McCormack, "Less" 10). The local inhabitants of Carrick, at least Robert Aiken, the local pharmacist who is the author of a document presented to the narrator James Maxwell, a journalist, to bring him from the Capital to Carrick, often mention the "colonial" accent of a suspicious visitor. This visitor, Kirk, ends up run over by a local train under mysterious circumstances. But this is only the first of many mysterious and fatal events haunting the inhabitants of Carrick and their natural environment, leading to the "decimation of Carrick" (*Mysterium* 62), as the pharmacist puts it.

A second text that James Maxwell is confronted with is from the seventeenth century and deals with the traditional Mysterium festival at Carrick. It is written in the style of 17th-century English, which is one of the areas of literary history in which Eric McCormack specialized as an academic, having written, for example, a dissertation on Robert Burton's *Anatomy of Melancholy*.

Other sources that Maxwell comments on are his transcribed interviews with citizens of Carrick, most of whom are slowly dying from a mysterious poison that may or may not have to do with Robert Aiken, the pharmacist. Aiken's former lover, Anna, had also had a relationship with Kirk, the Colonial, who turns out to be one of McCormack's travellers to (rather indistinct) tropical and exotic countries:

He, Kirk, was only twenty then, an apprentice at his profession, when he was sent to one of those jungle republics to test the water table. The rivers entranced him. Unlike the Colony, where cold, killing streams poured northward into frigid seas, each of these tropical rivers was a soup of minute living things. Even his dreams became exotic and vivid, as though the heat fertilized a part of his mind that had hitherto been dormant. (*Mysterium* 102)

While Carrick is a realistically – albeit negatively – drawn small town, a place, the country where it is located is only referred to as the Island, but allusions to Scotland are pretty obvious: the sick people from Carrick are taken to the hospital at Stroven (*Mysterium* 61), a place that will appear in other texts by McCormack, for example in *First Blast* (3). Only at the end of the novel do we as readers receive a convincing explanation of the plague that has been swiftly killing off the town's population and of the historic events involving the killing of a group of prisoners of war who had been forced to work in the local mine. These events may have been an act of mistaken revenge for a group of Carrick soldiers dying in the collapse of a bridge. This catastrophe had probably been caused by the soldiers themselves by crossing the bridge in lockstep. Or, perhaps the death of the soldiers was also an act of revenge for an illicit love affair between Robert Aiken's mother and one of the prisoners of war, in the course of which probably Robert Aiken himself was conceived. This lover of Aiken's mother, "the prisoner with the beard" (*Mysterium* 206) may also have been Kirk's father.

In the last part of *Mysterium*, the mystery of which may be that there is no mystery at all and that all the deaths may have a natural cause, James Maxwell travels to the Colony, from which Kirk had come the Island, and the description of his approaching the Colony resembles the archetypal approach to Canada through the Gulf of Saint Lawrence that had also been famously described by Northrop Frye as "the traveller from Europe edg[ing] into it like a tiny Jonah entering an inconceivably large whale" (Frye 217):

I went by ship, the way exiles had gone for centuries to settle the Colony. It was quite an experience to cross that great waste of ocean; but even more incredible for me was the journey up the Colony's main river; we'd actually

been inside the land mass a thousand miles before the river narrowed enough to see the banks on either side with their evergreen forests. (*Mysterium* 237)

A similar, if not the same Scottish landscape as that of *The Mysterium* dominates the first part of McCormack's 1997 novel *First Blast of the Trumpet Against the Monstrous Regiment of Women*, which starts with the words "It happened in Stroven, one of those little mining towns deep among the Upland hills." Carrick, the small town where *The Mysterium* takes place, is not far away, and "most of the mines are closed now; but at one time they bulged at the edge of every little town, like a tumour" (*First Blast* 3).

First Blast's main character, Andrew Halfnight, arrives at Camberloo, Ontario, Canada in the end, but only after a long detour taking him from his native Scotland, which Andrew has to leave behind as an orphan, to the South Atlantic island of Saint Jude where he lives with his aunt and uncle for some time, back to Scotland and to other parts of the world. The region of Camberloo becomes Andrew Halfnight's new home, but it is a home in which he is still persecuted by the traumas of his old, European life including the accidental killing of his twin sister by his own father and the ensuing burial ceremony which in his traumatic memories are intertextually linked to a literalist reading of the title of Scottish reformer John Knox's title *First Blast of the Trumpet Against the Monstrous Regiment of Women*. This process of re-imagining and re-living his traumatic past is supported by his friends and a doctor after a mysterious near-death experience in a car accident. And in the end, Andrew receives a letter from an old friend that states that – according to a mysterious system of a certain Morologus, "the exact co-ordinates of Paradise" (270) are exactly those of Camberloo. Although this at first sight rather unexciting Canadian city may not seem to be a really ideal place, Andrew remembers a Milton quotation that the old friend, the seaman Harry Steele, had glued to the door of *the quint: an interdisciplinary quarterly from the north* 23

his steamer cabin and which indicates that the human mind has a strong influence on the interpretation of mere geographical facts: “The mind it its own place, and in itself / Can make a Heaven of Hell, a Hell of Heaven” (Milton, *Paradise Lost* I.244-45). Although this is a famous quotation from Milton’s *Paradise Lost*, we should not forget, though, that it is Satan speaking here, when he is confronted with hell after having been expelled from heaven.

Camberloo, where Andrew Halfnight settles in the end, is also the home of Thomas Vanderlinden whom the narrator meets and whose life story he retells in *The Dutch Wife* (2002). This narrator is a widely travelled novelist who – in various capacities – is confronted with uncanny and exotic landscapes such as San Lorenzo in Central America, the home of the Guinea worm, a parasite that affects humans: “They grow inside the victim till they’re about four feet long” (*Dutch Wife* 3). Vanderlinden’s father had been an anthropologist who had done research all over the world including the tropics, while his mother lived with a foreigner who claimed to be her husband returning from Europe after the Second World War. In the end, his mother had asked her son to find the real Rowland Vanderlinden. This “real” Rowland Vanderlinden, we find out, has withdrawn to “one of the most remote places you could imagine – down on an island in the Pacific” (94), in the highlands of Manu “on a minor island in a minor archipelago of islands half a world away from home” (112). Thomas Vanderlinden can entice Rowland to come back to Canada with him to see his wife again, and on their trip back from the South Pacific, by boat and train, the Canadian landscapes remind Rowland of the exotic places he had visited as an anthropologist, including, for example, the “Institute for the Lost” (155), which is “located on a [sic] island off the Great Barrier Reef” and which also appears in various other stories and novels by Eric McCormack. Rowland Vanderlinden

even visited St. Jude (159), the island in the South Atlantic, on which another citizen of Camberloo, Andrew Halfnight from *First Blast*, spent some of his youth. When Rowland tells his life story, we hear that he also passed through the Scottish mining district from which many of McCormack’s characters hail, and that he shared a passage on a steamer transporting zoo animals back from Scotland to Canada with a certain Will Drummond (namesake of both a Scottish friend of Ben Jonson’s and the 19th-century Canadian poet). This Will Drummond is a Scottish miner who was later to re-appeared as Rowland Vanderlinden at Rachel’s door in Camberloo and to take over the role of the father of Thomas Vanderlinden. While their steamer is shipwrecked off the coast of Nova Scotia, Rowland and Will Drummond survive, and Rowland persuades Will to go “home” to Camberloo in his stead.

Cloud (2014), McCormack’s latest novel, takes us back to Scotland, although its prologue is set in the “Bookstore de Mexico” in La Verdad (1), where the narrator, Harry Steele, had come from Canada. In this bookstore, he finds a nineteenth-century novel about Scotland which reminds him of his own youth in the Scottish mining district also described in several other of McCormack’s stories and novels. When he leaves Europe behind, crossing the Atlantic Ocean by boat, Harry Steele, comes into contact with seamen and their stories and is invited to join them on their voyages. One of his interlocutors, a doctor on a steamship, “was posted to a group of islands in the Pacific. He’d been sent there by a philanthropic agency to set up a clinic to treat the islanders’ ailments” (*Cloud* 120). In this description, we have once again the typical placelessness or quasi-namelessness (the port of Racca is mentioned, but no country is given, 124) of McCormack’s tropics.

After various stations in Latin America, Steele finally arrives in Camberloo, Ontario,

marries a young woman and inherits her father's engineering business. Later, his doctor friend invites him to join him at a strange institution of neurological experimentation "in Upper New York State, near the Canadian border" (*Cloud* 301), and although Harry Steele seems to be happily settled at Camberloo, Ont., knowing that he has a daughter back in Scotland, he feels uncannily insecure in a world in which American psychological experiments have become a worldwide threat.

So what kind of place or placelessness do we have here in McCormack's stories and novels? The description of exotic places in the South Atlantic and in South America is rather indistinct, but Scotland and Canada are described in more detail. Scotland is often a mysterious and threatening space, but Canada, as I already quoted McCormack, is "one of the last of the good places" (*Inspecting* xiii). Perhaps it is even a good place in the positive sense of eu-topia. That at least was the seaman Harry Steele's message to Andrew Halfnight in *First Blast*. What about the places outside of Canada that he creates in his fiction? Many of them remain nameless and geographically unspecific. Does that mean they represent what Relph calls "a placeless geography, a labyrinth of endless similarities" (141)? I do not think so. They are certainly "characterized by variety and meaning" rather than "a labyrinth of endless similarities." But the question is: Are the tropical places such as Oluba just projections of our wishful thinking into the tropics from a colonial or postcolonial, from a Eurocentric or postcolonially Canadian point of view, or have we already, with Claude Lévi-Strauss come to belabour the sad state of those "sad" tropics which might have meant hope for us earlier but which were threatened and probably beyond help when Lévi-Strauss wrote his *Sad Tropics* in the 1950s, but which certainly are even more threatened in this day and age of Global Warming and global exploitation? This famous melancholy but also not completely hopeless note is what Lévi-Strauss gives

us at the end of *Tristes Tropiques*:

... adieu sauvages! adieu voyages! – pendant les brefs intervalles où notre espèce supporte d'interrompre son labeur de ruche, à saisir l'essence de ce qu'elle fut et continue d'être, en deçà de la pensée et au delà de la société : dans la contemplation d'un minéral plus beau que toutes nos œuvres, dans le parfum, plus savant que nos livres, respiré au creux d'un lis ou dans le clin d'œil alourdi de patience, de sérénité et de pardon réciproque, qu'une entente involontaire permet parfois d'échanger avec un chat. (Lévi-Strauss, Pos. 7122)

– Oh! fond farewell to savages and explorations! – in grasping, during the brief intervals in which our species can bring itself to interrupt its hive-like activity, the essence of what it was and continues to be, below the threshold of thought and over and above society: in the contemplation of a mineral more beautiful than all our creations; in the scent that can be smelt at the heart of a lily and is more imbued with learning than all our books; or in the brief glance, heavy with patience, serenity and mutual forgiveness, that, through some involuntary understanding, one can sometimes exchange with a cat. (Penguin Classics edition 414-15)

Talking about exchanging a wink of an eye with a cat, a type of communication which was just mentioned by Lévi-Strauss: As I mentioned above, in his novel *First Blast of the Trumpet Against the Monstrous Regiment of Women*, published in 1997, ten years after his short story collection *Inspecting the Vaults*, Eric McCormack has his narrator –

or rather, one of his friends – claim that in fact the small city of Camberloo (which in real life corresponds to Kitchener-Waterloo, where McCormack taught at St. Jerome’s College at the University of Waterloo) is the best place on earth to live (on the geography of *First Blast*, also see Kuester, “Monsters” and Hepburn). In the novel’s prologue, the narrator had promised to unveil the location of this ideal place, “the location of Paradise on this earth” (xiv), and at the end of the novel he reveals this place to be Camberloo, Ontario (270). In a way McCormack’s narrator, Andrew Halfnight, has found in Canada what philosopher Edward S. Casey describes as the place to get back into in his *Getting Back Into Place*: “As Freud, Bachelard, and Proust all suggest, to refind place – a place we have always already been losing – we may need to return, if not in actual fact then in memory or imagination, to the very earliest places we have known” (x).

And the ending of this magic realist novel starting in Scotland, leading Andrew Halfnight to a South Atlantic island and finally to Canada, also involves a cat to whom the first-person narrator addresses the final sentence of the convoluted plot of his life story. A sadder and a wiser man at the end of his travels and travails, he finally settles in the ideal place, Paradise, also known as Camberloo, Ontario: “There’s always a rational explanation – not as exciting, but real, just the same” (262), he tells Minnie, his cat. This might be interpreted as a somewhat sobering let-down perhaps, but it is not unlike Lévi-Strauss’s final sentence saying good-bye to his readers at the end of *Tristes tropiques*, and thus it is also not completely without hope. Most certainly, Andrew Halfnight has found a place rather than a non-place or even placelessness in Camberloo.

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A RELIGIOUS APPROACH TO WOMEN'S ROLE IN FREEDOM ACHIEVEMENT: BIBLICAL DEBORAH AS A FREEDOM FIGHTER AND HER IMPLICATIONS

Agnes Omotayo Adeyeye
University of Ilorin
Ilorin, Nigeria

Mary Taiye Daniel
University of Ilorin
Ilorin, Nigeria

Tosin Success Abolaji
Robert Gordon University
Aberdeen, Scotland

Abstract

The exclusion of women from leadership is not unique to Nigeria. It is also a global practice to alienate women from positions of leadership, especially in religious and political settings. However, there have been exceptions to this rule. Women in biblical times contributed to the freedom of the Israelite nation through active participation in leadership roles, among them, priestesshood, motherhood, and judgment. In African

Indigenous Churches today, women also hold offices, functioning as choir leaders, ushers, lady evangelists, co-founders and founders. Contextualizing the biblical Deborah in her social and historical contexts, this paper discovers how women played significant roles in ensuring freedom for the Israelite nation, the church, and, by extension, Nigerian society. Its study finds the life and acts of Deborah offer contemporary Nigerian women a positive, liberating role model.

Keywords: Religious Approach, Women, Freedom Achievement

Introduction

Freedom means different things to different people. Politically, freedom may refer to being free and independent of any external hegemony. The term implies self-governance rather than being colonized or ruled by any external forces. Religious freedom means emancipation from sin and the power of darkness. People believed that the individual can experience spiritual bondage to the evil forces that the Yoruba called *Omo Aaraye* (the wicked ones or witches). This lack of freedom can be manifested physically in blindness, lack, barrenness, madness, and an unsettled home. Offerings and sacrifices, liturgy and prayer, are offered to the Supreme Deity who is believed to be omnipotent and able to deliver the worshipper from every evil oppression.

Etymologically, freedom is derived from Old English *freodom* “power of self-determination, state of free will; emancipation from slavery, deliverance”; free (adj.) + dom which means “exemption from arbitrary or despotic control, civil liberty” (Harper, 2023). The Greek word for freedom is *ελευθερος* (*eleutheros*) which means “free,” and its derived noun *ελευθερια* (*eleutheria*) means freedom, but, crucially, not a freedom

through the absence of law but rather freedom created by mastery of law (Abrim, 2023).

Freedom then is a state of political, economic, social, and religious independence of an individual or group of individuals, a locality, or a nation. It connotes the right to speak, act, and react to circumstances without the fear of being penalized. The subject of freedom can be traced to the Edenic period of Adam and Eve in Genesis's creation account. In the garden, the couple was deceived by Satan to seek freedom from God's instruction about the tree of knowledge of good and evil and fell into sin (Gen 3). Both the man and the woman fell into a catastrophic bondage of sin creating the need for spiritual freedom.

Throughout the Old Testament, the Israelites' history is full of turbulent moments occasioned by years of bondage after the other with only a few years of comfort and freedom. The years of Israelites' bondage began with their Egyptian slavery in Exodus 1 where they were slaves in Egypt under the king of Egypt. Before this period of bondage, Israelites willingly walked into Egypt under the reign of the Pharaoh. Afterwards, God's power and His abiding presence with His people were manifested during their wandering in the wilderness. Deborah's fight for freedom took place in the Israelite community during this period, characterized by the rise and fall of a nation without a physical kingship system in the land of Canaan. In the wilderness, the Israelites operated according to a Theocratic system of government wherein the administration of the nation lay in the directives of God through His representatives, the prophets and or priests and the Judges, Charismatic leaders. To assess the role of women that women played as Israel achieved its freedom, this study examines the political, social, and religious background of the Israelites during the time of Deborah, women freedom fighters in the Old and New Testaments, the role of Judges in ancient Israel, and Deborah as a freedom fighter.

The political, social and religious background of Israelites during the time of Deborah

Before the era of Judges, The community of Israel was characterized by upheaval as the wandering people from Egypt became inhabitants of Canaan after defeating the seven Canaanite nations (Josh. 1-12). The death of Joshua ushered in the time of Judges in the ancient Israelite community during which charismatic leaders helped deliver God's people (Israel) from their oppressors. The Judges were executive officers of the tribal league as they presided over inter-tribal councils and exercise judicial and military functions, giving justice to the poor and rescuing God's oppressed people from their marauding enemies (Plangsat, 2009).

Bright (1959) quoted by Thomas (2023) has observed that a Judge was not a king. According to Bright, a Judge bestowed with God's Spirit, "represented the primitive theocracy of Israel; it was the direct rule of God over his people through his designated representative." Thus a Judge exercised a kingly function, under Yahweh's sovereign authority over Israel, that was similar to that of Moses, Joshua, Saul, David, and David's successors. Judges in Israel had no power to make laws, for these were given by God. Judges were also unable to explain these laws, for that was the function of the priests—they were officially upholders of the law, defenders of religion, avengers of all crimes, particularly of idolatry and its attendant vices.

As Vile and Foshee (1988) point out, with the death of each Judge (even sometimes before), Israelites would forget the law, and the cycle of another judge rising and representing Israel's theocracy would be repeated:

when the judge was dead . . . they returned and corrupted themselves even more than their fathers, in following other gods to serve them, and to bow

down unto them; they ceased not from their doings, nor from their stubborn way. And the anger of the Lord was hot against Israel (Judges 2:19-20a)

During the time of Deborah, we are told, the Israelites sinned against God after the death of Ehud, the left-handed who rescued Israel from the hands of Eglon, the Moabites king who ruled over Israel for eighteen years (Judges 3:14-30). Then the Children of Israel again did what was evil in the sight of God and were sold into the hands of Jabin, king of Canaan, who reigned in Hazor. His captain, Sisera dwelled in Harosheth (Judg. 4:2) and subjugated the Israelites for twenty years.

Wood (1970) cited by Idumwonyi (2009) confirms that this was an era of successive foreign oppressions for the Israelites. Jabin, who headed the Canaanite alliance, is mentioned in connection with two Israelite wars at the time of their settlement in Canaan—in the account of the battle at Merom, which is attributed to Joshua (Josh. 11), and in the account of the war of Deborah (Judg. 4-5). Thomas (2023) remarks that the Canaanites' 900 iron chariots (v. 3) gave them complete control of some of the flatter and dryer portions of Canaan, and the Israelites were forced to live in the hills to avoid them. Like the Pharaoh's chariots in the Exodus account, these chariots were state-of-the-art weapons at this time. In Canaan, the Israelites also engaged in activities with the neighbouring nations as they were joined to them in marriage, business and trade. This affiliation no doubt led to the expansion and economic boom in Israel during the time of Deborah. This was also the period when Hazor, which had been previously destroyed, was rebuilt. Biblical narratives suggest that agriculture was the foundation of most economies of antiquity.

As O. Palmer Robertson (1996) affirms, ancient Israel, which was located principally

in the hilly regions of the Mediterranean climatic floral zone, was an agrarian society. In contrast to the peoples who lived in the Negev and Sinai, the Israelites used little irrigation for farming, because precipitation was sufficiently high for them to do natural farming. This period of plenty however depended not so much on the topography of the land or Israel's agricultural ingenuity. Instead, as Raymond Dillard (1999) notes, prosperity – the full barns, bounteous crops, livestock, and ample food that the people desired – was tied to following God's commands (Deut 28:1 – 6). Disobedience would bring hunger to the nation via the failure of crops and rain (Deut 28:23 – 24). And it did. The Israelites' apostasy resulted in their slavery to Hazor.

According to the Midrash, in Deborah's time the Israelites worshipped idols and were delivered into the hands of Sisera, who "oppressed Israel ruthlessly" (Jud. 4:3). Once they repented, He sent them Deborah and Barak who redeemed them (Tanhuma [ed. Buber] Behar 7). Kadari 1999 notes another hermeneutical tradition has the Israelites, refusing to heed Deborah and Barak, were punished with the famine mentioned in Ruth 1:1: "In the days when the judges ruled, there was a famine in the land." Here it should be noted that biblical narratives recorded the worship of Baal and Astartes being predominant in Canaanite city (Judges 2:13, 10:6; 1 Sam. 7:4, 12:10). According to Nelson (2006), Baal started as an average false god believed to have power over bountiful crops and multiplying flocks. Later, he evolved into "Master of the Universe" and was thought to rule over all the other Canaanite gods. The Babylonian god Tammuz and the goddess Ishtar were also worshipped. There were also the Moabites' Chemosh and the Ammonites' Moloch who later accepted child sacrifices. The similarities between these religions encouraged borrowing back and forth, for they shared a common concern about the relation of human beings to their natural and cosmic environment.

In short, Israel fell into idolatry. According to *Bible.org* (2023),

[n]ot long after getting settled in her land, Israel adopted the religion and the lifestyle of the pagan Canaanites by worshipping idols and practising immorality, theft, and murder. Her society fell apart. Tyranny and force became the norm; inept leaders were unable to check the excessive violence. Selfish desires for tribal glory and supremacy, as well as unwillingness to accept reproof, led to tragic civil wars.

The submission above is in line with the view of Anderson (2007) who has argued that Baalism became a practical religion for farmers in their quest for plenty. Baal was recognized as lord of the earth, owner of the land, giver of rain, source of grain, wine, and oil. To ignore Baal's rites in those days would have seemed impractical and even reckless, analogous to a farmer today ignoring current agricultural science while cultivating the land (Theodore, & Uduak, 2013).

Women freedom fighters in the Old and New Testament

As Kashiri (2022) points out, throughout Christianity, power has been generally associated with men. Women have played major roles in their families but have rarely appeared outside the home. As Gill (2016) notes, women were responsible for the musical performances during rituals and celebrations. Moses' sister Miriam led the women of Israel in celebration of the Israelites' successful crossing of the Red Sea; other similar celebrations can be found in Judges, Samuel, and Psalms. According to Brown (1992), some women, who acted in the public spheres normally and conventionally reserved for men, did so by way of their relationships with the male heroes, others, because of their

strong characters played leading roles in the political life of the nation. In his catalogue of the six powerful women in the bible, he lists Miriam, Deborah, Queen Esther, Lydia, Phoebe, and Priscilla from the Old Testament and the New Testament. Adding to Brown's list, Corinne (2022) has offered other names, among them, Mary of Nazareth, Ruth the Moabites, Mary Magdalene, Rachael, Hannah, Eve, Esther, Sarah, Elizabeth, and Abigail. Although the scripture also designates Miriam, Huldah and Noadiah as prophetesses, none of them displayed the leadership Deborah did (Niditch, (1991).

The Roles of Judges in Israel

The role of a Judge in ancient Israel is enormous, ranging from spiritual to judicial functions. Judges were called "deliverers." Soggin (1993) finds the following words highly instructive when considering the Biblical understanding of the Judges. In Greek, *kritai* and, in Hebrew, *sopet* and its plural *sopetim*, have meanings very similar to the Carthaginian understanding of a Judge. Called during a time of great calamity and conferred with the power to lead, a Judge executed civil and judicial authority (Raymond et al. 2013).

Spiritual role

The Judges in ancient Israel acted as God's representatives to His people, Israel by bringing His message to them and also delivered Israel's petitions and thanksgiving to Him. According to Merrill (1993), Judges in the ancient Israelite community functioned as spiritual personages who oversaw spiritual matters, such as teaching the Law, and also informed the people about the will of God. The Judges had the power to call people to a day of prayer, lead people in prayer, and lead people (the whole nation) to repentance. The Judge also made sacrifices to atone for the sin of the nation—a role practised by the priest alone. Judges like Deborah, Eli and Samuel functioned in this capacity as

spiritual leaders. Deborah brought the oracle of freedom to the people of Israel when she instructed Barak to challenge Sisera. When Barak refused, Deborah, as a spiritual leader sure of God's revelation about the total victory of God's people, summoned the courage to accompany him.

Combatants

One of the common traits found in all the Judges is the ability to go to war. They are seen on the frontlines as warriors leading soldiers to victory. Notably, some Judges were not warriors, but when the spirit of God instructed them to deliver God's people, they became combatants leading their followers to total victory over their enemies because God was with them. Deborah, Gideon and Samson can be seen in this category. They led Israel into war and were victorious. During their terms, Israel enjoyed peace. During the days of Judges, cities within and without Canaan, such as Midianites, Amalekites and Hazor, had great military power and social organizations which enabled them to dominate their neighbours, requiring peasants under their domination to help build fortifications in the city and provide regular deliveries of a certain amount of their produce. Caught in this political disparity, Judges, like Deborah and Samson, rallied disparate villages and tribes, pooling their resources to repel a common enemy (Carr, 2010). Samson's victory over the Philistines of his time was a remarkable feat; the conquest of Midian during the time of Gideon was also noteworthy. In the Israelites' battles, the presence of God was presented as the 'Mighty Man in Battle' who gives victory over enemies and freedom to His chosen people.

Conflict resolution and Peace-making

The Israelites needed to be at peace with God in order for them to be at peace with their

enemies. During the time of the Judges, the presiding Judge oversaw cases needing hearings and decisions about matters concerning injustice, maltreatment, and distribution. Peace-making is necessary between man to man and man to God, and conflict resolution is best described as a peace-seeking method to end argument and restore peace and orderliness in the state. Gideon's desire, for example, was not to rule over Israel or his sons but rather that the LORD will rule over them (Judg. 8:23). Deborah held court under the Palm of Deborah between Ramah and Bethel in the hill country of Ephraim, and the Israelites came to her to settle their disputes (Judg. 4:5). As Hilal (2011) remarks, the Children of Israel enjoyed peace for forty years during the time of Deborah.

Parental Role

Judges were not only warriors; they also displayed the love for the nation of Israel which a mother and a father would show their child. Deborah became a home figure and was referred to as a 'mother in Israel' (Judg. 5:7). Plangsat (2009) confirms that Deborah became a mother to all Israel and the source of this spiritual motherhood was her piety and strong faith in God. As a mother, Deborah had compassion for her divided and oppressed "children." Her vision ended her children's helplessness and gave them strength to unite in a struggle for a transformed society.

Deborah, a Freedom Fighter

A prophetess and judge of pre-monarchic Israel, Deborah was a fearless nationalist who emerged as an exceptional military leader. Fearless and obedient to God, she led the Israelites out of bondage. Judges 4:1-9 states that

Again the Israelites did evil in the eyes of the Lord, now that Ehud was

dead. So the Lord sold them into the hands of Jabin king of Canaan, who reigned in Hazor. Sisera, the commander of his army, was based in Harosheth Haggoyim. Because he had nine hundred chariots fitted with iron and had cruelly oppressed the Israelites for twenty years, they cried to the Lord for help. Now Deborah, a prophet, the wife of Lappidoth, was leading Israel at that time. She held court under the Palm of Deborah between Ramah and Bethel in the hill country of Ephraim, and the Israelites went up to her to have their disputes decided. She sent for Barak son of Abinoam from Kedesh in Naphtali and said to him, “The Lord, the God of Israel, commands you: ‘Go, take with you ten thousand men of Naphtali and Zebulun and lead them up to Mount Tabor. I will lead Sisera, the commander of Jabin’s army, with his chariots and his troops to the Kishon River and give him into your hands.’ Barak said to her, “If you go with me, I will go; but if you don’t go with me, I won’t go.” Certainly, I will go with you,” said Deborah. “But because of the course you are taking, the honour will not be yours, for the Lord will deliver Sisera into the hands of a woman.” So Deborah went with Barak to Kedesh.

In this biblical passage, Deborah overshadows the fearful and timid Barak. Idumwonyi (2009) asserts that Deborah rose as a ‘mother’ to deliver Israel from foreign oppressors. He adds that this singular event shows the denial and relegation of women from the early times is not divinely inspired but manipulation by a man fortunate to tell his story. Andrew (2008) remarks that Deborah recruited Barak to stand by her side, telling him God wanted the armies of Israel to attack the Canaanites who were persecuting the highland tribes. Barak was reluctant, and he insisted that Deborah go

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with him to the battle. Her answer was assertive and prophetic: “I will surely go with you; nevertheless, the road on which you are going will not lead to your glory, for the Lord will sell Sisera into the hand of a woman” (Judg. 4:9). Murray, on the other hand, argues that the story’s final tableau in the tent of Jael balances the initial focus on Deborah.

But the intonation of Deborah in Judges 4:9 emphasizes confidence and absolute trust in God. Attention is not granted to gender inequality and the upheavals of her time. Deborah was willing and ready to abide by the condition Barak placed on her. As Mieke (1988) points out, it is not a matter of coincidence that Deborah is the only Judge who was a woman. Deborah’s outstanding qualities as a freedom fighter can be seen in her directives to Barak regarding military tactics and orders. Her army of 10,000 Israelites rushed down from the hills, clashing with the forces of the Canaanite general Sisera near the Kishon River. The “Song of Deborah,” one of the oldest in the Bible, says the stars strayed from their courses and the river washed Sisera’s armies away in a massive flood. The battle was a total victory. “All the Army of Sisera fell by the sword; no one was left” (Andrew, 2008). The defeat of Sisera and the subsequent end of Jabin’s oppression (Judg. 4:24) is celebrated in the song of Deborah and Barak. With special reference to the decisive encounter at the Kishon, they rehearsed Yahweh’s dealings from the Transjordanian conquest until the present hour (Judg. 5:1-5; cf. Deut. 33:2-3; Psalms 68:7-9). In the days of Shamgar and Jael, which had just preceded, the roads were unsafe for travel because of brigands and outlaws of every kind. Divine judgment, these chaotic conditions existed because Israel had adopted new gods (Eugene, 1987). Plangsat (2009) also affirms that despite the great odds against Deborah and Barak, Deborah’s spirit did not quell because God was her ally. A fearful hail storm overtook the enemies, and the Canaanites were almost blinded by the rain and were ultimately overwhelmed in the

swollen river of Kishon. When Sisera saw that defeat was certain, he fled, leaving his chariots behind and traveling on foot. The flight of Sisera enabled the Israelites to attain freedom from the oppressor, King Jabin and the land rested for forty years (Judges 5:31b).

Notably, the song of freedom was sung by Deborah reiterates the defeat of Sisera by women (Judg. 5:27); “at [Jael’s] feet, he bowed, he fell, he lay down: at her feet, he bowed, he fell: where he bowed, there he fell dead.” Carr (2010) finds that Deborah’s song uses two scenes involving women to illustrate the contrast between the destinies of Yahweh’s friends and enemies. Yahweh’s enemies will perish and their women (like Sisera’s mother) will mourn, but those who join in the effort to fight, like Jael, will be “like the sun when it rises with all its might”(Judg. 5:30).

Implications for Nigerian women

The marginalization of women in leadership today contributes to the way women are generally treated in society. Men are known for domesticating women, and this has encouraged women to adopt a mindset of remaining under the rug. According to Sam (2013),

[w]omen tend to place family demands above work considerations, they work for supplemental income; as a result, they lack the necessary drive to succeed in leadership. Women tend to mix their personal and professional beliefs and feelings and for this reason, they are accepted as emotional not professional. Women are unsuitable for top managerial positions because they are too emotional....

Caldwell (2023), however, argues that women participating fully as leaders would

increase the likelihood of society’s policies reflecting the needs of all its citizens. He adds that when women are well-represented in governing bodies, the overall quality of governance tends to rise and levels of corruption sink.

Women in Nigerian society are meant to be submissive to their husbands regardless of the position they hold and likewise, husbands (men) are not to disregard their wives. In the Old Testament, Deborah, the wife of Lappidoth, served as a Judge without conflicting roles. The biblical narrative shows she carried out her duty with diligence both as a wife and as a leader. Adeyeye and Abolaji (2023) affirm that Deborah was a woman who was not only a wife at home but also a mother figure in the Israelite community and a judge. Undaunted by the limitations imposed upon her by socio-cultural norms, Deborah rose to the occasion and became God’s instrument to convey to the Israelites the knowledge of the divine will and wisdom, in things of sacred and civil. According to Oriaku (2009), Nigerian women today too can rise above the debilitating prejudice and subjugation in a man’s world to contribute to church and society, leaving their marks on the sands of time. As Bakare (2018) points out, in the years that led to Nigeria’s independence from Britain in 1960, there were women whose contributions not only defined how Nigerians stood up to the colonialists then but also led active political and socio-economic movements, among them, Funmilayo Ransome-Kuti, Hajia Gambo Sawaba, and Margaret Ekpo.

Conclusion

Women in all facets of life should be involved in change today, and the role of women cannot be emphasized enough in theocratic governance. Before the birth of Jesus Christ, women seen as role models and the movers and shakers of the Israelite community included Miriam, Sarah, Deborah, Huldah, and Esther. They helped actualize freedom –physically and spiritually. Gender equality and equity are two ways a socially free society

operates, ensuring justice and fairness are attained. Gender equality and equity lead to development and a peaceful society. Deborah displayed her abilities after Barak pushed her to lead the war; she did not refuse to shoulder her responsibilities and commitments. The life and acts of Deborah also encourage women to take up responsibility as wife and mother at home, having dreams and pursuing them in humility to their husbands and above all, in total trust in God. Following Deborah's example, our contemporary women should be bold and courageous to arise when needed, and society should afford women leadership roles where they can function effectively instead of simply pursuing a kitchen philosophy.

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From Verbal to Digital: Cyberspace as Folk-Arena in the Study of Folklore

Segun Omosule

Olabisi Onabanjo University

Ago-Iwoye, Ogun State, Nigeria

Abstract

Using aesthetics as a theoretical tool, the paper explores the possibility of ascribing aesthetic qualities to digital signs and symbols and the plausibility of elevating such interactive signs to the status of folklore items. This paper finds the availability of folk items on the Internet for global audiences captures the synchronic dimension of meaning during indigenous performances and never offers a taste of their diachronic dimensions, and concludes that the signs studies may also fulfil basic social functions among Internet users.

Keywords: Folklore, Performance, Aesthetics, Verbal, Indigenous.

Introduction

Folks across cultures have common sign languages that unite them in their interactions. The onset of civilisation witnessed gestures and signs that complemented verbal communications during interpersonal interactions in the social scene and the performative

arena, serving the needs of people relating with one another especially when coded messages were sent. A message could delay the bearer for a number of hours before another message would set the captive free. Such was the nature of signs in indigenous environments before the dawn of writing. In the performative arena, signs were deployed such as the gestures that had meanings beyond the present and whose origins lay in myths and artistic co-referentiality. Each one had unique communicative advantages before the advent of the Internet and the attendant emergence of *memes* and *emoji*. The emergence of the social media, however, has brought about innovations in human interactions with veritable meanings in such signs. This paper recognises the availability of vernaculars on *Facebook* and *Twitters* particularly during the 2020 *Endsars* protest in Nigeria. This study unravels the peculiarities of the unifying signs among different youths from both the rural and urban centres deployed by the protesters during intergenerational crisis.

Vernaculars and *emoji* serve as linguistic tools that reduce the need for verbosity. Such signs achieve the same communicative purposes through semantic agreement about the meanings attached to each sign or code. Signs and codes fulfil the same functions in the interactive discourse, largely as secret ideograms within a group of youngsters who may have resorted to vernaculars and signs in order to communicate exclusively among one another to the exclusion of non-members in the digital community. The quest for semantic sameness during the *Endsars* protest was particularly important in order to shut the door of semantic possibility from policy makers and executors.

However, the possibility of these signs outliving the present is suspect as they may soon become outlandish in view of possible monotony, creation of new *emoji* and memes through freshness of ideas possibly arising from the disenchantment of the emerging generation with the ideas and practices of the generation in transition. Signs in the oral

environment also combine uniqueness with freshness as they become sacred through veneration and association with the ritual elements. The study is further spurred by the knowledge of oral signs that existed among the younger generation that have been consigned into oblivion and are no longer remembered unlike the formal oral items that can weather the storm of time and withstand the whims and caprices of both service providers and the medium through which interactive scripts are shared.

Theoretical Framework

Using aesthetics as a theoretical tool, this paper intends to explore the possibility of ascribing aesthetic qualities to digital signs and symbols and the plausibility of elevating such interactive signs to the status of folklore items. Signs may fulfil basic social functions among Internet users, but such signs may soon be monotonous and lack freshness unlike formal oral items that weather the storm of time and are not tied to the whims and caprices of service providers and the medium through which interactive scripts are shared.

Application/Analysis

Given the preponderance of folkloric items on the Internet and the ease with which digital folk tradition can displace the oral form, it can be inferred that the medium has gone beyond regional discourse. A cursory look at the Video section of *Facebook* reveals students now consider the Internet the global field when searching for oral scripts. Internet scripts are as borderless as the emergence of Hallowe'en on *Facebook* further reveals the presence of oral performances even among the supposed developed countries of the world. These Hallowe'ens may be equated with the masquerades in folk cultures of Africa. They entertain and represent historical past within which the folks and their essence may be identified and reconstructed. This search for folkloric items involves

visitations to many towns and villages. The presence of such scripts on a large scale on the Internet is baffling. What is easily accessible online are items like the background of the performances, guided interpretations of the movements and the arena which may be fundamental to meaningful interactions with the "active bearers of tradition." (Dan Ben-Amos, 1975).

As Ben-Amos (1975) points out, the active bearers of tradition are folklorists who make "conscious effort to transmit the tradition." Reliance on the global field fulfils some of the underlying components of performance such as the affective and cognitive internalisation of the scenes. The songs may be enjoyed, but the underlying history of the performance can be difficult to sieve from the Internet. The first song may provide physical information about the singers or chorus but their identities cannot be easily provided unless there is an accompanying provision in the commentary segment of the video for further details of the performance. Then knowledge about the performance will transcend mere display to encompass the non-verbal or visible aspects such as the parts that may be restricted to the ritual arena or take place where libations are poured or prayers rendered for the success of the outing. In short, the field remains indispensable.

Information on the periodic renditions such as the season, props that are restricted to the ritual arena, the movements, gestures, songs and drum beats also may not be easily discernible to the audience (or researcher) whose quest is beyond the dance or acrobatic displays. The dance, for instance, may have more to it than what can be seen on the screen or computer. If a definite posture accompanying the dance is instrumental in the deconstruction of the festival, it is fundamental to recognise the dance as a miniaturised segment of the performance. Apart from the meaning inherent in the dance steps, its symbols are instruments of comprehension. Babayemi (2020) alludes to the cohesion

subsisting in indigenous societies among folks that is tied to the deployment of signs and codes devised through “intelligence which was not only the hub of security, but also of dispute settlement, social control, conflict resolution, justice administration...(31). The dance segment also involves the fulfilment of both the quest for aesthetics and artistic identity. It may be responsible for the large attraction to the festival; it does not represent the totality of the performance. The artistic intentions may not be visible through the dance and songs. A conscious analysis of the songs and drumbeats are, no doubt, significant in the quest to unravel the import of the songs and the semantic robustness of the dance steps. Unless a folklore enthusiast who is also trained in its analysis is providing needed background information, the spectacle alone may not be enough to inform critical judgements on the festival.

Songs are indispensable to any festival. Their lyrics are embedded with stories that are not narrated in the course of the performance but that form the bedrock of the spectacle. It becomes impossible to stage a festival without the rendering of songs. Their lyrics are examples of some of the challenges, developments and breakthroughs of the enclave. Any attempt at investigating the imports of a festival must be directed towards the lyrics. The renditions of three songs at the ritual arena known as Malokun in the riverine area of Ondo State, for instance, may be all a researcher requires to be exposed to the history and challenges the sages of the town faced during their migration from Ugbo to Orofun and from there to Iditala and Ohunmo prelude to the establishment of the present location by Jagboju Oniye, the son of Lobimitan through Bagberume Lumisokun. With the importance of songs to indigenous people and their lore in mind, the near-impossibility of performance without musical accompaniments becomes obvious. Such lyrics are fundamental to the formation of value judgments within which the narratives

are subsumed.

Digital cyberspace also has its limitations in the quest for folkloric items and every dot of information surrounding them. The indispensability of first hand information on indigenous art and the praxis associated with it further entrenches the field as a veritable component in the quest to understand folklore. Leading researchers of folklore have written copious essays and formulated critical theories on the field in the attempt to break loose from the shackles of western imperial canons. Ogunba (1964) and Ibitokun (1981) are credible examples.

Festivals are artistic in nature. This recognition places the totality of the performances at the disposal of aesthetics. Consequently, gestures and greetings have their primal origins in myths and rituals. These ritual segments are indispensable in any attempt at deconstructing indigenous festivals. Apart from the satisfaction of the need of the moment, festivals attempt to cleanse the land through the balm of concoctions. This interpretation is the preoccupation of structuralists whose findings are limited to the surface at the expense of the deeper layer of the structure where undiluted meaning resides. The argument between Flaubert (1965) and Taine (1965) may be deployed in the quest for meaning. Flaubert believes in the examination of the text as an icon whose interpretation must be limited to the document and never the recourse to the environment or the psychological antecedent of the author. Taine (1965), on the other hand, argues that the search for meaning must be taken beyond the pages of the text to encompass the environment gestating the author and the issues involved just as the psychological sophistication of the author might be indispensable in unravelling the reasons for the composition. No doubt, the milieu may not be jettisoned in the build up to the narrative. This is because the author and the text are products of the emerging environment that informed the pe-

cular person and the artistic text. The imperativeness of an analysis by the adepts of the land places the physicality at a limbo in relation to a wholesale reliance on the Internet for any possible clue to the semanticity of the masks, dance steps, greetings and costumes deployed during the festivals; that is if it is assumed that the physicality is total in any interpretation. This is, however, negated by Deeley's (1990) opinion that "[i]ndeed, at the heart of semiotics is the realization that the whole of human experience, without exception, is an interpretive structure mediated and sustained by signs." (5).

Folklore is the sum total of the artistic and verbal nuances that unites folks in an environment. The reference to the milieu may be substituted for the global web environment that transcends tribal, racial and linguistic limitations. Of course, a group of people, before the emergence of the Internet, might be defined as folks who share the same language, culture and geographical setting and thus understand one another because of the shared codes and signs that are uniform to them through time—folks that have fashioned a way of life and the ultimate translation to a culture and tradition. While citing Allan Dundes (2005) Trevor J. Blank (2009) observes that "despite all of the doom and gloom, folklore "continues to be alive and well in the modern world, due in part to increased transmission via e-mail and the Internet" (2-3). Yet, it becomes more difficult to find folktales online. This researcher visited more than thirty video sites, and not one of these parades an item on the subgenre of folktales. Tales may be told, and the storyline may receive wide acceptance, it becomes difficult to replicate folktales in a natural setting as the issues involved in the staging transcend the briskness associated with the performance of a festival. In recent years, folktales constitute an important subject for scholars of oral literature. The growing concern for indigenous creative endeavours has accommodated the adaptation of Propp to the examination of motifs in some Yoruba

folktales. Isidore Okpewho (1992) recommends a qualitative approach to the study of folkloric items rather than a wholesale appreciation of the study from a monolithic perspective. It is challenging to appreciate the motifs in a performance online in view of the absence of a narrative, but it is not impossible to fashion a new approach to the study of digital folklore in response to growing concerns for the interpretation of folklore online.

The distinction between uneducated folks in the rural environments and their educated counterparts in the same setting might be subtly bound by exposure to the new digital age finding expression in the Internet and whatever might be associated with it. With this in mind, the concept of literacy needs a total redefinition, especially in reference to folks not educated in accordance with the perception of literacy on the basis of reading and writing through the perspective of western education. The Internet may not be meaningful to folks who parade the festive peculiarities. For them, the arena remains a means of reliving. The total arena is the sum total of the oral performance. Cyber space can offer only a peripheral segment that can capture a miniaturised version of the aesthetic spectrum available to the indigenous mind. No doubt, the groups have different nomenclatures even when restricted to the same setting by virtue of their abilities to internalise basic signs in the emerging global culture. Uneducated folks and their literate counterparts may have access to the same electronic gadgets, but *Emoji* may not be meaningful to some while savoured with glee by the educated members in the same setting. Internet users are appreciated through shared codes and signs that are peculiar to different members of the environment. This also may be appreciated through the age differential in the songs that people sing and the mannerisms of these folks within the same linguistic environment.

Uniting the folks are the environment and the languages they speak however their internalised digital signs and symbols differ. The signs and the *techlore* that the younger folks have devised on the internet are communication tools have become a means of entertaining one another. This unity through signs and symbols is synonymous with folk ideas or what may be termed “memes” which the Merriam-Webster Thesaurus Dictionary (2022) defines as “an idea, behaviour, style, or usage that spreads from person to person within a culture.” Mimetic, memes function in the same manner as the sign system in folklore, but do they unite the folks? Trevor (2014) identifies other forms of folkloric items to be “humorous *Facebook* posts, de-motivational posters, etc.” that “utilize the online medium’s increasingly proficient ability to host and share visual data quickly and effectively.” According to Trevor (2014), “folklore should be considered to be the outward expression of creativity—in myriad forms and interactions—by individuals and their communities” (7). Newell (1883) cited in Trevor (2014) helpfully argues that “technology, specifically print, produces the social distinction between high and low that generates folklore,” and further posits that “genuine folklore” is lore that escapes print (1883, v).” According to Trevor (2014), “[t]he Internet is the new “print” technology, duplicating our materials from the physical field and transferring them (though not necessarily always altering them) into an electronic vernacular. The result is similar to the way that printed versions of folklore originally stimulated oral tradition in the past” (13).

Whatever may be available in the oral field may equally be present on the cyberspace, but it is not a wholesale experience. It takes a visit to the field to grasp the totality of the oral script. Digital folklore is preoccupied with two major tasks: “how folk culture objects are created and disseminated online.” For Trevor, digital folklore involves the search for “expressive content and cultural phenomena,” providing illuminating hints about “how

folklore and various elements of folk culture are created and transmitted online.” In short, what is available for perusal is limited to the peripheral at the expense of the core issues involved in any oral performance. Bruce McClelland (2000) cited in Trevor (2014) notes that as the Internet developed, “the boundary between the actual and the virtual began to become blurred.” (Trevor, 2014: 2). Exposure to the beauty of the performance finding expression in the aesthetic qualities does not require any lesson before internalising the all pervading beauty characterising every performance. Not even the recommendation by Trevor (2014) that basic knowledge of the “vocabularies and methodologies of the discipline” as prerequisites for scholars would be enough to lay bare the ritual segment that is not exposed to Internet users. As Onigbinde (2020) avers, “beauty has a purely natural existence which does not tally with historical facts of beauty’s occurrence” (168). There is no denying the fact that Internet users may derive some satisfaction from the beauty that is abruptly presented on the cyber space, but it is doubtful if the segments presented on the cyber space could be enough to imbue the individual with “spiritual satisfaction” that Onigbinde (2020) alludes to in his treatise on aesthetics as a connection between “natural objects” and “aesthetic subjects.” (168).

The beauty at the ritual arena, the history that is re-enacted at every movement before the manifestation at the social arena and the gestures that point at the reasons for the performance is wholesale, the beauty is found in Onigbinde’s reference to “natural beauty” which is “gratifying and provides man with spiritual satisfaction” (2020, 168). The recognition of the beauty in an Internet performance may not be enough to confer the knowledge of the natural beauty on the individual as “beauty belongs to the relational category which connects natural objects with aesthetic subject” (Onigbinde 2020, 168). It is imperative that the members of the audience connect with the totality of the arena

in order to have intimacy with the aesthetic object and the aesthetic experience. The beauty presented at the cyber arena is far removed from the natural arena that Onigbinde (2020) alludes to in his treatise on aesthetic. The totality of the language, the aesthetic environment and the spectacle cannot be juxtaposed on the cyber space. This scenario reduces the ability to transpose the aesthetic mood on the audience whose arena is strictly the cyber space. Unless efforts are geared towards delimiting the performance as to enhance the understanding of the audience, the clips on the cyber space might be nothing save a miniaturised “reel” (a term deployed in reference to a short dance among the Irish and Scottish folks).

The idea of the Internet as folk literature also becomes problematic when Trevor wants every member of the audience to successfully study the new trend of digital folklore: “scholars” must be schooled “in the vocabulary and methodologies of the discipline” (2014: 4). Folk literature ceases to be associated with indigenous people with the proviso that the audience must undergo tutelage in cyber language before they can savour the aesthetics latent in indigenous folklore. The quest for “folkloristic literature about the Internet” requires one “spend numerous hours piecing together data strewn about aimlessly, spanning many years and multiple publications.” (Trevor, 5). It is equally necessary that the folk item inspire a conclusion and possibly a moral lesson if the performance is to be successful. It is a great wonder if the cyber space can be touted as a replacement for the physical arena when issues of performance are concerned. Equally noteworthy is the place of the nuances in the conferment of aesthetic qualities on any performance.

Trevor (2014) errs when he concludes that folk literature is facing an imminent death and that the age of the Internet might be a livewire. It is a fact that the folks will continue to survive even beyond the Internet itself. This prediction is based on the

fact that folks will always survive notwithstanding the magnitude of development even beyond the utmost recesses of the local communities: “In a discipline seemingly obsessed with a fear of its own demise, the Internet provides a limitless frontier for contemporary scholastic possibilities.” (Trevor, 2014: 5). According to Okpewho (2003), the singers of tales usually pass through a long and arduous training spanning years. This training imbues the performer with a creative capacity to re-create and entertain the audience through what Okpewho considers to be “the necessity for variety and change in the tale-repertoires of individual singers.” (48). With this in mind, digital reels that parade life performances may not only be deficient but utterly insignificant in orchestrating the contents of the scripts purely on the cyber space. This deficiency may be viewed from the perspective of the inability to witness the variety in the performance during a short reel.

The contradiction in Trevor (2014) becomes more apparent when he alludes to the ability of folklore to “analyse society.” It begs the question if there may come a time in the history of humanity that folklore may cease to inspire behaviours. As long as this is a functional attribute of indigenous performances, the extinction of folklore is nothing but wishful thinking.

Folklore theory holds that folkloric expression is reflective and serves as a “mirror” of societal and cultural values; folklorists should therefore use this mirror to analyze society and culture. (Trevor, 2014: 5).

Efforts may further reveal that folk items are the roots of modern scientific inventions, and renewed efforts may further be directed at indigenous folks in the quest for more references to the pseudo scientific past that is latent in their tales. Folk items are synonymous with the people and thrive through the memories of the folks who constitute

the custodians of these oral scripts. It is the case that oral literature may not be said to exist except in the memories of the folks. The renditions of these oral scripts may only be achieved through performance at the arena and in the presence of an audience. It may be assumed that every folk harbours the art of the people especially if such a member attends the performances of these scripts regularly at the arena. Whether or not some people have a sound knowledge of the lore, the fact remains that the performances of this artistic preoccupation of the people is attended by a collective acclamation from the performer to the audience.

Conclusion

According to Carl Jung, a complex may be defined as a “grouping of psychic elements about emotionally toned contents” and “consists of a nuclear element and a great number of secondarily constellated associations” (cited in Koscielny, 2012: 18-19). What cannot be denied in the emergence of folkloric items is the unity of purpose among the folks responsible for each folk item. A vacuum that negatively impacts a community inspires the emergence of folk items in the form of songs, conventions, festivals, dance, mass movement, ritual or any associated rustic annual celebration. Such a community maybe made up of folks of the same ages, peculiarities and needs. Their similarities create a team spirit but when these similarities limit the development of the folks as a whole, urgent attention or resolution is required.

In final analysis, there is a glaring limitation that confronts the staging of festival through the digital space. What folks savour online are finished products, and their foundations are subsumed in the ritual space. This space is the sum total of the organic essence of the milieu. It encompasses the errors and breakthroughs of the sages of the land. These are acknowledged before the emergence on the stage where the audience converge

to witness the second stage of the periodic renditions. The trees at the shrine where the “active bearers of tradition” carry out the preliminary aspect of the festival have their own histories. They are props that should be given attention too just like the building housing or surrounding the arena.

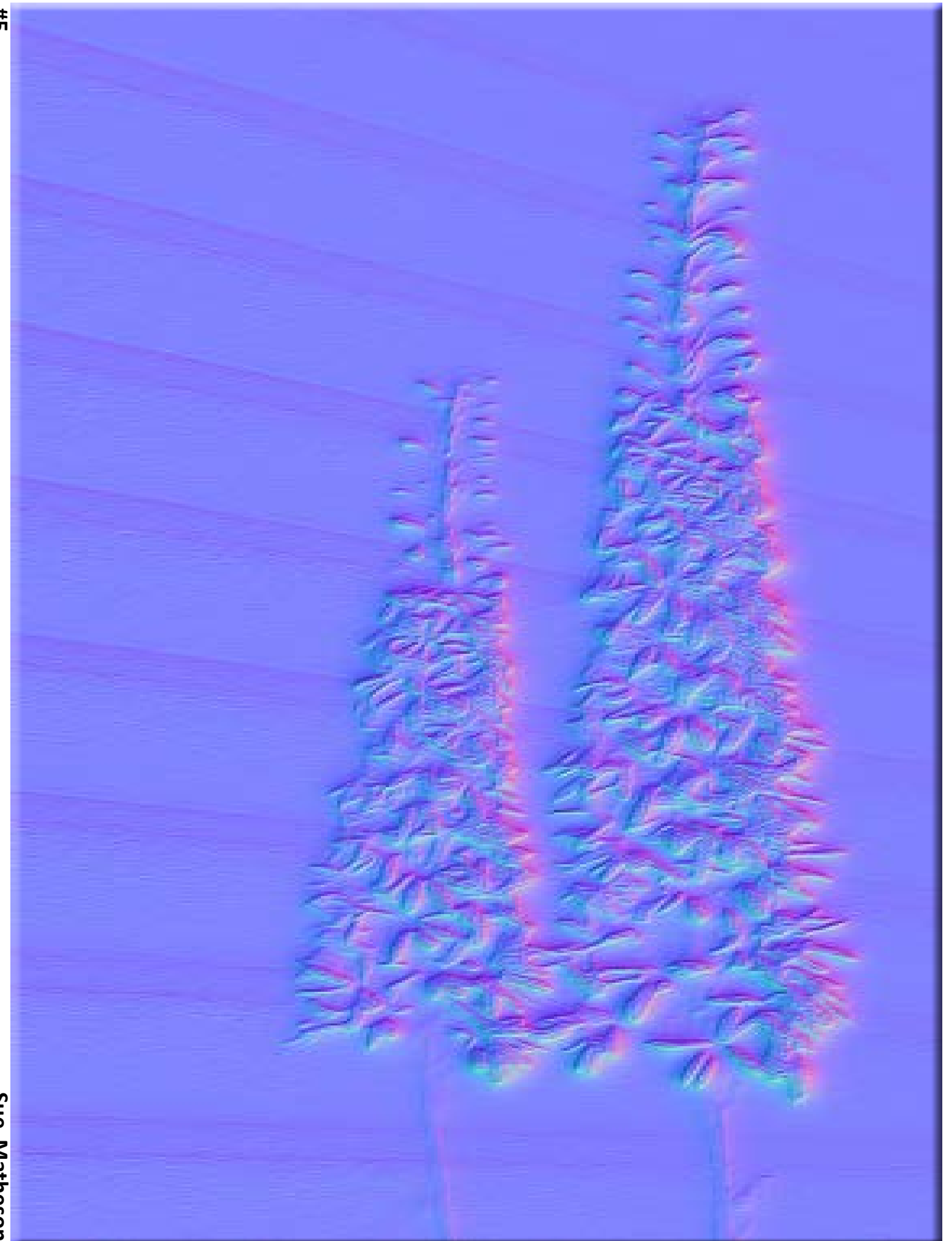
The innermost part of the arena cannot be waved away without necessary attention. The past heroes of the land may be buried there. The location of each burial ground may be instrumental in the history of the town as well as the foundation of the festival whose origin is subsumed in the arena. Except the emphasis is on the spectacle rather than the underlying information in the study, the search must transcend the spectacle; otherwise the judgement will be superficial while the deeper strands of meanings remain unseen.

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#5

Sue Matheson



PSYCHOLOGY AS A FACTOR IN DIRECTING FOR CHILDREN'S THEATRE

Adeyemi Oluwadamilare Oresanya
Olabisi Onabanjo University
Ago-iwoye, Ogun State, Nigeria

Abstract

Children's theatre performance is a helpful mechanism for positive transformation and growth during childhood. This descriptive study examines energetic, psychometric, interrogative, and symbolic stages of childhood for the director to consider while casting and rehearsing a production for Children's Theatre. Its findings demonstrate that Children's Theatre must be seen as being separate from adult theatre. This distinction should be guarded jealously because when the children are given the best, they can confidently grow into being the best.

Keywords: Energetic, Psychometric, Interrogative, Symbolic and Children's theatre.

Introduction

The theatre is a place where the world is presented and represented in a comprehensive approach through drama, dance, music, mime, stage designs, costume, make-up, and other theatrical effects. Theatre is not just for adults, essentially, children are also

beneficiaries. There is a popular proverb in Yoruba ethnic group in Southwest Nigeria that says, "the father's idol will go into extinction if prior to his demise his child/children are not taught the ways of its worship and other important additions attached to the worship and preservation of such deity". The theatre can be described as a similar deity. Omoera (2011) posits that "Children's theatre is an educational instructional approach which focuses on development through drama; it is a relaxed kind of theatre that is geared towards developing the participants. Its main objective is to enhance learning and intellectual development rather than entertainment of the audience" (p. 210). Onyeisi (2006) also observes "while children's drama is informed by many of the ideals and practices of theatre arts, it is principally valued as a learning medium rather than as an art form that is governed and validated through criteria other than aesthetics. Its objectives are manifold. But they are all directed towards the growth and development of the participant (the children) rather than the entertainment of the observer".

The moment a child is born, their birth signifies a special awakening of talents. No child is born empty, it does not matter the gender, physical appearance, or disabilities born with the child. Each new born arrives into the world with great potential. A child's potential can always be realized and put to greater use through the introduction of children's theatre performances. The director, who coordinates the performance, ensures that the child develops by identifying the potentials during the rehearsal process, and eventually, greater achievement becomes the priority not just on stage but outside the four walls of the theatre.

This paper will explore psychological development in children's theatre. Children are naive during early childhood, needing to be shown love in all things and at all times. Even in the moment of correcting a child, it is advised that it should be done in/with

love. Being too harsh or difficult with the child may affect their emotional sensibilities and confidence. This paper suggests that understanding the psyche of the child is a huge necessity for the director organising a group of children for theatre performance.

The Origin of Children's Theatre around the Globe

Cheela Chilala submits that:

The general understanding of children's theatre in Africa differs from the Western one...The characteristic features of African children's theatre are different from those of children's theatre as practised in the Western world. This is largely due to differences in cultural environment as well as perception. Also, the historical development of children's theatre in Europe and Africa has followed dissimilar paths, although both European and African theatre have their origins in ritual and ceremony associated with religion. (2008, p. 1)

In Nigeria, children's theatre has always lacked patronage and publicity, its practice is not as popular as it is in Europe and other Western countries. What was regarded as Children's theatre originally was the gathering of children in the compound at night where they listened to storytelling and folktales from an older person, usually a Septuagenarian. Udengwu states that:

This country has never taken children's theatre serious. The best we have ever had was lip-service like that paid by the National Theatre with the production of *The Flute and Tales by Moonlight* on television, where adults act out folktales for young viewers. Theatre Arts departments on Nigerian universities teach their students children's theatre without children; arts

councils and cultural centres are silent on the matter. Are we losing sight of the importance of the child in the society or are we just failing in our duty to give our children good grounding in their lives? (2002, p. 137)

In Europe, and America, children are known to have participated in the theatre life of adults, both as players and as audience up until 19th century. Schonmann (2006) traces the origin of children's theatre from the middle of the 19th century which saw the emergence of Christmas performances, comprised of fairy tales enacted particularly for an audience of children. These performances were frequently the highlight of the season and became an instrument for boosting ticket sales (pp. 31-35). According to Goldberg (1974), if the Christmas pantomime is included in the category of children's theatre, then the tradition of performances for young audiences in England dates as far back as the early eighteenth century (p. 59). Gronemeyer (1996) claims that the newly-reformed educational policies in place at the turn of the century insisted that children be kept away from the evils of reality and entertained with fantasy adventures played out in a romanticized child-world. Madame Stephanie de Genlis, a writer and producer influenced by the theories of Jean-Jacques Rousseau, published her moralistic plays in 1779 France; this is the earliest known volume of plays for children. Winifred Ward, described respectfully by Davis and Evans (1987) as "the chief mentor of the field for much of its history", wrote the first book on *Theatre for Children* in 1939. She vividly described how it all began in the year 1784: "the place, a handsome country estate near Paris, belonging to the Duke of Chartres. The occasion, a play presented by children in a beautiful theatre set in the midst of a garden. It is a performance in the first known theatre for children... More adults there are in the audience than children, yet unlike all theatres which have gone before; this is unquestionably a theatre for children" (Ward,

1950, p. 1).

Most authors who trace the origin of children's theatre in the United States refer to the account of Nellie McCaslin's (1971) *Theatre for Children in the United States: A History*, a well-researched and comprehensive book. Winifred Ward's "Theatre for Children" (1939) was, in fact, the first English text that explored the origins of children's theatre. Children's theatre in America "was not an accidental happening", as McCaslin (1971) argued, "nor has it ever been a microcosm of the adult theatre, designed and planned to indoctrinate young audiences in an ancient art form, it has remained, in general, outside and independent of the adult professional theatre" (p. 5). McCaslin discovered that the earliest evidence of children's theatre was in the social and educational centres of large cities rather than on the professional stage (1971, p. 6). According to the accounts that McCaslin relied upon, "children's theatre in the United States is of very recent origin; the first to recognize the need for it were the social settlements in the late nineteenth century, but the first significant children's theatre was not founded in this country until 1903" (1971, p. 11). Alice Minnie Herts, a social worker with a background in theatre, established the first children's theatre in New York in 1903. According to Goldberg (1974), her work was conceived as a recreational project for the entire neighbourhood; the residents and the participants were mostly Russian Jewish immigrants. The theatre helped them to integrate into the new community through participation in a neighbourhood project. With concrete background knowledge that the origin of children's theatre in the U.S.A grew from a strong belief in its educational and socializing powers, we can understand why children's theatre remains an educational enterprise.

In Russia, children's theatre is also a tradition that goes back to the beginning of the

twentieth century. Natalia Saz is the most famous name connected with the foundation of children's theatre in Russia. In 1918 Moscow, Saz founded the first children's theatre with its own playhouse. There she developed the educational goals of the theatre, experimenting with plays that, according to the doctrine of socialist realism, would explain the world to young people and would help them to change the world (Gronemeyer, 1996, p. 151). Saz's work became a model for children's theatre throughout the Socialist world. It is important to point out that in Nigeria, the origin of children's theatre was restricted to masquerade performance in the market square, storytelling and folktales or tales by moonlight to children by the elders. There was no evidence of recognition or empowerment from the government as regards children's theatre. Whereas, in the United States the origins of children's theatre sprang from the social and educational needs of communities of immigrants, in Russia the Soviet government acknowledged the power of the theatre to educate and directly supported children's theatre as an educational enterprise.

Children's Psychological Stages

In the theatre through critical observation, there are four different methods of children's theatre, which are children acting for children, children acting for adults, children acting for children and adults, and adults playing for children. The director in creating roles for children to perform well in accordance with the various methods of children's theatre must understand the background development of the various children involved. For example, the most pragmatic among the methods is the children acting for children. In this case, the doctrine of dialogue, interpretation and comprehension begins and ends with the children who are the actors and the bulk of the spectators. The director must ensure that there is no lacuna in communication between the performer and the audience. The theme and subject matter and other sub-themes must reflect the age of

both the performers and the audience.

In the method of children acting for adults, the director is faced with huge task of raising the acting bar, improving the skill of interpretation and concept delivery among the children who are actors for an adult audience. The children acting have to enjoy the roles, likewise the audience. There must not be a dull moment at any point during the production. The director must ensure that none of the parties (children and adult) involved expressed bias on the level of performance and the acceptance of the audience towards the actors must express encouragement and progress.

Children acting for children and adults are mostly at the imagination of the child actors to perceive and view the audience as adult. In a theatre where such performance happens, the audience can either be dominated by the children or adults or balance in population of both children and adults. The role of the director in all of this is simply to break all barriers, overcome all imaginable and unimaginable challenges and ensure that the child actors perform to the best of their abilities where talent is exalted and extolled in the theatre. The last method under observation is about the adult performing for the children. This is not a type of children theatre performance the researcher is prepared to encourage. We already established our belief and trust in every child's potential at birth. This potential must not be hindered by anyone, not even the director. The children must be allowed to express themselves, because this will make them learn faster and their potentials can be nurtured to highest estimable stage. Adults are advised to desist from spoon-feeding children and be instead a motivating factor, the engine room by creating the necessary environment for these children to express themselves and believe that they can always achieve their goals.

This paper identifies four key psychological development stages for the director to

consider while working on a production for children's theatre. It is important to note that without the perfect understanding of these stages in the life of the children, the director is likely to have a poor performance. The knowledge and comprehension of this stage enables the director to tackle every obstacle from grassroots'. These stages are:

1. Energetic/Physiological stage;
2. Psychometric stage;
3. Interrogative stage;
4. Communicative and symbolic stage.

1. Energetic/Physiological stage

At this stage the child is between the ages of four to eleven years. This is the stage the child begins to explore his/her strengths through stretching of the muscles. The young child suddenly starts to establish balance, stability, and the ability to control movements from one position to the other. This impression develops with the child and when given a role to act for a performance by the director, the child actor is taught how to manifest control, balance, and stability simultaneously through the instruction of the director. The children preparing for a theatre production are at the stage where their inner potential beckons them to explore at every given opportunity.

When the director does not consider the children's physicality and energetic exuberance, the realisation of such play becomes threatened. The moment that the director is aware of the children's level of energy and begins to accommodate their playful attitude, they and the actors are one step closer to having a good production.

Children's Expression	Director's Recommendation
1. Dance and run around at the sound of any music played during rehearsal.	Accommodate the dance and the playful nature of the children. As a director, genuinely play the music and establish your rehearsal around such atmosphere. Use the music as a form of concentration exercise by telling the children to stand and not move to the dancehall songs. This can be done with rewards for every child that cooperate.
2. Playful and acrobatic nature	It is advisable to monitor the children engaged in acrobatics during rehearsal. In order not to discourage the talent, the director is admonished to measure the level and length at which such acrobatics is done in compliance with health and safety rules.
3. Colour competition	A good director must use this opportunity to explore into the children actors sense of colour identification. A game around traffic lights can be introduced. This game can also possibly teach them concentration. Green light – move fast Yellow light – slow walk Red light – stop. The use of traffic light movement is a form of exercise to engender their sense of control and concentration.
4. Use of sharp objects	This should not be encouraged. The director must be soft in correcting the children engaged in using sharp objects. Children are meant to be corrected in love and not with disdain. The use of harsh means of correction may likely discourage the child thereby killing the morale and potential.
5. Wrong dress sense	The director must pay attention to the wrong combination of rehearsal outfit of the children. Children between the age of 6 to 11 years are prone to emulate anything they see or hear very fast. Their level of decision making is still very poor and weak. The onus is on the director to teach and encourage the children to wear appropriate combination.

2. Psychometric stage

The director must understand that the way and manner at which the adult perceives, thinks, and comprehends is not on the same level with the children actors whose age range is between 4 years to 11 years. Children always need time to grow into their own formed experiences after which certain things taught must be processed in their brains through constant learning and practice.

Psychometrics is a branch of psychology concerned with content, knowledge bases, and domains with mental objects. Oxford Advanced Learners Dictionary define it as any means used for measuring mental abilities and processes (2015, p.1240). At this stage, children are able to work with an understanding director without fear or favour. Such director is able to identify individual skill in differentiating and picking out various shapes, sizes, and objects. Children's theatre demands that the child actor must be able to decipher instructions and act on stage in the presence of spectators without the help of anyone. The director must also ensure that the children actors handling roles have developed confidence in rehearsals.

The understanding of grouping and sorting objects, colours or shapes consecutively or simultaneously by the children gives the director the much needed assurance. In a case where the children find it difficult to carry out this task, the director must be able to teach them correctly. The children involved in a performance needs a perfect means of exhibiting role interpretation. A child, whose role is to act as a doctor, must be able to identify a stethoscope upon sighting the object. A child acting to animal script must recognise and be good in identifying different animals. For the role of a lawyer, the director must be sure that the child actor must understand the necessary costume used to portray the role very well. Likewise for the role of a teacher, in order to actualise the

role, it is also necessary for the child to understand the duties and peculiar attributes of a teacher while acting with the necessary props.

Children with accurate understanding of psychometric grow up to confidently become a problem solver and solution provider. Children's theatre director can boast of grooming children who will eventually grow up to become solution provider especially in the creative sector.

Children's Expression	Director's Recommendation
1. Constant status confusion	When reading a play, the director must question the pupils abruptly. This is to ascertain their level of concentration. It is also good to always have a constant reminder on the forthcoming production. This helps to clear every doubt or confusion in the minds of the pupils involved in the production.
2. Act of refrain and forgetfulness	Not all the children involved in the performance will always express commitment and love towards the production. Some may even appear to be forgetful. The director is advised to always return to the games of sorting, grouping and classifying objects, shapes or colour. This is meant to stimulate the fascination of the actors involved. Once this is done, the atmosphere becomes more encouraging and the director can achieve his rehearsal goal.
3. Resentment towards problem solving skills.	The actor must always be encouraged to engage in problem solving at that young age. The actor must be made to reach his full potentials every time he/she is acting. After every reading rehearsal, the actors must be made to answer questions e.g. What do you think will happen if the protagonist negates the custom and tradition of the town? Who do you think will marry the most beautiful girl in the play? Which is better, to be a coward or to be brave?

4. Dwindling interest in role playing.	The director must understand that the child is still growing and so have the tendency to either have strong interest or lose interest in the production without any concrete reason. The onus is on the director to always find a stimulating factor to rejuvenate the interest of the actor.
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3. Interrogative Stage

I remember when I was a primary school teacher; I wondered why the class is always noisy. The more I warned and caution the pupils, the more they felt the need to talk which eventually resulted in noise. Little did I know that these pupils were only expressing their interrogative skills. These pupils talked about their meals, films, and activities on the playing ground where they meet. They also expressed their satisfaction and dissatisfaction in their discussion towards their teachers in school and religious centres.

At this stage, the power and the free will to interact with each other has grown to a considerable and appreciable level. They have groups of friends, playmates they share things together. They even have enemies, although at their level, they are very quick to settle disputes among themselves.

A good director understands that the children involved in the production are possibly not of the same age. A director working with pupils from different classes must note the age of every actor. Children grow to be more inquisitive with sense of belonging, self dependence, and an unusual sense of power. The moment these pupils as actors find it difficult to comprehend the instructions of the director, they begin to express frustration. Their actions reveal their interest in the project of the director, their level of cooperation is in synchronized with love and passion in accordance with the director's instructions.

The director is expected to maintain good behaviour towards the children actors.

The children can possibly honour the director as a role model, but in a situation where the director is not well behaved, the children can also learn bad habits and character traits, which will impede the development process in their growth. This should not be allowed. Children often learn quickly to act in certain circumstances. All the children involved in children's theatre are meant to learn positively from the director.

Children's Expression	Director's Recommendation
1. Show of confidence and personal appraisal	The director is expected to begin his blocking with the actors in this category. Work becomes easy for actors exhibiting confidence to assimilate instructions on blocking which determines a perfect role interpretation.
2. Becomes more fascinated in the project	It is pertinent to note that consistency is essential here because that is what drives the interest of the actors. The moment the director defaults and behave irresponsibly, the children can possibly perceive it as a red flag and begin to lose interest. Once again, constant reminder of the production date is good to keep the actors momentum high. At this stage, the director must ensure at every rehearsal that the pupils involved are given appropriate guidance and mentorship.
3. Self reliance	Once the instruction on the blocking is given, the director must give room for freewill and movement of the actor. This helps the actors to believe more in their innate abilities. The director must be careful not to create a stereotyped actor at that level. One of the ways to encourage the actor is to enable an unhindered display of creativity from within. It is also important to note that the actor is still a child (young) and prone to errors, necessary corrections must be done appropriately.

4. Becomes sympathetic towards the project	As a director, always ensure the actors understand the themes and plot structure of the play. A good director must endeavour to make the actor reach the stage of expressing deep feelings/sympathy towards interpreting the roles. This is good and essential because it helps to constantly retain the interest of the pupil as actor and it is a sign of good performance prospect/projection.
5. Sense of responsibilities and belongings	The director must be able to teach the actors how to handle roles and responsibilities. The interest of the actors in the project signifies a huge sense of belonging. It therefore behoves on the director to make the actors feel responsible by delegating duties to them. An example of such duty is creating an enabling environment for the actors to understudy the crew members. By doing so, some will be trained in the art of costume, make-up or even managing the stage as the adult do in their own world.

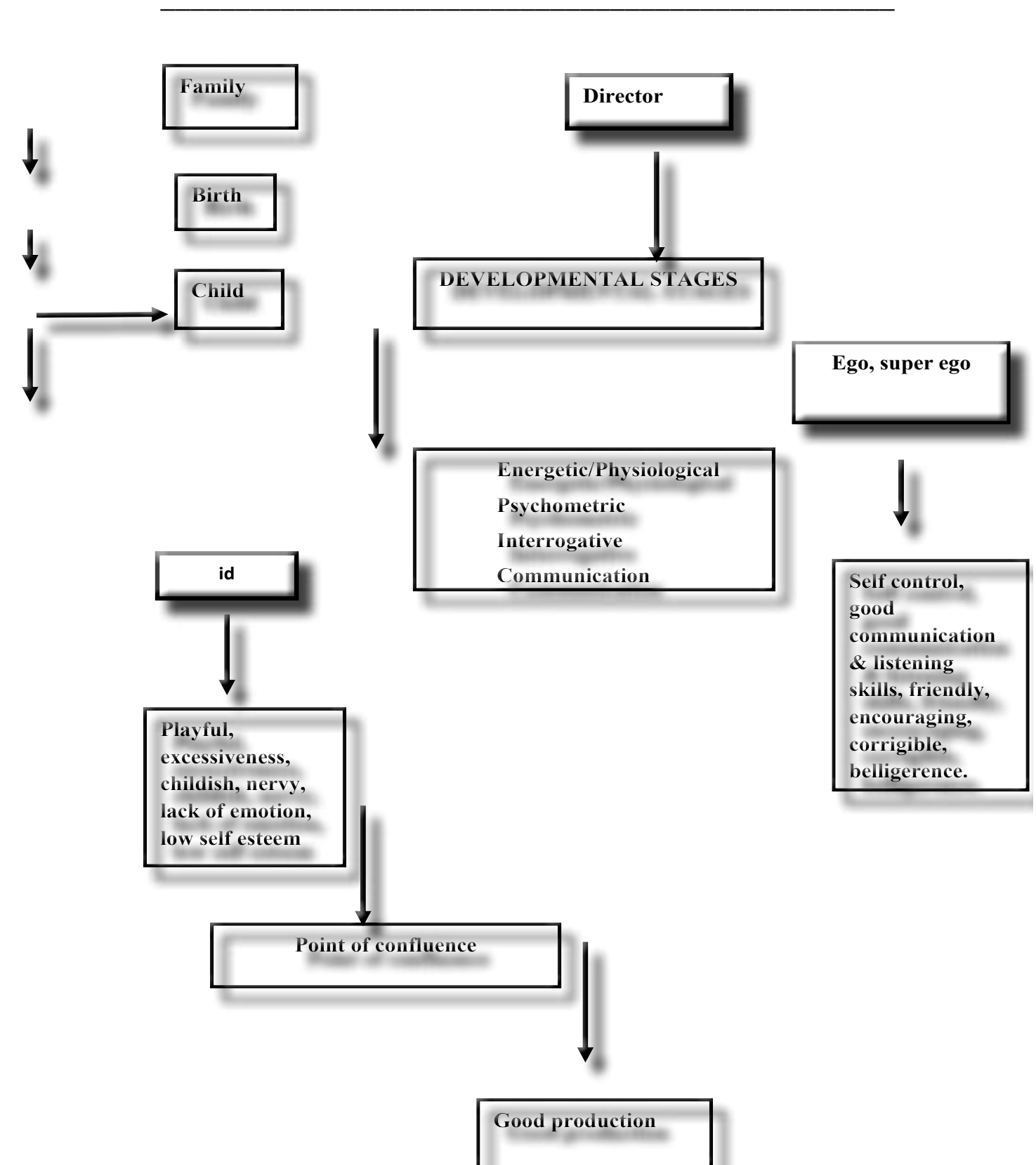
4. Communicative and symbolic stage

Symbolic stage here means the astute recognition of shapes and symbols in defining events, characters, scenes and expression in the play. Monta & Stanley opine that “the most important asset as a stage director then is the ability to select a good cast and to communicate well with them” (2008, p. 85). A stage director working with children must be aware of the sharp differences in the level of comprehension between the adult and the children when acting. Children need utmost attention and patience to understand instructions, most especially when it concerns theatre performance on stage. A child can easily be nervous on stage mere looking into the audience. Good communication skill becomes an integral development stage because it is the essential accessory needed to institute and maintain cordial relationship among fellow actors on stage and also boost confidence of the children while performing to the audience.

Sometimes, the director may likely discover dialectal inflections or errors from the way a child speaks or pronounce words, the job of the director is to ensure adequate improvement on the child's error. At this age, it is very easy for the children actor to quickly learn fast and make quick amendments in word pronunciation, intonation and diction. Communication well nurtured and developed becomes a unique independent skill. Children who are properly trained in acting enjoy improved language and resounding diction which leads to enthusiastic dramatic performances.

Children's Expression	Director's Recommendation
Over-confidence and noisy environment during rehearsal	At this stage, the director is advised to be wise by easily identifying smart and confident actors that can perfect any role assigned to them to act. At this stage, auditions can be done to know who best fit each character. This is to make the director's work become easier, because the best way to identify who best fit a role is through audition. Such director may also not be familiar with the actors before the commencement of the project/production.

THE DIRECTOR AND THE CHILDREN'S DEVELOPMENT STAGES IN THE PRODUCTION PROCESS



Conclusion

Children's theatre is the stage, avenue, or medium where potential is tapped at very tender age. It is that period when the young child actor is made to understand the true meaning of future ambition. It is common knowledge that many people who lack guidance and mentorship at early stage of life end up choosing whatever comes their way as career. If a child is exposed to plays and reality at the tender age, such disaster in career decision can possibly be averted. The first decision and steps taken in life are always what matter most, especially when dealing with the young and tender who are easily nurtured, trained, manipulated and when any impression we choose to make leaves a permanent mark. Children's theatre must be seen as a separate theatre from adult theatre, and this distinction must be guarded jealously. When children are given the best, they can confidently grow into being the best in the future.

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#6



Sue Matheson

**WATERGATE-HERO AMERICAN BAR
ASSOCIATION PRESIDENT
CHESTERFIELD SMITH'S
WARRIOR-HOMECOMING:
AN APPRECIATION OF HIS LEGAL CAREER'S
SECOND WORLD WAR-ROOTS**

**George Steven Swan
NC A&T State University
Greensboro, North Carolina**

I. INTRODUCTION

Russia's 2022-2023 assault against Ukraine has made the world hold its breath. Not since 1945 has Europe endured on so horrific a scale that invasion's longrunning evils, e.g., conquering troops' casual rapine. These wrongs can be weighed against those of 1945. The 1945 comparison renders timely a review of rapine then unleashed on a level staggering indeed. Evidence thereof long since ignored, but plumbed today, could lead to sobering reappraisal of one or another facet of U.S. legal history.

One twenty-first century contribution to that history by *The Florida Bar News* shared reminiscences about high-profile Florida attorneys of prior decades. These included

recall from the early 1970s "of the great and powerful visionary force for American good: Chesterfield Smith. Mr. Smith, as he was called, was in the process of turning the American Bar Association into the moral compass of America."¹ For 1973-1974 President of the American Bar Association Chesterfield Harvey Smith, Senior (d. 2003) reaped acclaim during the Watergate scandal for assailing then-President of the United States Richard M. Nixon as, e.g., unethical or a lawbreaker.

Professed admiration of Mr. Smith by the date of his death was such that U.S. Senator Clarence William Nelson, II, told his colleagues of a Smith embraced by "many as the conscience of the legal profession."² The *Washington Post* memorialized Mr. Smith as

the recipient of many awards. In 1969, he was named "Distinguished Floridian of the Year" by the Florida Chamber of Commerce. In 2002, U.S. Supreme Court Justice Ruth Bader Ginsburg presented him with the Laurie D. Zelon Pro Bono Award. Legal Services of Greater Miami has named its headquarters building in his honor.³

U.S. Senator Daniel Robert Graham opined: "America could well have been a different place without Chesterfield Smith."⁴

In 2006, Supreme Justice Ruth Bader Ginsburg dedicated a law school classroom to Mr. Smith. Justice Ginsburg deemed him "a man who never flinched from doing the right thing."⁵ In 2018, the late Mr. Smith's law firm submitted: "Often called 'America's Lawyer' and 'the conscience of the legal profession,' Chesterfield Smith is responsible for the shared values and core beliefs that continue to earn Holland & Knight recognition as a law firm that balances profits with public duty."⁶ (All doubtlessly true.) Maybe more accessibly to the general public, a widely popular 1998 book by Tom Brokaw delivered *the quint: an interdisciplinary quarterly from the north* 91

Brokaw's chapter-long cheerleading about Smith's biography.⁷

Brokaw's book relates that Mr. Smith not only served as an American Bar Association President but, e.g., also as World War II soldier overseas in 1944 and 1945. The Army's homeward-bound (by then, Major) Smith's astoundingly profitable run as uniformed crap shooter was trumpeted by Mr. Smith himself. However, his happy history (as self-historicized, at least) leaves lacunas. They invite resolution in coming years through professional-level analyses of his assertions. Such a resolution could ratify Mr. Smith's established hero status in the popular mind.

For if, instead, former American Bar Association President Smith's breathtaking gambling success claims emerge as improbable after experts' probing, then a less tergent source of the steep pile of homecoming funds he commanded calls for investigation. Especially during, approximately, the final four or five months of his service in Germany and Czechoslovakia, a circus of widespread military looting, black marketeering, and currency profiteering enriched opportunists nearly overnight. The then-Captain Smith ruled a *Kreis*, i.e., a small region in Germany under U.S. military occupation. How, or whether, that small seat of power over civilians could accommodate any such a satrap's appetites can be investigated. For Mr. Smith's own postwar recollections of his reign as a *Kreis* king definitely did not prove perfectly accurate.

Evidence preliminarily discussed herein could summon subsequent, expert expansion of this groundbreaking inquiry. For any Star of the Bar's robustly-hailed lifestory merits tomorrow's cool-minded scholars' sober substantiation. Smith's biographical details deserve review beyond, e.g., excusably journalistic reportage distributed during the often emotionally-heated days of his ascent to celebrity. Historians' searching analyses of those details could elicit evidence elucidating whether wide revaluation of this American Bar

Association President, lustily lauded during the stormy Watergate Era, proves requisite.

FOLLOW THE MONEY.

II. CHESTERFIELD HARVEY SMITH AS SOLDIER (OF FORTUNE)

A. Soldier Smith's Striking Thrift

Researchers of Mr. Smith's rewarding life wisely consult A Guide to the Chesterfield H. Smith Papers. For paragraph 2 in its Biographical/Historical Note by Katherine Walters and Carl Van Ness discloses: "In Germany and later Czechoslovakia, Smith served in the occupation forces.... He was discharged in 1945 with the rank of major.... On his way back home he won \$4,000 playing craps."⁸ But simply to spotlight their phrases downplays the marvel they mention matter-of-factly.

i. Major Smith's \$3,500 in Saved Military Pay

The 1945 minimum wage was \$.40 per hour, i.e., \$800 for 2,000-hours, e.g., 40 hours paid employment weekly over a fifty-week workyear. Quintuple that minimum wage was \$4,000. Some sense of how hard or easy it was to earn \$4,000 is revealed via the report in 1944 that "...Federal income tax reports show that more than 90 percent of incomes earned by single persons throughout the United States fall below \$3,000."⁹ Smith declared during 2000: "My wife had saved—I was sending home most of my pay, which by the time I was a captain was about \$300 a month. I was made a major, and I was a major coming home."¹⁰ Tom Brokaw writes that Major Smith exited the Army in 1945 with "\$3,500 in saved military pay."¹¹

Constituted as the Organized Reserve 390th Field Regiment, Smith's World War II unit was redesignated the 390th Field Artillery Battallion.¹² At Fort Custer, Michigan, it was activated on September 15, 1942.¹³ Smith finished Officer Candidate School

on approximately August 1, 1942.¹⁴ Apparently, he quickly learned a lot at Officers Candidate School: Smith remained a 2nd Lieutenant until promotion to 1st Lieutenant only 30 days after arrival at Fort Custer on approximately September 1.¹⁵ The monthly salary of an Army 2nd Lieutenant was (or would reach) \$157.50; at that rate, 2nd Lieutenant Smith's earnings (August-September 1942) would total about \$365. The monthly salary of a 1st Lieutenant was (or became) \$175.¹⁶ At that rate, 1st Lieutenant Smith's earnings (October 1942-May 1944) would total about \$3,500.

On January 14 and March 9, 2000, Mr. Smith was interviewed by Julian Pleasants. Mr. Pleasants was the University of Florida's 1996-2007 Director of the Samuel Proctor Oral History Program. Transcripts thereof establish that former 1st Lieutenant Smith recalled departing "Camp McCain, which was at Grenada, Mississippi" after June 1, 1944,¹⁷ as a captain. For: "...I remember that I was promoted shortly before we left Mississippi to captain,...."¹⁸

When he faced Mr. Pleasants, Mr. Smith was an elderly gentleman. He then recalled for Mr. Pleasants that his 94th Infantry Division entered Normandy around D-Day "plus fifty or sixty days, it may have been a little later,...."¹⁹ That must mark a minimum of more than seven weeks after the Normandy invasion had begun (i.e., beyond D-Day plus 49). Contrariwise, Brokaw's book had been published twelve years prior, while Smith was a more active figure. Brokaw instead says Smith "was sent to join General George Patton's 3rd Army in northern France about six weeks after D-Day."²⁰ If Brokaw means arrival in France, then this meant about D-Day plus 42 (six weeks), an earlier, thereby more dramatic-sounding date to reach France.

Whereas according to *History of the 94th Infantry Division in World War II*, sailing from the United States aboard the Queen Elizabeth began on August 6,²¹ i.e., D-Day plus 61 and not "about six weeks after D-Day" (D-Day plus 42). The Division's 390th Field Artillery Battalion's September 8 Normandy entry-date²² marked the still safer-sounding D-Day plus 94. September 8 lagged the Liberation of Paris on August 25, 1944. Liberation Day is said by some to be the Greatest Day of the Twentieth Century, a date presumably a time-landmark for military types entering France two weeks later. The monthly salary of an Army Captain after *three* years of service was \$210.²³ This differs from Mr. Smith's assertion of "about \$300 a month." (Perhaps baseline-pay enhancements applied in his case.) At least relying on that \$210 per month metric, departing the Army in approximately September 1945,²⁴ he would have drawn \$3,780 as a Captain for eighteen months. Therefore, the Major's gross salaries as an officer very roughly reached a baseline \$7,645.

The proportion of gross pay retained (i.e., *not* saved, but held to be spent) in the European Theater of Operations (during May 1943, anyway) was 57.7 percent; however, the monthly average proportion of pay that troops retained (in any case, in the advance section of the communication zone of the European Theater of Operations U.S. Army) from June 1944 through April 1945 was a puny 14.5 percent.²⁵ Of Officer Smith, one plausibly might think he saved (*not* retained) 42.3 percent of his gross pay between August 1942 and May 1944 (corresponding to that May 1943 figure) as legitimately as such peers. One moreover might suppose Smith saved 85.5 percent of his gross pay between June 1944 and September 1945 (corresponding to that June 1944-April 1945 figure) like such peers.

Thereby, he practically might accumulate "\$3,500 in saved military pay" as

legitimately as his peers. Brokaw's military pay savings-datum looks facially realistic. That remains true even disregarding both possible pay enhancements while an officer, and GI Smith's possible savings serving in the enlisted ranks. Hoary Mr. Smith's account of soldier Smith's virtuous savings-rate is vindicated. In any case, initial review herein evidences it to appear within the ambit of the supposed-soldierly saving by his peers.

ii. Numerous Soldiers' Saved Military Pay

For whatever its utility in the immediate context, Marquette University Law School's Vada Waters Lindsey taught:

[B]eginning in 1941 and continuing for several years, Congress greatly increased the [income tax] progressivity for all income categories. These increases corresponded with the financial constraints caused by World War II. Although Congress had declined to impose a surtax on income lower than \$4,000 to \$5,000 under the previous Acts, Congress altered that trend in 1941. Under the 1941 Act, Congress imposed a surtax ranging from 6% to 77% on net income.

The normal tax increased to 6% under the 1942 Act, and Congress imposed a surtax ranging from 13% on net income between \$0 and \$2,000 and 82% on net income of at least \$200,000. The dramatic increase in the marginal surtax brackets reached its pinnacle in 1944 when Congress imposed a surtax ranging from 20% on net income between \$0 and \$2,000 and 91% on net income exceeding \$200,000.²⁶ The year that Mr. Smith arrived in Europe was the year that the 20 percent surtax on net income between zero and \$2,000 arrived.

Walter Rundell, Jr., offered an explanation for the aforementioned June 1944-April 1945 increase in European Theater of Operations warriors' thrift. He attributed it to a savings program the Army launched therein.²⁷ As indicated hereinabove from imperfect data-samples, the proportion of savings skyrocketed. That proportion proceeded from 42.3 percent of pay saved (i.e., 57.7 percent retained in the troops' pockets) to 85.5 percent saved (i.e., 14.5 percent retained).

Imagine an alternative to the Rundell theory of a new, nearly hypnotically-alluring Army savings program. Soldiers would need to pocket little of their taxed pay (hence could save more) if sparetime hobbies like looting, black-marketeering, and currency-profiteering abruptly burgeoned after June 6, 1944. To be sure, someone self-aggrandizing on the side through those three methods might (consciously or otherwise) exaggerate the licit means whereby he was able to save, e.g., by inflating in memory an approximately \$210 monthly salary to one approximating \$300. Said historicizing tactics would divert naïve third parties, postwar, from questioning the legitimacy of any uniformed figures' outlandishly lush financial bottom-lines.

B. Major Smith's \$4,000 Crap Shots-Magic

i. A Major Scoops-Up \$4,000

Mr. Smith also avowed for interviewer Pleasants: "I shot craps for fourteen days, and I won about \$4000. I do not know exactly how much, but we got home and my wife and I, between us, had about \$7,000."²⁸ Short minutes later Smith reconfirmed for this January 14, 2000, interviewer: "...I had that \$7,000 that I had saved and won shooting [craps]."²⁹ Brokaw writes that Smith returned in 1945 with \$7,500: \$3,500 in saved military pay, plus Smith's winnings of "\$4,000 playing craps on the twelve-day voyage home."³⁰ Perhaps both Brokaw and Pleasants diplomatically declined dissecting

the nosebleed-steep winnings Smith denominated (disregarding those uncontroversial savings). For his pile climbed some 33% above annual incomes of some 90% of America's single persons. The sum quintupled anyone's annual earnings through, e.g., a 2,000-hour employment-year at the federal minimum wage.

In 1997, a video entitled *Chesterfield Smith: Great Floridian* was produced by the Museum of Florida History. Consistently with Smith and Brokaw, Sidney L. Mathew's draft script thereof held of Smith's postwar law school program: "All this financed in part from his winnings while 'crapshooting' all the way home from the war."³¹ The draft script's 1997 date predates both Brokaw's book and Smith's Oral History interview. *Quaere*, whether Mathew's subject (Smith) was also Mathew's source.

As seen hereinabove, Smith professed he "was sending home most of my pay" into "the time I was a captain." The more money a husband prudently sent his frugal spouse, the less lingered to serve as his wad whereby to wager. Even if Smith had launched shipboard betting with a wad (i.e., funds he was not "sending home") of \$1,000, then *winnings* of \$4,000 equaled finishing ahead by 400%. Had he opened with a wad of \$400 (i.e., a sum representing the gross earnings from six months of fulltime labor at the federal minimum wage), then *takings* of \$4,000 equaled finishing ahead by 1,000%. To accumulate that 1,000% surplus (\$4,000), try to imagine how many games won-and-won-and-won were needed by a bettor beginning with \$400.

ii. The Odds in Craps

a. The Classic Problem of Gambler's Ruin

Street Craps must be distinguished from Casino Craps.³² Participants bet against one another in Street Craps, whereas in Casino Craps every player around the table bets against the casino.³³ Street Craps enjoyed great popularity in the Second World War's

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armed forces.³⁴ At least as between the shooter and those betting against him, the result is double-or-nothing.³⁵ Double-or-nothing payoffs inform the issue of Smith's starting wad of cash.

Gambler's Ruin is the outcome predictably presenting itself through an indefinitely extended, 50-50 random-result series of two unequally-resourced sides' bets, i.e., the lengthier their series the heavier the prospects the *plumper*-pursed player emerges as winner-take-all; moreover, odds this plumper-pursed bettor totally ruins her counterpart corresponds to *her proportion of resources brought to their table*.³⁶ Given the phenomenon of randomness (e.g., the chances of flipping four consecutive tails among 20 coin-tosses is 50-50) the frequency of runs of a random outcome is under-rated by the public³⁷: that plumper-pursed competitor proves likelier (than her skinnier-pocketed opponent) to survive a long stretch of losses. In the case of the casino richer than you, both sides risk streaks of ill luck; the casino more expectably than you lives to fight another day despite a losing streak (eventually becoming the winner taking all) even if the casino uncharacteristically offers 50-50 odds.³⁸ That said, suppose honest officer and loyal husband Smith had channeled so much savings to his patient Penelope-spouse as to board ship bearing but a slender purse. Alas: "Craps is a game of pure luck as it all depends on the dice and the numbers that are rolled."³⁹ Thus, consider real-world cost-benefit analysis basics:

One starting point is to assert that rational choice under uncertainty should be based on judgements about the relative likelihoods or probabilities of particular states of the world occurring. This seems intuitively reasonable. The more likely is a particular state of the world (say, one's house catching fire), the more account should be taken of the implications of this state

when making decisions (say, about fire insurance).

Here we need the formal mathematical language of probability, which can be summarized very briefly in two sentences. For any conceivable state of the world there is a probability that the state will occur, and by convention this probability is represented by a number not less than 0 and not greater than 1. If there are a number of states, one and only one of which must occur, then the probabilities of these states must sum to 1.⁴⁰ It was debate over gambling issues that originally carried mathematical probability theory to prominence: such an event's sure probability equals 1 and an impossibility's probability equals 0.⁴¹

b. *Guessing Smith's Series of Shipboard Bets*

Professor of Mathematics James Jones counseled that the shooter's likelihood of winning runs 244 of 495 games.⁴² So the shooter's likelihood of losing is 251 of 495 games. A counterpart betting against the shooter thereby enjoys a 50.7% likelihood of winning,⁴³ i.e., mathematical probability's .507. Hence, if the Major played 495 games while somehow throwing the dice *never at all*, then he expectably accumulated seven net victories: 251 nonshooter likely victories – 244 shooter likely victories = 7 nonshooter net victories.

The Major gambled during 14 days (indicates Smith) or a twelve day voyage (indicates Brokaw). The two numbers are reconcilable if Brokaw subtracted one European-embarkation date and one New York City-debarkation⁴⁴ date from Smith's travelling time. Sidney L. Matthews draft script did speak of shooting craps "all the way home." The script's phrase hints that Smith (if Matthews' source) inclusively recalled travel dates dedicated to wagers. How many crap games does one play through that lengthier report

of 14 gambling days? Of course, the answer depends upon the duration of each game.

Two-thirds marks an obtrusive ratio in craps. By a 1/3 likelihood (12/36) a game abruptly ceases upon the shooter's come-out roll because her "natural" (a 7 or 11) wins, or "craps" (a 2, 3 or 12) loses; note that the shooter's come-out roll "natural" is twice as likely (8/36) as the shooter's come-out roll "craps" likelihood (4/36).⁴⁵ (Meanwhile, the shooter's chances of simply *not winning* at the come-out roll are 3.5 to 1.⁴⁶) Does that 2/3 come-out roll's natural vs. craps edge nourish conviction among the naïve that a shooter must be favored *overall*?

There obtains a different 2/3 likelihood (24/36) that the game continues past the come-outroll.⁴⁷ A shooter initially tossing 4, 5, 6, 8, 9, or 10 (her "point") wins by rerolling her point before rolling 7, but she otherwise loses (a loss termed her "seven out"); Professor Jones declares endless any game surviving the come-out roll, if neither that point nor a 7 is rolled.⁴⁸ One crapgame consequently could consume more than 14 days.

If Smith played 70 games daily for 14 days, then their sum reached 980 games. Yet if the first and last of the 14 days were spent only partially aboard their craft, and if Smith's wagering-fellows felt dry land-oriented rather than gambling-prone during those two dates, then this 980 sum proves that much more lavish an estimate. Nevertheless, add ten games atop them. Thereby the Major, *ex hypothesi*, played 990 games.

Those 990 games equal twice the total Jones cited with probabilities corresponding to seven net victories. Hence, hypothesized *never-diceshooting* Smith might seem tending toward a net total of 14 victories scattered across 990 games. *Quaere*, whether averaging one net win per day (from an average daily total of over 70 games) on that ship implied anybody's boatload-sized bounty because he played craps. Major Smith's

winnings surpassed the annual income of 90% of America's single persons. His take attained the level of the combined annual gross earnings (not merely take-home earnings) from a worker's 2,000 hour-year at the federal minimum wage toiling *half a decade*. The median income of entire white *families* for 1945 fell shy of \$2,800, while that of African American *families* approximated \$1,500.⁴⁹

Some Smithian fortnight.

iii. Your Friendly Foes Found in Street Craps

Whence derived Smith's \$4,000, which he alleged marked his profit from the ivory-rolling business? In 2018, Chief Investment Officer of Lehmann Livian Fridson Advisors, LLC, Martin Fridson authored a study assuming a pair of dice that is fair and listing the predicted results from 100,000 rolls of the dice, to continue: "If the results of your dice-rolling experiment diverge from these figures by more than a tiny, tiny bit, you can be certain that you were not using fair dice."⁵⁰ However, by no means is Fridson's expertise cited to insinuate Smith in 1945 actually cast pairs of loaded dice. Given his own evidence, one need not conclude Smith, across his protracted lifespan, pitched a pair of ivories even once. A radically different, potential provenance of his \$4,000 can be posited.

Such alternatively proffered provenance of Major Smith's \$4,000 is incumbent. For the Major's winning record in itself might imply to able-bodied losers (incensed, and sensing Fridson's logic) that the game was rigged by a participant within reach and devoid ready retreat (were their homebound troopship jammed to bursting). Furthermore, mere tendency toward the Major's one-a-day average victory margin presupposes permission granted him by overseas combat-tested, crapgame-opponents. Their presupposed permission licensed his statistically-blessed role (of nonshooter) in 990 consecutive

games: *Smith shoulders* at no time *the statistically-handicapped burden* (of shooters).

Some presupposition.

Some crapshooter.

Emory University's mathematics Professor Ronald J. Gould framed street crap shooting odds with Gould's exclamation: "Thus, in street craps there is a distinct advantage in betting against the shooter! If the shooter is taking your bet against him or her, this can potentially cause tensions to build."⁵¹ Each losing shooter's smoldering hostility toward the statistically-befriended nonshooter threatens eruption. Thereby enlightened by Professor Gould, quantify the likelihood that Smith's male, physically-robust, warrior-age, psychologically not self-defeating, militarily-trained to kill, two-fisted opponents acquiesced, if he clutched that *nonshooter's* edge ("can potentially cause tensions to build").

iv. An Alternative Explanation of Smith's Phraseology

Applying Professor Gould's lesson to Smith's case exposes the sudden salience of longtime lawyer-Smith's precise phraseology in 2000. Major Smith *shot* "craps for fourteen days, and I won \$4000." Given that shooters mostly lose, guess whether he dared prevaricate about the true source of his \$4,000. *Quaere*, whether the Major casually noticed shooters collecting pots upon the come-out roll twice as frequently as he witnessed them lose at that juncture, and extrapolated the shooter's odds of making money *overall* from those natural vs. craps come-out roll climaxes *alone*. Ignorant of craps yet associating himself with crap shooting as a skill sounding virile, perhaps he struggled Walter Mitty-like to strike a pose more macho than merely that of moneyed law firm's superannuated rainmaker.

After all, American sailors and soldiers (e.g., Smith) cannot be born knowing how
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to play craps:

Major Smith's own hierarch, Dwight David Eisenhower, was taught to play at Fort Sam Houston⁵² only at about the age of 25 (if not older).⁵³ The late U.S. Senator John Sidney McCain, Jr., was son and grandson of U.S. Navy Admirals. Nevertheless, he learned to play the aforementioned Casino Craps only the year he turned 26,⁵⁴ i.e., around the same age as future General of the Army Eisenhower had learned craps.

So ignorance of crap shooting is no disgrace. Conceivably, elderly interviewee Smith held-forth naively ignorant of street-craps shooters' pathetic prospects of hitting paydirt.

Alternatively, and maybe more sympathetically to Smith, maybe the onetime Major completely comprehended odds opposing a crapshooter. Merrily, the oldster cannily calculated to make fools in public of Sidney L. Matthew, Tom Brokaw, and Julian Pleasants successively. For each seems an interlocutor less cross-examining than credulous. In either event, Mr. Smith's vaunted crap play conveniently could distract noses from the potentially unsavory-smelling sum that meant mother's milk ("financed in part from his winnings") nourishing law school studies to enable his lavishly-lauded legal career. Suppose the real sources of that sum looked less savory than crap shooting at sea.

What had happened on European dry land?

III. INVADERS' BONANZAS LESS PRISTINE THAN GAMBLING: GERMANY FLOODS WITH REICHSMARKS

The Sudetenland was the portion of Czechoslovakia populated largely by German-

speakers. The Sudetenland was absorbed by Nazi Germany in 1938.⁵⁵ Germany's Reichsmark became legal tender in the Sudetenland during 1938.⁵⁶ A considerable quantity of Czech money thereby was obtained by Germany.⁵⁷ The exchange ratio was pro-German when Sudetenland went to the German Reichsmark from the Czechoslovak crown.⁵⁸ It is opined that this latter amounted to the Reichsmark's devaluation.⁵⁹

In September 1939, there were 10.9 billion Nazi Reichsmark notes circulating.⁶⁰ The Reichsbank on February 28, 1945, saw 55.5 billion in Reichsmark notes circulating; German currency totaled about 70 billion in Reichsmarks by V-E Day.⁶¹ The quantity of Reichsmarks in Czechoslovakia on that date was likely quite substantial.⁶²

Currency means the coin and notes constituting a nation's current exchange medium.⁶³ Germany's 1945 *currency* stock corresponded to 40 percent of her Gross Domestic Product of 1944.⁶⁴ Her 1945 *money* stock (e.g., deposits plus currency: M2⁶⁵) had ballooned from 1938's 56.4 billion to May 1945's 300 billion.⁶⁶ This 1945 money stock corresponded to 230 percent of Germany's 1944 Gross Domestic Product.⁶⁷ According to the U.S. Army's Center of Military History's *The U.S. Army in the Occupation of Germany 1944-1946*: "In the midst of shortages the Germans were rolling in money....Everybody had money from high wartime wages and from compensation for bomb damage. The Nazi government, to sustain morale, had paid bomb damages claims promptly and without many questions asked."⁶⁸

Germany's Reichsbank numbered among the globe's greatest,⁶⁹ yet still served the ordinary citizenry; private depositors were accommodated through 100 main banks and over 4,000 smaller ones nationwide.⁷⁰ Its headquarters in the national capital constituted the principal repository of currency deposits from, inter alia, Germany's Foreign Office, its Abwehr (military Intelligence Service) and its Wehrmacht (the German Army).⁷¹ In

1939,⁷² Dr. Walther Funk had become President of the Reichsbank as well as Reich Minister of Economics.⁷³

In 1945, Berlin offered a tempting treat to anybody aiming, or just unloading, bombs.⁷⁴ February 3 was a workday.⁷⁵ It brought the morn when 575 Mustang fighters escorted 950 B-17 Flying Fortress bombers above Berlin, whereby planes pregnant with people's death gave birth to mines, incendiary clusters, incendiary bombs, high explosive bombs and fragmentation bombs.⁷⁶ Berlin's aerial callers of that date enjoyed visually good conditions for attacking the working-hours metropolis' heart.⁷⁷

The United States of America dropped 2,265 tons of bombs, the heaviest bombing Berlin had undergone.⁷⁸ Its intensity elevated 200-ton railroad locomotives from their rails.⁷⁹ As if they were bullets, rivets exploded, and heat glued bodies to street surfaces while severed water-mains geysered.⁸⁰

Incendiary clusters and *incendiary* bombs. The city's smoke blanket (far exceeding three miles in height) lay so thick that at day's close no one witnessed nightfall: Berlin's artificially long, February 3-4 winter-night enveloped 120,000 human beings reduced to homelessness since daybreak.⁸¹

The verb 'to shack' means to strike one's bullseye.⁸² For were its target not flat but vertical (e.g., the Reichsbank's headquarters) the Second World War's Norden bombsight functioned ideally: B-17 training crews consequently trained on bombing ranges providing shacks to aim at.⁸³ One bombing crew returning from Berlin that February 3 entered in its log: "No damage to ship. Visual 5 X 1,000 pounders. Shacked women and children."⁸⁴ Shacked *women* and *children*.

That February 3, the concrete walls of the basement bunker of the Reichsbank's headquarters (wherein 5,000 employees sheltered with Dr. Funk) wobbled as if constructed

of cardboard; the lighting failed; women wept continuously; and the huddled 5,000 heard bombs burst straight above them⁸⁵ due to B-17 Flying Fortress direct-hits on their structure 21 times.⁸⁶ Thus the bank building became a ruin.⁸⁷ Nonetheless, each person survived, as did the Reichsbank's assets.⁸⁸ On April 8/9, 1945, President Funk conferred with Adolf Hitler: Hitler consented to shifting Reichsbank reserves to Bavaria.⁸⁹ Berlin, the capital of Germany, was to surrender to the *Red* Army after fewer than four more weeks. But the capital of Bavaria--Munich, hometown of Herr Hitler and Fraulein Eva Braun--would fall to the *United States* Army on April 30, 1945.

In the Reichsbank's keeping were paper Reichsmarks to the value of many millions of dollars.⁹⁰ On April 14, two special trains departed Berlin for Bavaria bearing between them paper money including 520,000,000 Reichsmarks (worth 209,762,000 dollars).⁹¹ The rapidly unravelling military situation meant the trains' diversion through Czechoslovakia,⁹² one train being delayed ten miles from Pilsen, Czechoslovakia, on April 16.⁹³ They reached Munich on April 27.⁹⁴

Meanwhile, the Austrian Ernst Kaltenbrunner headed the arm of the SS denominated the Main Security Department of the Reich (RSHA), steering the Abwehr and the Gestapo.⁹⁵ On April 22, Hitler conceded the war lost while agreeing to his entourage's escape, and Dr. Josef Goebbels announced by radio that Hitler would die in Berlin.⁹⁶ That day, under Kaltenbrunner's orders, the chief of Amt II (the RSHA's Budget Administration Section) SS Brigadier-General Josef Spacil commanded SS troops' robbery of what remained of the Reichsbank's holdings in Berlin.⁹⁷ Spacil flew with it to Austria.⁹⁸

Spacil thereupon distributed at least a million Reichsmarks to SS figures; then, on April 27, he further delivered 5 million Reichsmarks to Captain Karl Radl, adjutant to

head of Amt VI/5 of the RHSA Colonel Otto Skorzeny (the SS Commando leader).⁹⁹ *Quaere*, whether or not *The U.S. Army in the Occupation of Germany 1944-1946* asserts credibly that: (1) few among postwar defendants (convicted in the occupation's military government courts) were incapable of meeting out-of-pocket a fine of a thousand marks; and that (2) within the Americans' 12th Army Group area 3,000 banks open during May 1945 boasted deposits of 3 billion Reichsmarks (these banks' problem being want of investment outlets, inasmuch as deposits therein so heavily outweighed withdrawals).¹⁰⁰

FOLLOW THE MONEY.

IV. A GOLDRUSH STARTING-GUN FIRES DURING GERMANY'S DEATH THROES

A. *Looting as Soldierly Sport*

i. **Gnawing the Third Reich's Bones in Germany**

In the Center for Military History's reckoning: "The [1945] advance into Germany not only expanded the troops' opportunities for black market dealing in Reichsmarks--with fraternization an inevitable byproduct--but put the Army into the questionable moral position of converting looted German money into American dollars."¹⁰¹ Respecting fraternization¹⁰² and the Army, the Nazi-caterpillar Frauleins metamorphosed during 1945 into easily-accessible Black Market-Butterfly Frauleins readily collectable for widespread admiration.¹⁰³ Respecting the questionability of the Army's conversion of stolen German money to dollars, e.g., the Hague Convention of 1907 (ratified by the United States) had provided in Article 28 that "The pillage of a town, even when taken by assault, is prohibited," and in Article 46 that "...Private property cannot be confiscated," adding in Article 47 that "Pillage is formally prohibited."¹⁰⁴ In World War II, not even

the Soviet Union's Supreme Soviet enacted legislation to support confiscating the enemy's property.¹⁰⁵

Cash payments particularly underpin illegal sales because they leave no papertrail.¹⁰⁶ Thereby, prodigious supplies of cash awash across prostrate Germany fueled her occupation's black market.¹⁰⁷ And disposing of stolen goods, explains historian Seth A. Givens, M.A., exemplified an "avenue through which military personnel entered into black market commerce."¹⁰⁸ Sayer and Botting help clarify why that avenue travelled by the occupation's military personnel spanned the country:

For Germany in 1945 was a land of hunger and desperate need, where the simplest, smallest object was unobtainable and the very means of existence had ceased to exist, where everyone lived from hand to hand and mouth to mouth and it was calculated that the average German could expect a new dinner plate once in five years, a new pair of shoes once in twelve years, and a new suit once in fifty years.¹⁰⁹

In the finding of Givens: "GIs, by far, took more everyday items from German citizens than they did invaluable objects. A discussion of Americans stealing enemy possessions, therefore, illuminates the episodes of war that often occurred, not extraordinary incidents of art thievery that rarely did."¹¹⁰

Everyday objects. Items the *smallest, simplest*.

During the December 1944 Battle of the Bulge in the Ardennes, U.S. Army deserters (an estimated 19,000 strong) robbed and black-marketed on so vast a scale in occupied territory as to impede Americans in combat.¹¹¹ American deserters by the thousands pilfered U.S. supplies, for resale, to such degree as to hinder their country's effort during the final months of the conflict.¹¹² The Center of Military History acknowledges that by February 1945's close: "Looting was so widespread as to be regarded as a soldierly

sport.”¹¹³ That was more than nine weeks before the war’s expiration. Hence, Givens: “For the average American soldier, then, the spring of 1945 was a perfect time to augment his monthly pay.”¹¹⁴

For Yank soldiers, the Army Information Branch’s *Pocket Guide to Germany* instructed:

“Respect property rights. Vandalism is inexcusable. Rifling of orchards and field [sic] and unauthorized appropriation of food stores are contemptible and punishable by court martial.”¹¹⁵ On the ground in Germany during March and April 1945, “No commanding body higher than the Regiment addressed looting through action, however.”¹¹⁶ Directives, with specificity, which eventually did issue at regimental level scarcely were enforced by subordinate commands.¹¹⁷

Because prosecution hinged upon the commanding officer’s assessment of the looting, most soldiers caught in the act eluded any stiff punishment.¹¹⁸ Company commanders plainly satisfied themselves that unbottling locusts to thieve at will was unworthy of a second thought.¹¹⁹ Givens indicates how steeply honor’s decay climbed: “Even the US Seventh Army commander Lieutenant General Alexander Patch allowed his soldiers leeway with excursions into banks.”¹²⁰ *Excursions into banks*.

General George S. Patton’s Third Army belonged to the 12th Army Group.¹²¹ Attached to his Third Army was Australian war correspondent Osman White.¹²² White revealed:

[P]etty looting was known as “liberating” or “souveniring.” Military Police

looked the other way until the more rapacious liberators, usually support and transport personnel, began to steal expensive motor cars, antique furniture, radio sets, machine tools and other industrial equipment, and devise ingenious means of smuggling the stolen property to the coast from which small craft could ferry it to England. Only after looting became an organized criminal racket when the fighting ceased, did the Military Government step in and enforce the law. Until then the soldiers took what they wanted and often kicked the Germans about in doing it.¹²³

Sergeant Albert Singleton served in A Company of the 61st Armored Infantry Battalion in the 10th Armored Division when made acting Provost Marshall¹²⁴ (for Mittenwald, Wallgau and several additional small towns¹²⁵ in Germany) under Lieutenant-Colonel Curtis L. Hankins.¹²⁶ On about June 20, 1945,¹²⁷ this Provost Marshall entered the Mittenwald home¹²⁸ of the Foreign Office’s Counsel-General (in Klausenburg, Hungary, as of 1943) Dr. Hans Strack,¹²⁹ and of Dr. Strack’s Frau and daughter.¹³⁰ Counsel-General Strack was misremembered by Singleton more than 35 years later as a General.¹³¹

That June day, Dr. Strack was destined for the internment camp at Garmisch-Partenkirchen,¹³² site of Divisional Headquarters¹³³:

I remember this very vividly---the American officers, including Captain Craig, had piled up all the silverware in the middle of General Strack’s living-room floor. That pile was at least three feet high and six feet in diameter and it was laid-out on a bedspread. They were starting to sort through it, so I reached over and said: ‘What the hell, I’ll take a silver pitcher as a souvenir.’ Then the officers told me: ‘Hey. You put that back. We’re not really taking

this. This belongs to the family.’ Over along the wall was the Alpenstock--you know, a climbing stick--so I reached over and said: ‘By God. This isn’t anybody else’s, I’m taking this as a souvenir.’ (I have it at home now.) So I loaded General Strack into the half-track to take up to Garmisch, and his daughter---oh, his daughter called me everything but a white man. She went back into my ancestry and everything else. She was a little cat, about 25, 27 years old.¹³⁴

In this passage an asterisk leads readers to: “This kind of thing was pretty normal in Germany shortly after the end of the war,”¹³⁵ i.e., during the days of Captain Smith, the lucky gambler.

Why did U.S. Army officers arresting a Counsel-General in peacetime sort silverware? White: *Souveniring*. The area of a circle six feet in diameter is over 28 square feet. A pile atop it averaging two feet (not three feet) deep would be more than 56 cubic feet. Weigh whether the Strack family’s home really housed 56 cubic feet of silverware. Alternatively, avaricious officers stole the Strack family’s bedspread to turn into their trick-or-treat bag for everything loose and looking black-marketable. Even everyday items, e.g., objects the smallest and simplest.

Estimate the proportion of European females ferociously to howl against a band of uniformed home-invaders robbing it of a climbing stick, alone. Then decide how heavy grew the treasure atop Fraulein Strack’s family bedspread. *Little cat called me everything but a white man*. Then judge whether the Strack family’s silver pitcher more probably proved a 2024 Craig family heirloom, or a Counsel-General Strack- daughter’s family heirloom.

After all, that kind of thing proved pretty normal in Europe in 2022 and 2023.
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The Wall Street Journal, an authority on supply and demand, told of Russian interlopers into Ukraine “toting trophy dishwashers.”¹³⁶ For: “Ruslan Leviev, founder of the open-source-based Conflict Intelligence Team, claimed in an interview that soldiers are driving stolen cars laden with loot to Russia to sell them on improvised markets, and then pay part of the proceeds to their officers.”¹³⁷ Fewer than nine weeks after the invasion opened, internationally respected reporter Tim Judah found: “Now, with every passing day, we learn more about the Russian terror--the murderers, summary executions, and looting in the territories they occupied.”¹³⁸

In the town of Hostomel, Dymtro Lysovyy’s family posted on their housegate: “Peaceful people. Children. Old people’.”¹³⁹ Upon the Lysovyy family’s flight from home, Russia’s occupation troops “ransacked it.”¹⁴⁰ After the invaders had captured one town thirty miles distant from Kyiv¹⁴¹: “Everyone I spoke to in Borodyanka told me the Russian troops, and their locals, had looted houses.”¹⁴² Those invaders occupied a portion of Irpin, near Kyiv: “I met Mykhailo Kyshehynskyi, aged forty-three, a businessman who was cleaning his house,.... ‘They took all the money, jewelry, and electronics, he said’.”¹⁴³ How productive an economy has Russia? After 77 years of peace inside Russia, what made Russia’s soldiers seemed confident during 2022 that they profitably could peddle a plethora of second-hand Ukrainian goods.¹⁴⁴

Reject or concede that looting or outright rape conveniently can be rationalized by conquerors to count next to nothing on net, because overbalanced by benefits brought the vanquished by invaders bestowing blessings of civilization upon impoverished widows and orphans. Whatever 1945 home intruders’ subjective psychology, White relayed realities objectively: “It was apparent to anyone entering a ruined city that the population must be assured of food, shelter and sanitation, before there was any sense in worrying over

precise applications of criminal law and the protection of individual property.”¹⁴⁵ *Before worry about criminal law*: Sergeant Singleton’s gang comes to call at the Strack family’s home-address. *Perception* no one will be accountable *for abuses*. *Lack of military discipline*.

ii. Scavengers upon the Third Reich’s Corpse in Czechoslovakia

When the Third Reich was swallowing Czechoslovakia, the biggest armament works anywhere were Pilsen’s Skoda works.¹⁴⁶ On May 6, U.S. Army combat command (task force) elements took Pilsen and cut through the city to take high ground to Pilsen’s east; meanwhile, a combat command element reached Strakonice, Czechoslovakia.¹⁴⁷ (In 2024, one finds Strakonice in the Czech Republic’s South Bohemian Region.) V-E Day was May 8, 1945. Cornelius Ryan’s *Daily Telegraph* report of that May 8 related the entry into Pilsen of General George S. Patton, Junior’s 4th Armored Division.¹⁴⁸

Hitler’s empire included his so-called Protectorate of Bohemia and Moravia after Czechoslovakia disintegrated during March 1939; Hitler himself entered Prague; Slovakia was reduced to puppet status.¹⁴⁹ By the juncture when Nazi rule over Czechoslovakia collapsed, this defunct Protectorate was awash in, e.g., Germany’s Reichsmarks, and Slovak crowns.¹⁵⁰ According to the twenty-first century Slovak Republic’s Ministry of Finance:

A significant surplus of money existed that caused major inflation pressure and the currency was harmed by events of the war. The need to put foreign exchange relations in order has led to monetary reform that gradually began to create preconditions for recovery of the monetary system of the Czechoslovak Republic.

The monetary reform carried out in November 1945 was the fourth to have been undertaken in our territory. Its priority was to harmonize the quantity of money in circulation with the economic need for money. A unified currency--the Czechoslovak koruna--was established from November 1, 1945....¹⁵¹

In brief, throughout the Captain’s entirely pre-November 1, 1945, Czechoslovakian sojourn the land experienced a monetary surplus. Swollen sums circulating pressed toward serious inflation. Not until July 31, 1945, was the Reichsmark withdrawn from circulation Czechoslovakia-wide.¹⁵² Surplus money proved backdrop to unholy horrors, not too distantly neighboring Smith’s 94th Infantry Division.

Martin Gilbert, the Fellow of Merton College, Oxford, recorded:

Three and a half million of the Germans driven from their homes were former Czechoslovak citizens (and before 1918, Austro-Hungarian subjects) fleeing from the Sudetenland region of Czechoslovakia. The restored Czech Government wanted this [Sudeten] German minority out of its jurisdiction, and out of the homes they had lived in for generations. From the first day of the liberation of Czechoslovakia from German [Nazi Third Reich] rule, the Sudeten Germans were driven on to the roads and out of the country, most of them with only the bundles they could carry on their shoulders or push on handcarts.¹⁵³

From the first day.

The liberation of the Third Reich’s concentration camp of Theresienstadt in

Czechoslovakia¹⁵⁴ took place on May 9, as one freed prisoner was to remember:

After a while we all rushed out and found ourselves on the main highway where a multitude of [Sudeten] German refugees were being expelled, or fleeing to Germany.

Many families with children, *peklach*, with hand wheel-barrows, horse-drawn wagons, bicycles were making their way and were being assaulted mainly by Czechs, some Russian soldiers and very few survivors.

I was with a band of children and I remember very clearly my own sentiments of pity and commiseration towards these people because they reminded me of my own suffering.

I remember similar sentiments were expressed by my companions....¹⁵⁵

Another freed inmate recalled:

Theresienstadt was on the border of the Sudetenland. The Czechs were chasing the Sudeten Germans out of the nearby town of Leitmeritz. As I went towards Leitmeritz there were German [sic] women and children walking on the road. Two Hungarian Jewish survivors, young girls of seventeen or eighteen--older than I--were beating up a German woman who had two children with her, a baby in a pram, and a boy not much older than my own sister when she was killed by the Germans, nine years old. The baby was crying. I told them to stop it. They said, "But she's German. Germans beat us up. Now we will beat them."¹⁵⁶

Czechs chasing Sudeten Germans out.

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The 94th Infantry Division encompassed Smith's own 390th Field Artillery Battalion. On March 29, 1945, the Division was assigned to the XXII Corps of the Fifteenth Army.¹⁵⁷ The aforementioned 12th Army Group encompassed the Fifteenth Army.¹⁵⁸ On June 15, XXII Corps (with its 94th Infantry Division) was reassigned to Patton's Third Army.¹⁵⁹ Smith's Division, Patton's once more, redeployed from southern Germany into Czechoslovakia during June.

As suggested hereinabove, the Third Reich in 1938 annexed the Sudetenland (Czechoslovakia's German-speaking region, whose inhabitants styled themselves Sudeten German¹⁶⁰). Thereby the Sudetenland's inhabitants *were made* Germans¹⁶¹ In the 2021 summarization by University of Pennsylvania historian Benjamin Nathans: "In their infamous 1938 Munich Agreement, the French and the British had given their blessing to Hitler's plan to annex the Sudetenland region of Czechoslovakia--despite France's military alliance with that country [Czechoslovakia] and Stalin's offer to defend Czechoslovakia if the French and British would join the effort."¹⁶² As framed by Ferdinand Mount in a mid-2019 perspective: "The Fuehrer's rhetoric was all about reuniting the millions of Germans [sic] in the Sudetenland with the main body of the Volk. But it was also about reuniting the regime's coal and iron ore with a Reich rich in human energy but poor in the other sort."¹⁶³

German-speakers of northern and western Czechoslovakia were referring to their forested mountain area as Sudetenland from about 1910,¹⁶⁴ i.e., conspicuously prior to the Third Reich's rise:

Franz Jesser had coined the phrase "Sudeten German" during 1902.¹⁶⁵

American military sway had been imposed in western Czechoslovakia over a 3,800 kilometer-triangle: Yank troops had attained the Karlsbad-Pilsen-

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Budweis Line.¹⁶⁶ The U.S.-liberated regions represented concentrations of Sudeten Germans among Czechoslovakia's heaviest: Sudeten Germans were driven from Czechoslovakia's German-speaking cities and towns and from a number of internment camps into the American-occupied portion of Germany.¹⁶⁷

Regarding the May-June 1945 span of the Smith Battalion's relocation, Frederick Taylor tells:

The atrocities in...eastern German cities [overrun by U.S.S.R. troops, routine rapists] were bad enough. In the Sudetenland—the border areas of Czechoslovakia settled for hundreds of years by Germans, part of the multinational Austro-Hungarian Empire until 1918, for twenty years part of the Czech and Slovak state, then for seven short years incorporated into the greater German Reich--they were unspeakable.¹⁶⁸

Thereby, 1938 betokened no Germans' *reunification*. For German-speakers had resided in the border regions of Czechoslovakia (not in Germany) for all those generations. There was no antecedent unit to restore.

Nevertheless, 1945 abundantly brought Czechoslovakia's *unspeakable atrocities*. Americans' anabasis into Nazi Germany-held Sudetenland (the region instantly-nestling anew inside independent Czechoslovakia) played prelude to violent, macrolevel outrages. Picture persons proved docile beneathreal Nazis from the real Germany before V-E Day. At V-E Day, harmless humans mutated into raging tigers. They fed upon their civilian, longtime-neighbors guilty of speaking German. Too timorous to hit the boy, before

(during wartime), they heroically hit the girl, later (during peacetime).

Saint Peter's University's David Wester Gerlach reviews latterday researches to explain:

The first Czechs to enter the [German-speakers settled] borderlands [inside Czechoslovakia] were [independent Czechoslovakia's] military units and paramilitary groups that treated the area as a land to be conquered. They regarded everyone as suspect, including the Czech speakers living there. After they solidified their presence in the region they began to organize and carry out expulsions. What emerges, then, is not a picture of widespread nationally motivated mob violence, but a military campaign to force Germans from the country with groups of young men, and occasionally women, who engaged in particularly brutal or sadistic acts of violence when given the opportunity.¹⁶⁹

On June 12, 1945, the 94th Infantry Division opened its Division Command Post in Sustice, Czechoslovakia.¹⁷⁰ As seen hereinabove, this preceded by exactly seven weeks the withdrawal of the Reichsmark from circulation, Czechoslovakia-wide. The Division's Command Post located in Sustice up to July 21, 1945, and in Prachatice thereafter.¹⁷¹

Even before the Third Reich swallowed the Sudetenland in 1938, in Bohemia no "German" resided over forty miles remote from the ethnographic territory of Czechs¹⁷²: German-speakers dwelt near non-German-speakers. Gerlach finds that: "The looting reached its peak during the summer of 1945 [i.e., *after* that late spring opening, on June 12 in Sustice, of the Division Command Post] when the expulsions were in fullswing."¹⁷³ Well would such prove so: "Czechs found easy access to Sudeten German goods following

local expulsions.”¹⁷⁴ *Peak looting*. During the May 1945 until October 1945 interval, 3,795 Sudeten Germans committed suicide according to the official Czechoslovakian tally.¹⁷⁵

These outrages were ironic. For recent scholarship attests of the late 1930s that, in the words of the University of Cambridge’s P.E. Caquet, it is “difficult to determine to what extent the Sudeten Germans were aiming, as a group, for an *Anschluss* [union with the Third Reich].”¹⁷⁶ More specifically, “it is unclear whether a majority existed in the Sudetenland for annexation to the Reich”.¹⁷⁷

Easily accessing Sudeten Germans’ goods. When had Sudetenland’s German-speaking citizens, as a bloc, ever *themselves* chosen to become Germans?

How readily might goods be accessed? Werner Kleeman was a U.S. Army 4th Infantry Division enlisted man who landed at Utah Beach on June 6, 1944. Kleeman served in the invasion of, and occupation of, Germany in 1945. A 2009 interview revealed his recollections:

Interviewer: What about the black market? Did you come across any black market activities?

Kleeman: Black market? No. I, no. I had an opportunity in Luxembourg one time, I think it was after the war or someplace, I can’t recall I had some displaced persons I paid them a visit in, they had an apartment already, they told “You go with us to Czechoslovakia, you’ll become a rich man.”

Interviewer: Yeah.

Kleeman: Well, I was not the type to explore and stick my neck out.

Interviewer: Yeah.

Kleeman: You understand what I mean?

Interviewer: Sure.

Kleeman: They would go into Czechoslovakia, steal diamonds and god [sic] knows what, I, I did not buy it, if you know what I mean.¹⁷⁸

After the war. Go to Czechoslovakia. Become rich: Steal. It was postwar when Captain Smith’s unit was ordered into Czechoslovakia.

FOLLOW THE MONEY.

B. *Stolen Property, Black Marketeering, and Currency Profiteering*

According to analyst of the U.S. Army’s Second World War currency controls Walter Rundell, Jr.:

“While overseas, soldiers were not actually allowed to exchange their pay for dollars, but they were allowed to exchange pay for ‘dollar credits.’ These dollar credits were devices by which a man could transfer pay to the United States.... When the army established dollar credits for its men, it always used the official rate of exchange between foreign currency in which men were paid and the dollar.”¹⁷⁹

Invariably, the black market proved the source of the funds beyond their own pay that troops submitted to be exchanged.”¹⁸⁰ According to Sayer and Botting: “Two categories of people stood to make money on the black market in Germany. The first was the soldiers whose access to an almost unlimited supply of cigarettes and other luxuries was a potential source of great profit. The second were the big-time operators.”¹⁸¹

They instruct:

The original stock of drugs for the post-war narcotics trade derived from the large quantities of morphine, opium, cocaine, etc. held in German hospitals and the warehouses of the German pharmaceutical industry at the end of the war. These drug stocks were purloined by German civilians and American military alike, but since they did not have the necessary contacts of their own they could only distribute their supplies of narcotics through the dealers of the German black market, though later the Americans began to sell the drugs to the USA direct.¹⁸²

In Germany, to borrow the words of Sayer and Botting, how had *any* American “soldiers...access to...luxuries”? Givens observes of converting pillaged personal possessions into cold cash:

After the Wehrmacht collapsed in front of the Allied advance in the spring [1945], and the decidedly weak Volkssturm dissipated, troops no longer had to steal to stay alive. The war had fully turned, and so did the motivations to loot. More than in the winter months, stealing for profit became standard practice.”¹⁸³

For *profit*, not stealing to put pillaged personal possessions to use. Givens indicates that once shooting stops, looting starts. As seen hereinabove, Osman White instructed that as fighting evaporated the looting devolved into organized crime (Sayer and Botting: “big-time operators”).

Sayer and Botting delimit the overall picture:

The black market existed over most of war-ravaged Europe, but nowhere was it blacker than in Germany. There the basic cause--extreme shortage of consumer goods leading to astronomical prices--was exacerbated by a virtually worthless German currency and a rigid monetarist policy of rationing and price controls imposed by the Allies with the object of preventing the soaring inflation of the kind experienced in Germany after the First World War. The policy had two effects. The first was to paralyse the economy. The second was to abolish one of civilization's main foundations--money.¹⁸⁴

Importantly, they add:

The black market was virtually the only place where any ordinary German could exchange foreign currency for marks (or goods)...Possession of foreign currency had been illegal during the Nazi period and was even more strongly prohibited during the first three years of the Allied occupation. Any German who had clung to savings in dollars, pounds or Swiss francs till the end of the war ran the risk of a three- to five-year prison sentence if he or she attempted to exchange them after the war.¹⁸⁵

Holding foreign currency became *even more strongly prohibited during* Allied occupation than by the Nazis. Rationing, price controls, nearly valueless German currency plus outlawing of foreign currency (i.e., outlawing real currency) suppressed Germany's reconstruction. Allied occupation throttled freedom in the name of helping nurture liberty.

Warriors found relatively few or no windows of leisure to allot to speculating in currencies when military operations demanded attention; whereas the post-hostilities period encompassed developments unwelcomed by commanders.¹⁸⁶ The 94th Infantry Division went out of contact with the enemy by April 18.¹⁸⁷ On April 19, the European Theatre of Operations U.S. Army (ETOUSA) wholly ceased disbursement/exchange of Reichsmarks.¹⁸⁸ ETOUSA announced that for official transactions the sole legal tender became Allied Military Marks.¹⁸⁹

Fortuitously, according to the U.S. Army Center for Military History, in early June 1945 ETOUSA permitted:

soldiers to convert and send home savings and gambling profits in addition to their month's pay. A perfunctory oath was sufficient to qualify almost any amount as gambling profits. In the meantime, after the [Germans' May] surrender, the value of the Reichsmark on the black market had dropped to 200 to the dollar. For the Germans the Allied military marks were worth about the same since they could only exchange them one-for-one for Reichsmarks, but the American soldier, who sold rations, candy, or any of a multitude of things (including government property) that the Germans were willing to buy at black market prices, could convert the Allied military marks at ten to the dollar [i.e., not 200 to one dollar but 10 to one]. Dealing in Reichsmarks, he soon learned, was only slightly more inconvenient.

While the Reichsmarks could not lie [sic: be] converted directly, the G-5 Currency Section periodically put blocs of new Allied military marks into circulation and accepted

Reichsmarks in exchange. Probably no army ever had so many successful 'gamblers.' They could hardly miss, of course, with the odds pegged at twenty to one [i.e., 200 to 10] in their favor."¹⁹⁰

Sayers and Botting recount that "President Truman's special aide, Brigadier General Harry Vaughn, quickly discovered the Berlin black market" in mid-1945, and "proceeded to dispose of his spare clothes for brisk profit amounting (he was to boast later) to 'a couple of thousand bucks'."¹⁹¹ As seen hereinabove, a couple of thousand bucks exactly equaled the gross income for two and one-half years of employment for forty hours weekly at America's minimum wage. Thus, the Get Rich Quick Trick of Brigadier General Vaughn.

The Germans had vivid memories of catastrophic inflation (invoked by Sayer and Botting as quoted hereinabove) during their Weimar Republic. And the future value of Reichsmarks proved uncertain. By 1946 it took 225.5300 (not 10) Reichsmarks to obtain a dollar.¹⁹² Consequently, 1945 Germans opted to spend Reichsmarks on food and consumer goods¹⁹³ ("multitude of things...at black market prices"). A civilian understandably needed to buy food and manifold consumer items, had she herself already undergone rapine. Indeed one wonders what other army ever boasted "gamblers" as richly rewarded as Chesterfield H. Smith.

Reread the first words from that passage presented by the Army's Center of Military History.

The U.S. Army played *enabler* to troops sending home both pay and gambling winnings (expectably siphoned from brother-soldiers' own pay) plus primly-denominated "savings." Thus, the Center's squeamish silence over *which* income (among any soldier's multiple incomes) spawned

“savings” sent home. Or in Rundell’s antiseptic delicacy: “That American soldiers, as individuals, had ‘legitimate’ business dealings with Germans would be a difficult matter to substantiate.”¹⁹⁴ If swarms of invaders between June 1944 and April 1945 pocketed only 14.5 percent of their wages for spending, then decide why and how.

Get Rich Quick Trick.

C. *Vest-Pocket Lord Chesterfield*

Some of the Center of Military History’s readers could wonder what recompense a local occupation-command availed to its commander. *Germans rolling in money*. Former White House Deputy National Security Advisor Dr. Nadia Catherine Schadlow records that previous Army planning anticipated “pinpointing” to Germany’s *Stadt* and *Landkreise* (urban-rural districts) particular military government detachments, although the accelerated collapse of Germany meant “tactical officers played a large role in developing and implementing aspects of governance tasks.”¹⁹⁵

Tactical units bore governing responsibility in the early interval of occupation.¹⁹⁶

Counsels Givens:

“Those units that did not have Military Government details attached to them looted with relative freedom.”¹⁹⁷ The Army’s tactical echelons membership frequently looked down upon Military Government details.¹⁹⁸

Consistent with Dr. Schadlow’s report (“tactical officers”) were Mr. Smith’s reminiscences in 2000 about spring 1945 in Germany:

I was given what they called a kreis, which is like a county, like [Miami-] Dade County [Florida] only not that big because there were not any that big, more like Alachua County [Florida] or something. I remember the German commander, county manager, you would call it, or something, he would come down and talk to me like I was the boss--I was--and say what was happening....I remember that county manager would suck my ass all day, if he could, like bring me strawberries or something.”¹⁹⁹

Denied the rule of law, occupied Germany languished. How much “the boss” could any *Kreis’s* American military czar feel? The 4th Infantry Division’s Werner Kleeman’s memoir relates:

The next request I received was to get my hands on a car, since each officer was supposed to have a German car for personal use on weekends. I poked around and found a fairly new Mercedes that was hidden in a barn and covered with straw. Apparently, the car’s original owner had put it there for safekeeping. The roof of the car had caved in from the weight of the straw, but I was able to have it fixed by a mechanic....²⁰⁰

Cite the military, or any, justification to dispossess “the car’s original owner” for an officer’s “personal use on weekends”? In time, Smith assisted spreading a story that he had (as *Kreis* king) decreed local Germans must move into the Nazis’ nearby prison camp (and had dispersed the camp’s prisoners to reside in the citizens’ own large homes).²⁰¹ Why? In Smith’s justification as shared by Sidney L. Matthew: “BECAUSE WE WON THE WAR AND YOU LOST.”²⁰² (Suck *my ass*.)

If this picture appears overdrawn, then consider the *circa* April 12, 1945, occupation-portrait painted by the grandson of that very day’s impending military Czar

in western Germany, Dwight D. Eisenhower.²⁰³ University of Pennsylvania Professor David Eisenhower, an attorney, once pronounced: “Occupied Germany was not ruled by anybody, which brought to mind the problem of hostage German garrisons strung out behind the Allied lines....The task of pacifying central Germany seemed huge even to [U.S. General George S.] Patton who complained of the overwhelming problem of DPs [displaced persons] and the threat of disease bordering on plague.”²⁰⁴ *Occupied* Germany ruled *by* no one: Wild West.

White discerned that inside Germany its citizenry, in debased dependence, was tamed into inarticulate, fervent servility.²⁰⁵ *Bring me strawberries*. Judge whether one or another, hitherto subordinated, Yankee wee monarch momentarily doffing natal nonentity sensed suddenly: “I was somebody much more than I had ever been”²⁰⁶? Exactly thus did Smith characterize his feelings as American Bar Association President, upon hearing nationwide applause for his attack against U.S. President Richard M. Nixon after the October 1973 Saturday Night Massacre.

Quaere, which if any individual during 1945 in an occupied German community: (1) might indulge himself with his town’s longest reach into black marketeering (in rations, candy, fresh spring strawberries, or government property) that the cash-rich, yet recently denuded of private possessions, subject populace paid for at black market prices; and (2) became capable of converting local lucre into dollars at rates pegged twenty to one in his favor; while (3) watching his uniformed fellows forswear themselves (“perfunctory oath”) *en masse*, those comrades thereby preening as preternaturally-lucky, self-styled “gamblers”?

Bring me strawberries *or something*. Givens appreciated that “the majority of looting instances were generally well in the past before civilians reported the crime. Units moved

rapidly through Germany during the push towards Czechoslovakia and Berlin.”²⁰⁷

Looting in the push to Czechoslovakia. So, conjecture what might the instant *Kreis*-king’s receipt of “or something” from his German underlings signify during his unit’s advance through Germany into Czechoslovakia.

If this picture appears exaggerated, then consult the Get While the Getting’s Good occupation as thumbnail-sketched by Sayers and Botting: “At the last great conference of the Allied war leaders at Potsdam [Germany] in July 1945, several of the supreme British military chiefs—including the Chief of the Imperial General Staff Sir Alan Brooke, Marshall of the Royal Air Force Lord Portal and Admiral of the Fleet Viscount Cunningham--were seen to loot rare antiquarian books from the Royal Library in the Cecilienhof Palace;....”²⁰⁸ Their looting transpired in time of war against Japan. If favored societal element-military heavyweights failed to return postwar clothed in naught but honor, then they still could come home heavily-laden with innocent civilians’ stolen goods. *Sir. Lord. Viscount*.

Beware whitened sepulchurs containing common thieves.

V. OCCUPIED EUROPE AS TREASURE ISLAND: THE BERLIN GOLDRUSH

The Center of Military History advises:

Effective at the end of the first week in August, USFET [United States Forces European Theater, successor of European Theater of Operations U.S. Army] restricted the amount that could be sent out in any one month to a soldier’s pay plus ten percent and required commanding officers to verify and certify the transmittal. The object was to remove the free-wheeling gambling profits allowance, which could have been accomplished had unit commanders been able and willing to enforce the restriction;

but with redeployment in full swing, many had nothing to go by except a soldier's word that he had not already sent out his month's pay plus ten percent, perhaps several times over. Other commanders took much the same attitude as they had toward looting, that the soldiers were entitled to a tangible share in the victory. This attitude also seems to have been shared by the theater command, until the situation reached the point where the troops sent home more dollars than had been appropriated for their pay. This point was fast being reached. In August the excess of pay over dollar transmittals shrank to \$6 million.²⁰⁹

More dollars than their pay. The theater command tolerated looting and the pumping of dirty money deeply into America (Center for Military History: "questionable moral position"). Thus thefts from defenseless civilians became the tangible entitlement of invaders. The U.S. Army's uninterrupted Get While the Getting's Good-psychology saturated Smith's final weeks in Europe.

Given America's foremost ally, the U.S. Army Captain's concluding weeks in Europe raised grislier ethical position questions: American and British soldiers in the West were far from blameless in their treatment of women, but they were *chevaliers sans reproche* compared with the Red Army, which marked its final conquest of Germany with an unprecedented orgy of killing, looting, and, above all, gang rape. An estimated two million women were raped by Russian soldiers, more than 10,000 women killed themselves in Berlin alone after they were raped, and thousands more did so before they could be.²¹⁰ How many are ten thousand plus thousands more female suicides "in Berlin alone"? Only 18,934 suicides had been recorded officially for all Germany during the worst year of Weimar Era suicide (1932).²¹¹

The Berlin Goldrush provided this Berlin Rapestorm's "unprecedented orgy of...

looting" sequel. The Berlin Goldrush spree highlighted the U.S. Army's unbroken Get While the Getting's Good intoxication. For in the occupation's Russian Zone the Red Army was paid with Allied military marks (printed from plates given the Soviets during 1944): Red Army troops were incentivized to spend the currency rather than absolutely to lose the value thereof upon redeployment from Germany, because the U.S.S.R. refused to convert into rubles either Allied military marks or Reichsmarks.²¹²

As seen hereinabove, Germans feared the diminishing purchasing-power of Reichsmarks. So Germans were incentivized to unload them in consumer purchases. The Red Army soldiers' comparable incentive was to unload currency before its purchasing power for them dropped to zero. Judge whether both examples favored thieving third-party opportunists.

The U.S. contingent's occupation of Berlin's American sector opened on July 4, 1945.²¹³ The U.S. Army's Center of Military History relates of Berlin's incoming Yank troops: "Freed from the deadly seriousness of war, and with no mission aside from waiting to be sent home, many soldiers, despite the attempts of their commanders to maintain discipline, sought gratification in acts ranging from currency fraud, black marketeering, and theft of requisitioned goods to violent drunkenness, rape, assault, and robbery."²¹⁴ Note the Army's close association of thievery, currency fraud, and black marketeering. It was during the Berlin occupation's first phase that Soviet troops obtained all war service back wages (a sum sometimes four years' worth): Berlin's consequent inflation left the Allied military marks of paltry preciousness, except to America's military personnel capable of doing currency exchanges for dollars²¹⁵ (which were themselves precious).

Thereupon:

In a Berlin without internal barriers, American soldiers could sell
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cigarettes, watches, cameras, chocolates, and other easily disposable commodities to other Allied troops---particularly Soviets, who thirsted for watches and cameras--for large sums of this currency. The Americans converted the proceeds into dollar instruments, normally postal money orders or war bonds, for remittance to the United States. Because Army finance offices would exchange Allied marks at an official rate of ten to one--set on the basis of legal prices--huge gains accrued through arbitrage. For example, a carton of cigarettes purchased in the post exchange for \$2 could fetch 1,600 Allied marks on the street. By trading this money at the Army finance office, a soldier would realize \$160, yielding a profit of \$158 on his \$2 "investment." The trade in watches was even more lucrative. One U.S. soldier recalled realizing \$5,000 from a sale of ordnance watches--declared surplus by the company supply sergeant, with whom he split the proceeds--to a Soviet captain in East Berlin. As a result of such dealings, by the third week of July dollar remittances had reached seven times the total earnings of U.S. personnel in Berlin.²¹⁶

Seven times *total earnings*.

As late as October 1945, America's occupation force in Berlin was paid almost \$5.4 million less than those boys in patriotic service to their flag sent home.²¹⁷ Givens grasped of the Yanks' vending stolen goods to Red Army members for their newly-paid, paper money: "Americans could then take the money and exchange it for greenbacks."²¹⁸ GI Joes somehow must have amassed soap, cigarettes, cameras, candy and wristwatches.²¹⁹ How?

VI. MONEYED MAJOR SMITH: TWO THEORIES OF HIS TREASURE

August 14 was V-J Day. On August 15, the Department of War instructed General Dwight D. Eisenhower to prepare for shipping-out 1,716,000 men by the close of January.²²⁰ Major Smith landed in New York "around September 1" after "fourteen days to come home"²²¹ (i.e., since about August 17). As already seen, Mr. Smith proffered provenance of his homecoming pot of gold falling between \$4,000 and \$7,500.

A. Smith Treasure Theory One: Lady Luck Waved Her Wand

Treasure Theory One: Soldier Smith so proved *prudently* self-disciplined that: (1) Smith dispatched to Mrs. Vivian Lee Smith much of his earnings for a year, or two, or three (savings piling above the bulk of single Americans' typical income annually); and (2) Smith devoted time during, said Smith, "fourteen days" *imprudently* imperiling (in a game of naught but chance) funds sharable (short days ahead) with long self-denying Mrs. Vivian Lee Smith ("My wife had saved"); and (3) Major Smith passed that interval *still-less prudently* betting at stakes risky enough to attract \$4,000, says Brokaw, "on the twelve-day voyage home" (Smith's shipboard gambling take *in itself* attaining an altitude above the great bulk of single Americans' incomes annually); *and* (4) Lady Luck kissed him so exuberantly and continuously that Smith accumulated money marvelously (if not miraculously). For, as seen hereinabove, in craps even the non-shooter (whom the chances *favor*) stands to lose 49.3% of his bets.

B. Smith Treasure Theory Two: Rooting in Looting

Quaere, whether any Treasure Theory Two obtrudes to explain Smith's stupendous homecoming cash-horde, yet unfortunately rendering riches the less-likely licit (because contemplating looting, black marketeering and currency profiteering). Do dirty deeds

beget dirty money rewarding dirty men? In any event, it must be moral certainty that Floridian Smith reported \$4,000 gambling income from 1945 to his avaricious Uncle Sam's Internal Revenue Service by *circa* March 15, 1946. For in the *Florida Tax Review*, Lindsey reminded about the ravenous federal income tax: "In 1945, Congress once again adjusted the marginal rates and imposed a 17% surtax on net income between \$0 and \$2,000, and 91% on net income exceeding \$200,000."²²²

And during Smith's tenure as President of the American Bar Association, Yale Law School's Sterling Professor of Law Boris I. Bittker released scholarship confirming the optimality of federal taxation of the net income derivative from any unlawful undertaking.²²³ "Black marketeering" naturally numbers among such wrongdoings. Bittker related that Supreme Court Justice Hugo Black evinced no reservation whatsoever regarding taxing incomes extracted from regulatory law violations and acknowledging a jury "well may find these white collar crimes as abhorrent as extortion and robbery."²²⁴ Today this logic prevails as practical laypersons all have learned from the popular press: "Legal or not, the IRS expects gamblers to report any winnings as 'other income.'"²²⁵ *Gamblers to report winnings* legal or not.

As seen hereinabove, authority as elevated as the late Justice Ginsberg stipulated that Mr. Smith *never* flinched from the right thing. No one dares question Mr. Smith's responsibility for the shared values and core beliefs in the Holland and Knight law firm into 2024. So some would wonder if America's heart must break were her Conscience of the Legal Profession's ascent to glory dating from his postwar law school degree award (ostensibly "financed in part from his winnings while 'crapshooting'" homeward-bound) inextricably rooted deeply in dirty money.

Judge whether America's heart must break were there any dirty money-stench from:

(1) an American Army officer's fraudulent oath in occupied Europe; and/or (2) looting helpless civilians; and/or (3) black marketeering in looted goods; and/or (4) conquerors' currency-profiteering among despoiled civilians; climaxing with (5) felonious federal tax evasion. Mull whether risk of America's heartbreak renders imperative researches disproving that the American Bar Association crowned with its Presidency an attorney-career conceived in sin in Europe and given birth by Levin College of Law.

FOLLOW THE MONEY.

VII. A SPECIFIC ITEM FOR FUTURE EXPERT-INVESTIGATION

A. *Statistically Probing a Cash-Laden Soldier's Apologetics*

i. **Weightily Walleted Major Smith's War-Yarn**

One Smith self-congratulatory story was his acquisition of \$4,000 (for many Americans then, a year's earnings) playing craps on his two-week homeward voyage. Stupifying good fortune in crap shooting explains (if not exactly excuses) his otherwise suspiciously cash-laden repatriation to Florida. Consequently, gambling good luck (if proved plausible) might divert grimmer inferences of proscribed sources of wealth. Those inferences (precludable by proof to the contrary) could have attached to military occupation that exposed a fortune-finding soldier: (1) almost inevitably to despoiled, desperate German civilians; and/or (2) possibly to homicidal civilians atrociously pillaging their longtime brother and sister-citizens and neighbors, e.g., in peacetime Czechoslovakia .

Germans how desperate? William L. Shirer recorded of Germany, as if gazing upon Smith's own *Kreis*: "The millions of civilians were governed, down to the villages, by the conquering enemy troops, on whom they depended not only for law and order but

throughout that summer and bitter winter of 1945 for food and fuel to keep them alive.”²²⁶

Envision German civilians’ desolation directly in the wake of war (during Smith’s spring and summer of 1945) as illuminated by their peacetime plight notably less proximate the war. As framed by historian Leonard Mosley, war correspondent for London’s *The Sunday Times*:

In Europe, the miseries of the people, still stunned and bomb-shocked in the aftermath of the war, were compounded in 1947 by one of the bitterest winters in living memory. Food was scarce even in the victorious nations, and in the defeated territories of Germany and Austria people were dying in the streets of starvation.²²⁷

Dying of starvation in the streets, more than one harvest postwar.

Appropriate to testing Smith’s innocence would be prominent mathematicians’ confirmation of whether gambling odds establish with clinical objectivity the plausibility *vel non* of the games-of-chance explanation for a Europe-decamped, homecoming Major gorged with dollars. Highly helpfully, the odds in each of various forms of playing craps are known. Also, elementary estimation of the sums likely bet shipboard by troops of Smith’s bygone era, and the contemporary frequency and length of military shipboard crap games might draw on memoirs and oral histories informal, but innumerable. An array of the likelihoods of winning \$4,000 might be calibrated factoring-in the variables of: (1) the realistic range of sums in play; and (2) the realistic range of total games played (including or excluding 990 and 495, with at least some authority); with (3) each guesstimated games-total itself inviting reasonably guessestimated, ballpark ranges of the respective win/lose likelihoods if further refined options obtained, e.g.: (a) 100% played with Smith as shooter; (b) 100% played with Smith as nonshooter; and (c) 50%-50% division thereof.

ii. Moneyed Milt Felsen’s War-Yarn

a. Crap Game Magic Afloat, Again

In Le Havre, America’s Milt Felsen (lately held by the Germans as a Prisoner of War) was granted \$25.00 during spring 1945 at Camp Lucky Strike, a transfer camp for repatriation.²²⁸ Felsen boarded his troop ship to New York City two days thereafter.²²⁹ Felsen recorded 44 years later that:

[t]he first day out, a ship-wide crap game had begun. Dice had appeared on every deck through the ubiquitous GI magic practiced by devout gamblers, who remained on their knees for so many hours praying to the gods of luck that when they finally went broke they were too stiff to stand up, and they fell over in a heap groaning and cursing. Even then they wouldn’t leave but would become part of the gallery, staring with the intentness of hypnotized cobras as the piles of money grew larger and the number of players grew smaller.

It was fast company and I fully expected my twenty-five bucks to disappear at twice the speed of light, but I got lucky and began the slow move from the outskirts to the center of the action.

Inexorably, like dust before a giant vacuum cleaner, all the money on that ship would be sucked up and into the bulging pockets of one instantly rich GI.

The process took days, and as in all gambling, even penny-ante poker, the money lost its meaning and could as well have been toothpicks.

On the day before we landed, seven players were left bleary-eyed and

semitranced, and I was still in the game. My luck was phenomenal. I had thousands of dollars stuck in my pockets, in my shirt, everywhere. The fever had me so bad that I hardly noticed I had started to lose. The soiled, crumpled bills went out in a trickle, then a flood. Still I couldn't stop.²³⁰

Felsen's memoir appears to vindicate the idea that a homeward-bound, trans-Atlantic troopship like Smith's might cradle crap shooting from embarkation (Felsen: "first day out") until debarkation eve (Felsen: "the day before we landed"), whether or not debarkation day itself. Thereby, Felsen's contribution tends to substantiate the possibility Smith at sea found time for many crap games whereby to swell his cash-holdings. On the other hand, Felsen seemingly senses (without identifying) that Gambler's Ruin tendency. *Inexorably all the money would be in the pockets of one GI.*

Felsen says that on debarking he held about \$810.00 in winnings,²³¹ i.e., his winnings expanded his initial wad by 3,240 percent. He spent about \$800.00 that day at Tiffany's, on his wife.²³² (*Quaere*, whether in 1946 Mr. and Mrs. Felsen filed a joint return reporting to the Internal Revenue Service the \$810.00 in 1945 crap game profits.) Assuredly, Smith's account at least sounds consonant with Felsen's announced, homebound-shipboard gambling experience ("thousands of dollars").

b. An Alternative Theory of Felsen's Tale

Additionally, Felsen says the very day he encountered the U.S. Army 84th Railsplitter Division (after his harrowing Wehrmacht captivity) he encountered one Colonel Edwards.²³³ Edwards was establishing occupied area-civilian administration in Salzwedel.²³⁴ His function roughly approximated nearly-simultaneous Smithian *Kreis* military duty. The Colonel generously assured Felsen that if he found the Colonel a car,

then Felsen could keep another for himself.²³⁵ (Hence, the Colonel's generosity must come at cost to some despoiled civilian.) The enlisted man expropriated some German's 1940 Ford sedan (for Edwards) and "mile-long Mercedes touring car that was the twin of the one familiar as Hitler's own"²³⁶ (for Felsen himself).

Felsen being ordered to France, en route to the United States:

At a checkpoint near Frankfurt, a young major assured me that I had been lucky to get that far and that the car was sure to be confiscated, being without papers and all [i.e., because pillaged from a prostrated populace], long before I got to Paris. I learned later that other POWs had driven to Paris with no problems. Very glib, that major; probably owns a fleet of foreign cars today.²³⁷

Consistent with Felsen's report about himself and speculation about an avaricious major is Osman White's declaration: "[T]he more rapacious....began to steal expensive motor cars...."²³⁸ Comporting with Felsen's report about himself was the 1946 realization that of the huge number of German civilians' automobiles requisitioned for U.S. Army use by America's Office of Military Government, Bavaria (OMGB)--whether or not in Salzwedel, to its east--a huge quantity were being embezzled or stolen.²³⁹

Disposed of, in the black market, had been 3,500 such vehicles of more than 5,000 requisitioned.²⁴⁰

It is credible that Felsen pulled-off a kind of Grand Theft-Auto of a couple of cars to reserve that Superior vehicle for himself. Weigh whether it would stretch credibility if Felsen converted chattel, looted from a defenseless, civilian motorist-become-pedestrian postwar, into cash portable across the Atlantic. Observe that Felsen has the major posit

“that the car was sure to be confiscated.” Felsen does not literally complain that the major grabbed the touring car from Felsen. He so words his story as to accommodate Felsen’s fencing his hot set of wheels to a self-serving major (“probably owns a fleet of foreign cars today”).

Ex hypothesi, Felsen felt that postwar Mrs. Felsen could display more proudly jewelry allegedly born of Lady Luck than tracing to a spouse turned pusher of property torn right from ravaged civilians’ hands. *Quaere*, whether: (1) an officer surprised the enlisted man-Felsen around Frankfurt; and thereby (2) Felsen actually sold some better-paid major his hot car for at least \$810.00; whereby (3) Mrs. Felsen cherished her Tiffany treasure truly rooted in looted vehicles. If suddenly-intercepted Felsen could convert plunder into a minimum of \$810.00, then atop how high a plateau of spoils reborn as cash might a *Kreis*-Captain scramble while a securely ensconced, small satrap?

Felsen unashamedly names Colonel Edwards and Edwards’s own lieutenant Vic Romano as witnessing the Edwards-Felsen compact. Felsen names Romano as witnessing expropriation of the autos and Edwards’s blessing the Sergeant’s retention of his prize.²⁴¹ Therefore, in 1989 one of these officers or both could vouch for Felsen’s memoir, and/or their widows or children or grandchildren could attest to hearing firsthand some variant thereof from their family’s own ageing veteran. Contrariwise, Sergeant²⁴² Felsen, like Major Smith, overlooks mention of witnesses to his crap play windfall won when sailing saltwater. Perhaps witnesses left unmentioned simply signifies that lonely Sergeant Felsen and lonely Major Smith each sailed home accompanied by no comrade capable of attesting to his phenomenal luck. For neither had such luck.

Quaere, whether the respective fading memory of, *ex hypothesi*, a Felsen (inclined toward revenge against the Germans of 1945) and of a sticky-fingered Smith (rapine-prone in 1945), un-self-consciously betrayed each old man by blurring dry land piracy-profits into imaginary crapgame winnings afloat.

Quaere, alternatively, whether each man (already-enriched) self-consciously and cannily lunged for a familiar yet shady alibi (crap play-winnings) for his golden homecoming. Highly promisingly, some scandal-speculations surrounding history’s heroes and heroines heretofore have yielded to mathematical scrutiny. At-hand lies precedent for tomorrow’s mathematical, forensic history-inquest into Chesterfield Harvey Smith, Senior.

FOLLOW THE MONEY.

B. *A Lawfully Wedded Couple’s Pair of Precedents, Probed Statistically*

i. Hillary Rodham Clinton

It was not until a fairly short period preceding 2005 or 2006 (not, e.g., 1978) that discussion opened regarding inclusion of commodities futures investments in mainstream portfolios.²⁴³ For centuries, some commodities futures have been traded.²⁴⁴ That the debate over commodity futures as a mainstream portfolio-component did not begin earlier might relate to realities revealed by an investigation of 36 individual commodity futures-records during the 1959--2004 interval. (This means, for example, investments in the futures of a single commodity like copper, corn, live cattle, live hogs, pork bellies, orange juice or crude oil.²⁴⁵) That studied interval encompassed 1978-1979. The 1959-2004 mean return from single commodity futures-investments failed

to diverge statistically from zero.²⁴⁶

The stagflation era of approximately 1966-1982 encompassed 1978-1979. The commodities asset investment-category was dominated by agricultural commodities during that era.²⁴⁷ In the early 1970s, cattle futures constituted over 50 percent of the S&P Goldman Sachs Commodity Index.²⁴⁸ The GSCI numbered among the most broadly-followed benchmarks for commodities' performance²⁴⁹ of those days.

Today's former U.S. Secretary of State Hillary Rodham Clinton opened a commodities futures trading account with \$1,000 on October 11, 1978.²⁵⁰ That investor primarily traded in cattle over subsequent months.²⁵¹ She superficially might seem exceedingly irresponsible. Ms. Clinton held contracts for 2,000,000 pounds of cattle (at a worth of approximately \$1,360,000) on a single date during July 1979.²⁵²

Ms. Clinton never again traded after July 23, 1979.²⁵³ Thereby, she seems rigorously self-disciplined. For over those 285-odd calendar days she multiplied \$1,000 into \$94,541.²⁵⁴ *Get while the getting's good.*

In *Journal of Economics and Finance* during 1994, three scholars conversant in accounting, or finance, or economics ascertained the odds of reaping a 100-fold return in the futures market for cattle between October 11, 1978, and July 31, 1979.²⁵⁵ Within that longer interval passed 202 trading days²⁵⁶:

[I]t is evident that the probability of turning \$1,000 into \$94,541 over the period October 11, 1978, through July 31, 1979, was very small--one in thirty-one trillion. It is worth reiterating that these probabilities estimates are conservative. We ignore any commission expenses that had to be incurred. At a commission of \$40 per round-trip trade, the introduction of commissions would have significantly lowered the already nearly-impossible probability, because the ongoing deduction of commissions would

have slowed the ability to acquire additional contracts.²⁵⁷

Thirty-one *trillion*. *Conservative* estimate. Nearly *impossible*.

During 1936, the Commodity Exchange Act was enacted. During 1974, the Commodity Futures Trading Commission was established. Statutory authority proscribed insider trading regarding Information-misuse by that Commission's personnel, and by personnel of exchanges and self-regulatory bodies overseen by the Commission. In 1994, the Commodity Exchange Act encompassed no general insider trading-bars. That year, the Commodity Futures Trading Commission lacked any insider trading tool applicable to markets in general.²⁵⁸

Autobiographer Hillary Rodham Clinton explained of James Burton Blair, an intimate of her husband and herself, that

Jim was generous enough to share his expertise in trading commodities with his family and friends. With his help, I got into this volatile market and turned \$1,000 into \$100,000 in a short time. I was lucky enough to lose my nerve and get out before the market dropped. Could I have done it without Jim? No. Did I have to pay my broker over \$18,000 in brokerage fees on my trading? Yes. Did my commodity trading influence Bill's decisions as Governor? Absolutely not.²⁵⁹

Arkansas Governor William Jefferson Clinton was to name James Burton Blair to become a Democratic National Committeeman. Thereafter, Governor Clinton was to appoint Blair to the University of Arkansas Board of Trustees.

In a 2016 Public Broadcasting System FRONTLINE Interview with Callie Wiser,

Blair confirmed of Hillary:

I mean, we're talking about possible investments into things. And I said: "I've got a situation where there is a one-time-in-a-lifetime-shot. It's an 11-year cycle culmination in the cattle market, and there are people trading it that are sharing information. That gives us an edge. There's no such thing as insider information in commodity markets unless you steal the government's report." So I talk her into it.²⁶⁰

In the words of *Washington Post* reporters:

Blair...was privy to a daily 2:30 p.m. conference call, broadcast over the speaker phone at Refco's [i.e., the commodity brokerage firm of Ray E. Friedman & Company's, known also as Refco's] Springdale, Ark., office. On the line were key figures in the cattle business--buyers, feedlot operators, a Chicago pit trader, Refco brokers and sometimes Refco President Thomas Dittmer. Blair called them "the best cattle market group of traders that was ever put together."

While he [Blair] listened, they shared their predictions of what the market would do the next day, Blair testified [in Blair's subsequent litigation against Refco].²⁶¹ Ms. Clinton affirmed Blair "generous enough to share his expertise in trading commodities." Some *expertise*: "he listened."

No insider information in commodity markets. That gives us an edge. Did the Clintons deliberately undertake to profit at the expense of their counterpart investors

among the American public left ignorant that they, unlike Hillary Rodham Clinton, were denied Blair's edge of daily access to the finest circle of cattle market traders ever convened? According to Blair: "It was a brilliant opportunity. It had a lot of people sharing information."²⁶²

But if the S&P Goldman Sachs Commodity Index had been counted among benchmarks for commodities' performance most widely watched, and if cattle futures constituted more than half of the GSCI during the *early 1970s*, then how could an actual cattle market 11-year cycle culmination not be factored-into prices *before October 11, 1978*? Blair crows: "I ran \$40,000 into \$1.4 million net after taxes after an extensive tax audit and after a little bit of litigation for myself."²⁶³ Blair emphasizes of Hillary: "People think that she put in \$1,000 and made \$100,000 overnight. It was 18 months or something like that...."²⁶⁴ But if it took the Clintons 18 months to hit the jackpot, then why did *Journal of Economics and Finance* scholars test their jackpot's likelihood across fewer than ten months ("285-odd calendar days")?

Autobiographer Clinton continues:

Once the story about my commodity trading broke, the White House enlisted experts to review records of my trading. Leo Melamed, the former head of the Chicago Mercantile Exchange and a Republican, warned that if we asked for his opinion, he would give it regardless of the impact. After a thorough review of my trades, he concluded that I had done nothing by his conclusions. Our tax returns from 1979, which had reported the significant increase in our income from the commodity trades, had been audited by the IRS, and our records were all in order....²⁶⁵

The Yale Law School-educated author here has utilized the term ‘commodity trading’. It is rather abstract.

She thereby circumvents a more prosaic common noun: ‘cattle.’ If readers envision flesh-and-blood livestock in the real world, then many might howl in derision of such a tale as hers. For they could decide whether, if plebians like themselves become commodity brokerage firms’ clients, then it must be incredible that profits beyond 9,400 percent (amassed across, e.g., 202 trading dates) become bankable by means available to them. What hope had most Americans to partake in, e.g., Blair’s secret edge over *other* members of the American public?

The autobiographer flags the partisan alignment of Mr. Melamed. The autobiographer relays Melamed’s spring 1994 “thorough review” and determination “that I had done nothing wrong.” However, she here overlooks citing any additional professional opinions solicited in the perspective of subsequent revelations, e.g., odds of thirty-one trillion to one against comparable profit levels. Leo Melamed’s name nowhere else crops-up in her 528 pages-thick volume²⁶⁶ of history reaching into 2001.²⁶⁷

Some *luck*.

Ms. Clinton’s autobiography discusses her White House press conference of April 22, 1994. It was “Helen Thomas, dean of the White House press corps and a legendary journalist,”²⁶⁸ who opened the questioning of America’s First Lady:

“Do you know of any money that could have gone from Madison [Guaranty Savings and Loan] to the Whitewater [Development Company, Inc.] project or to any of your husband’s political campaigns?” she asked.

“Absolutely not. I do not.”

“Actually, on the same theme with your commodities profit--it is difficult for a layman and probably for a lot of experts, to look at the amount of the investment and the size of the profit.

Is there any way you can explain...”

And so I began to explain it. And explain it. And explain it again....²⁶⁹

Unfortunately for or laypersons, and likely unluckily for a host of experts hearing about odds of thirty-one trillion to one, her autobiography’s ensuing 303 pages pass *without* their author’s explaining it again and again.²⁷⁰

She published such selective autobiographical reminiscences in 2003, as if that *Journal of Economics and Finance* study by a trio of experts had not preceded it in 1994. In any case, research hereafter might clarify whether or not she ever rendered unmistakable to all of America’s people (“explain it again”) whatever relevance her 1978-1979 bonanza had to Blair’s 2016 Public Broadcasting System declaration:

“There’s no such thing as insider information in commodity markets, unless you steal the government’s report. So I talked her [Ms. Clinton] into it.”

FOLLOW THE MONEY.

ii. William Jefferson Clinton

Seminal DNA on erstwhile White House intern Ms. Monica S. Lewinsky’s dress was tested in 1998. That the seminal DNA proved anyone’s *except* that of President William Jefferson Clinton (and thereby indicated his innocence of, e.g., Oval Office malfeasance) was a one in 7.87 trillion possibility.²⁷¹ That evidence empowered a Presidential impeachment. Yet in fairness to President Clinton, weigh whether DNA

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testing did prove that: (1) it was 3.93 times more likely the dress's seminal evidence comported with that husband's actually honorable employer-employee relationship, than that (2) Arkansans' First Lady Clinton's cattle futures profitmaking stemmed from investing *skill* (maybe a one in 31 trillion possibility).

Nevertheless, some people who hazard money prove plain lucky. So maybe Ms. Clinton counts among them. Thirty-one trillion is roughly more than 3,875 times the planet's population! Correspondingly, perhaps Rome's Goddess Fortuna had blessed gambling risks run by Major Smith.

Beyond peradventure, homecoming cash (whether sinlessly netted *vel non*) fertilized Smith's University of Florida Levin College of Law career. That law schooling led to his apotheosis as America's Lawyer. Expert inquest (mathematically to insulate Star of the Bar Chesterfield H. Smith, Senior's legal biography from rooting in looting) might repolish his glamor as an American hero.²⁷² Whereas a legal education rooted in looted spoils, e.g., representing plunder that had been black-marketed with an eye toward currency profiteering (whereupon the resultant income remained forever unreported to the Internal Revenue Service), might erode anyone's heroic image.

VIII. CONCLUSION

As seen hereinabove, Mr. Smith's law firm boasts him having been styled "America's lawyer."²⁷³ That characterization awakens echoes of the "people's lawyer" mantle. For, as U. S. District Court Judge for the Southern District of New York Jed S. Rakoff recently reminded Americans, that was the title awarded the late Supreme Court Justices Louis Brandeis²⁷⁴ and Felix Frankfurter.²⁷⁵ Reassuringly, the preceding, preliminary assessment of fragmentary evidence does acknowledge the facial plausibility that Mr. Smith and his

wife had saved some \$3,500 from his military pay as of his 1945 Florida homecoming.

The preceding discussion also has reached toward ballpark-limits around the truth or falsity of America's lawyer's self-serving asservation that Smith won \$4,000 shooting craps at sea.²⁷⁶ The latter issue arouses legal history-human interest. For that \$4,000 helped finance his law school studies. Crap shooting fed his legal education.²⁷⁷ In turn, said schooling midwived his career climaxing (to the public's mind) in his Presidency of the American Bar Association.

Less reassuringly, an alternative arises to a dicey attempt to attribute Major Smith's \$4,000 to shipboard crap games-winnings. It is that some such dirty cash derived from Smith's profitable, pre-homeward voyage, military occupation tours in crushed Germany and agonized Czechoslovakia. For example, widespread looting (however tabooed) from civilians in one or another of those lands fattened the net worth of occupation troops. Yulia Latynina during 2022 denounced Russian soldiers' pillaging of occupied Ukraine. Ms. Latynina offered: "This is truly amazing. A modern army doesn't loot."²⁷⁸ But Ms. Latynina failed to cite authority behind her assertion. If she were aware of Ukraine's pressing need for external aid, then perhaps Latynina silently excluded the U.S. Army of 1945 from the ranks of modern armies.

Black marketeering (even if *verboten*) of stolen property to civilians (themselves dishonestly dispossessed, or struggling to survive in lands exhausted by World War II exigencies) opened doors to money-making for some U.S. soldiers. Heed Ferdinand Mount: "After 1945 the Sudetenland went back to the Czechs, and millions of Sudeten Germans were *vertrieben* [expelled] from those ever contested borderlands."²⁷⁹ Few if any among millions of Sudeten German expellees into Germany decamped from their ancestral motherland driving jumbo-sized moving vans to salvage their worldly goods.

Moreover, such was the status of Reichsmarks and Allied military marks respectively during Captain Smith's occupation duties that currency profiteering in itself (whether or not proscribed) afforded a method whereby swarms of men in uniform stuffed the pockets of their uniforms.

Were Star of the Bar Smith's legal biography rooting in looting, then proof thereof might engender widespread disillusionment. The Major's heavy harvest of profits, *ex hypothesi*, from character-besmirching projects might seem to imply Smithian cynicism about the rule of law within both America's military (wherein he wielded command), and in the U.S.-occupied Europe (wherein he enforced military occupation as local warlord). Nonetheless: *No man is above the law*. Agreeably for history, historians might control quantitative resources persuasive enough to confute any such suspicions clouding 1945's future American Bar Association President's war record. Too, in 2024 historians command Artificial Intelligence.

Observed hereinabove was the strange case of Star of the Bar Hillary Rodham Clinton. It encompassed cattle futures investments by her of Himalayan profitability. Expert statistical research has determined that theorizing investment market skills to explain such profits' provenance was likely correct at one chance in 31 trillion. The preceding pages (simply ground-breaking) might help facilitate future investigation toward alternative explanation thereof.

Likewise appreciated has been the odd case of former U.S. President William J. Clinton. That Star of the Bar's predicament entailed the provenance of mysterious seminal DNA on a dress of young White House intern Monica S. Lewinsky. Expert investigation into that DNA identified the statistical likelihood that innocent explanation of their relationship was probable at one chance in 7.87 trillion. Thereby, it identified

the likelihood whether her dress bore its cargo of DNA licitly or illicitly. Concededly, experts' probes evidenced President Clinton's innocence (behind closed doors) had been at least triply more likely than someone's 100-fold return from cattle futures investing being generated by skill between October 11, 1978, and July 3, 1979.

To reiterate, Mr. Smith's own version of the provenance of \$4,000 he pocketed pre-homecoming (crap shooting) summons sophisticated review. It seems apparent that never before have open source research capabilities been more potent or more respected.²⁸⁰ Expert dissection of evidence might more precisely identify, e.g., the statistical probability that Smithian rendition of his grasp of an entire year's worth of wages while seaborne (cash presumably prominent in 1946 upon his federal tax return for 1945) were true. Thereby, it could suggest the more nearly immaculate conception of his 1945 receipt thereof than of it rooting in looting. Otherwise, professional researches might evidence persuasively whether a legal biography's illicitly acquired seed-money conducted to a career adulterated by rooting in looting.

MORE IN SORROW THAN IN ANGER.

Notes

1. Moore, *A Life Well-Lived--Bill McBride of Tampa*, The Florida Bar News, April 25, 2019 <https://www.floridabar.org/the-florida-bar-news/a-life-well-lived-bill-macbride-of-tampa/>.

The instant enquiry complements the separate discussion in Swan, *A Watergate Lawyer-Hero's World War II Nazi Camps Response: A Chesterfield H. Smith Centenary Reappreciation*, The Elon Law Journal, vol. 11 (no. 1) (2018), 137-196.

2. Cong. Rec. vol. 149, no. 106, at S9583, July 17, 2003 (remarks of Sen. Nelson).

3. *Chesterfield Smith, 85, ABA Head During Watergate*, Washington Post, July 18, 2003 <https://www.washingtonpost.com/politics/chesterfield-smith-aba-head-during-watergate-/20>.

4. Nolin, *Chesterfield Smith, 85, Legal Giant in Florida*, Sun-Sentinel, July 18, 2003 (Fort Lauderdale) http://articles.sun-sentinel.com/2003-07-18/news/0307180042_1_chesterfield-smith--mr-sm. “Maya Bell of the Miami Bureau contributed to this report.” *Id.*

5. Word, *Ginsburg Dedicates Law Classroom at UF*, Ocala StarBanner, September 22, 2006 <http://www.ocala.com/article/LK/20060922/news/604242801/OS/>.

6. Holland & Knight: Our History <https://www.hklaw.com/History/>.

7. T. Brokaw, *The Greatest Generation* 307-317 (1998).

8. K. Walters and C. Van Ness, *Guide to the Chesterfield Smith Papers* (June 2009). University of Florida George A. Smathers Libraries – Special and Area Collections <http://web.ufl.edu/spec/pkyonge/smith.htm>.

9. Tillitt, *Army-Navy Pay Tops Most Civilians'; Unmarried Private's Income Equivalent to*

\$3,600 Salary, Barron's National Business and Financial Weekly, April 24, 1944 www.usmm.org/barrons.html.

10. Chesterfield Smith (title), at 15 URL <http://ufdc.ufl.edu/UF00006389/00001/print?options=1JJ> Site: University of Florida Digital Collections, UFLC 74 Inb Interviewee: Chesterfield Smith Interviewer: Julian Pleasants, Date: January 14, 2000, and March 9, 2000.

11. T. Brokaw, *supra* note 7, at 312.

12. L. Byrnes (ed.), *History of the 94th Infantry Division in World War II* 514 (1948) <https://archive.org/details/HistoryOfThe94thInfantryWWII>.

13. *Id.* at 1, 514.

14. Chesterfield Smith (title), *supra* note 10, at 8.

15. *Id.* at 9.

16. AskHistorians https://www.reddit.com/r/AskHistorians/comments/4j8zos/pay_of_american_gis_during.

17. Chesterfield Smith (title), *supra* note 10, at 9.

18. *Id.* at 10.

19. *Id.* at 11.

20. T. Brokaw, *supra* note 7, at 310.

21. L. Byrnes, (ed)., *supra* note 12, at 8.

22. *Id.* at 1, 18, 26.

23. AskHistorians, *supra* note 16.

24. Chesterfield Smith (title), *supra* note 10, at 74.

25. Rundell, *Currency Control by the United States Army in World War II: Foundation for Failure*, Pacific Historical Review, vol. 30, (no. 4) (1961), at 381, 388.

26. Lindsey, *The Widening Gap Under the Internal Revenue Code: The Need for Renewed Progressivity*, Florida Tax Review, vol. 5, (no. 1) (2001), at 1, 14-15, citing, e.g., 1 Standard Fed. Tax Rep. (CCH) sec. 141 (footnotes omitted). At the end of the footnote concluding this quotation, Lindsey continues: “Under the Act, Congress also reduced the normal tax from 6% to 3%.” *Id.* at 15 n. 86, citing 1 Standard Fed. Tax Rep. (CCH) sec. 141.

Be advised that, of 50 million tax filers, merely 13 paid taxes under wartime’s steepest income tax rate: 1945’s topmost percentile of earners, moreover, paid from its income 23.5 percent (under combined payroll taxes and federal income tax). Gramm and Solon, *The Biden Tax Mirage*, Wall Street Journal, May 13, 2021, at A17. (Dr. Phil Graham is former Chair of the U.S. Senate Banking Committee.)

27. Rundell, *supra* note 25, at 388.

28. Chesterfield Smith (title), *supra* note 10, at 15.

29. *Id.* at 16.

30. T. Brokaw, *supra* note 7, at 312.

31. S. Matthew, Working Script Great Floridian Chesterfield Harvey Smith 17-18 (April 7, 1997), Chesterfield Smith Papers. University of Florida George A. Smathers Libraries--Special and Area Studies Collections. Whereas Robert Nolin proclaimed: “He financed his initial tuition with money won playing poker on the way home from war.” Nolin, *supra* note 4. The difference is less trivial than appears at first glance. For poker, unlike craps, is a game of skill as well as chance.

32. R. Gould, *Mathematics in Games, Sports, and Gambling* 61-62 (2016) (2nd ed.); A. Morehead and G. Mott-Smith, *Hoyle’s Rules of Games* 226 (1963) (29th ed.).

33. Online Casino Bluebook (2017). <https://www.onlinecasinobluebook.com/education/tutorials/craps/>.

34. R. Gould, *supra* note 32, at 58 and 60. In one reference authority, the drawing introducing this game depicts four soldiers playing craps. A. Morehead and G. Mott-Smith, *supra* note 32, at 224.

35. A. Morehead and G. Mott-Smith, *supra* note 32, at 225.

36. Weisstein, “Gambler’s Ruin From *MathWorld* --A Wolfram Web Resource”, citing, e.g., Kraitchik, *The Gambler’s Ruin*, in *Mathematical Recreations*, sec. 6.20 <http://mathworld.wolfram.com/GamblersRuin.html>. The Attrition Ruin problem’s twist on the classic Gambler’s Ruin problem has the respective loser in each of the series of two-party wagers forfeit her bet (but the second party-winner collects nothing). In this attrition competition the side starting with the smaller cash-base is still less likely to ruin the counterpart with greater initial capital than is the party opening with the smaller wad of cash in the classic Gambler’s Ruin case.

Kaigh, *An Attrition Problem of Gambler’s Ruin*, *Mathematics Magazine*, vol. 5 (no. 1) (1979), at 22, 23-25.

37. L. Swedroe, *Rational Investing in Irrational Times* 46 (2002).

38. Weisstein, *supra* note 36.

39. Online Casino Bluebook, *supra* note 33. “There is little to skillful play in crapshooting other than knowing the odds concerned in various bets, and not placing bets when the odds offered are unfavorable.” A. Morehead and G. Mott-Smith, *supra* note 32, at 226.

40. R. Sugden and A. Williams, *The Principles of Practical Cost-Benefit Analysis* 54 (1978).

41. T. Crilly, *50 Mathematical Ideas You Really Need to Know* 183 (2007). [Issuu.com/boov/docs/50mathematicalideas/183](http://issuu.com/boov/docs/50mathematicalideas/183) (posted 2008).

42. J. Jones, *Craps* <https://people.richland.edu/james/misc/simulation/craps.html>.

43. R. Gould, *supra* note 32, at 61. 50.7% minus 49.3% equals 1.4%. Albert H. Morehead and Geoffrey Mott-Smith agree with Gould, percentagewise: “The odds are slightly (251 to 245, or about 1.4%) against the shooter, but most players choose to suffer this disadvantage.” A. Morehead and G. Mott-Smith, *supra* note 32, at 226. The majority of persons engaging in games of chance experience an illusion of control, thereby feeling like, e.g., “they can control the next roll of the dice....” U. Malmendier and T. Taylor, *On the Verges of Overconfidence*, *Journal of Economic Perspectives*, vol. 29, (no. 4) (2015), at 6. Meanwhile, note that Morehead and Mott-Smith see the shooter’s odds as winning 245 games and losing 251 games of 496 (i.e., losing 50.60483% of the time), not losing 251 games of only 495 (i.e., losing 50.70707% of the time).

44. Chesterfield Smith (title), *supra* note 10, at 14.

45. T. Crilly, *supra* note 41, at 184.

46. *Id*

47. *Id.*

48. J. Jones, *supra* note 42. Distinguish between each bet-upon, decided game and each shooter’s hand:

The first roll following a decision [i.e., the win/loss concluding the bet] is a new come-out roll, beginning the process again.

A shooter is permitted to roll the dice until he or she sevens out. The sequence of rolls by the shooter is called the *shooter’s hand*. Notice that the shooter’s hand can contain winning 7s, and losing decisions prior to the seven out. The *length* of the shooter’s hand (i.e., number of rolls) is a random variable....

Ethier and Hoppe, *A World Record in Atlantic City and the Length of the Shooter’s Hand at Craps*, *The Mathematical Intelligencer*, vol. 32, (no. 4) (2010), at 44, 45 (italics

in original). The record length of a shooter’s hand in a casino is 154 tosses consuming four hours and 18 minutes. *Id.*

44. The probability of so extended a shooter’s hand is one in 5.59 billion. *Id.* at 45.

49. D. Brown, *The Whiteness of Wealth: How the Tax System Impoverishes Black Americans--and How We Can Fix It* 15 (2021), citing Bedell, *Employment and Income of Negro Workers--1940-52*, *Monthly Labor Review*, vol. 76 (no. 6) (1953), at 596, 600.

50. M. Fridson, *High Yield Bond Prices Less Volatile than Math Suggests. Are the Dice Loaded?* (March 16, 2018) <http://www.leveragedloan.com/news/>.

51. R. Gould, *supra* note 32, at 61. “The shooter loses the dice when he gets a point and fails to make it. In this case, or when he voluntarily passes the dice, the player at his left becomes the next shooter.” A. Morehead and G. Mott-Smith, *supra* note 32, at 225.

52. M. Korda, *Ike: An American Hero* 114 (2007).

53. “Eisenhower’s first stint as officer of the day on a Sunday in October 2015....” C. D’Este, *Eisenhower: A Soldier’s Life* 98 (2002). Eisenhower turned 25 on October 14, 1915. *Id.* at 21.

54. Lehman, *A Life of Service and Good-Natured Irreverence*, *Wall Street Journal*, August 27, 2018, at A17 (casino craps, not street craps). Former Secretary of the Navy John Lehman reported with a straight face that in 2017 McCain returned to the *same table* in the casino 55 years later, bid a “very late farewell” to his dinner hosts and won 900 Euros “before the sun came up.” *Id.*

Reread the last three words in Lehman’s title. Lehman, like Smith, was not under oath. On the other hand, maybe the reputedly straight-arrow patriot’s (i.e., J. Sidney McCain, Junior’s) still-extant tax return for 2017 vindicates Lehman.

55. J. Toland, *Adolf Hitler* 489-497 ((1976).

56. H. Klemann, *Occupied Economies: An Economic History of Nazi-Occupied Europe, 1939-1945* 192 (2012).
57. *Id.* at 190, 192.
58. P. Crowhurst, *Hitler and Czechoslovakia: Domination and Retaliation* 66 (2013).
59. A. Roselli, *Money and Trade Wars in Interwar Europe* ch. 8(1) (2014).
60. *Monetary and Financial Reform in Germany*, *Monthly Review of Credit and Business Conditions*, vol. 28, (no. 9) (1946) (Federal Reserve Bank of New York), at 75.
61. *Id.*
62. *Id.*
63. G. Bannock, et al., *Dictionary of Economics* 89 (1998).
64. Bignon, *Cigarette Money and Black-Market Prices during the 1948 German Miracle* 10 (2009) (Semantic Scholar) https://www.google.com/search?q=czechoslovakia+1945+reichsmarks&ei=p4sJXa3_BM-. “This draft was completed while I was visiting the Mercatus Center at George Mason University.” *Id.* at 1 n.
65. J. Black, et al., *A Dictionary of Economics* 274 (2009) (3rd ed.).
66. Bignon, *supra* note 64, at 9, citing Hansmeyer & Caesar, *Kriegswirtschaft und Inflation (1936-1948)*, in Deutsche Bundesbank ed., *Wahrung und Wirtschaft in Deutschland 1876-1975*, 367-429 (Frankfurt am Main: Fritz Knapp GmbH, 1976).
67. *Id.* at 10.
68. E. Zeimke, *The U.S. Army in the Occupation of Germany 1944-1946* 276 (1975) (US Army Center of Military History) (CMH Pub 30-6) <http://www.history.army.mil/books/wwii/Occ-GY/>.
69. I. Sayer and D. Botting, *Nazi Gold* 26 (2016) (rev. ed.).

70. *Id.*
71. *Id.* at 27.
72. *Id.* at 26.
73. *Id.* at 27.
74. *Id.* at 23.
75. *Id.* at 22.
76. *Id.* at 23.
77. *Id.*
78. *Id.* at 23-24.
79. *Id.* at 24.
80. *Id.*
81. *Id.*
82. *Shack!* Language Log (posted by Mark Liberman, July 23, 2007), citing *Boeing Magazine* (November 1956) itre.cis.upenn.edu/~myl/language-log/archives/004741.html.
83. *Id.*
84. I. Sayer and D. Botting, *supra* note 69, at 24-25.
85. *Id.* at 26.
86. *Id.* at 25.
87. *Id.* at 28. By May, bombing also absolutely had devastated its successor Reichsbank-building. *Id.* at 31.
88. *Id.* at 26.
89. *Id.* at 38.
89. Berlin surrendered on May 1, 1945.

90. I. Sayer and D. Botting, *supra* note 69, at 39.

91. *Id.* at 40.

92. *Id.*

93. *Id.* at 42.

94. *Id.* at 44.

95. *Id.* at 37 and 77.

96. *Id.* at 46.

97. *Id.* at 47.

98. *Id.* at 48 and 77.

99. *Id.* at 48. This exemplified a strain “of political stratagem (General Spacil)”.

Id. at 211.

100. E. Zeimke, *supra* note 68, at 276. Whereas an alternative account relates: “During the early days of the American occupation there were no banks or exchange offices, no official exchange rate or financial market.” I. Sayer and D. Botting, *supra* note 69, at 244 (citing no source). This sentence might be reconciled with the US Army Center for Military History’s “3,000 banks open during May 1945,” if “early days of the American occupation” means very early indeed.

101. E. Zeimke, *supra* note 68, at 336.

102. During the occupation of France, censorious patriots had a phrase for the lifestyle of Frenchwomen who embarked on relationships with Germans-- *collaboration horizontale*. Now that the Germans were no longer occupiers but the occupied, and the women of the former alleged master race had a similar choice to make, the equivalent phrase was in English and it was “fraternization”. Soon the invented verb “to frat” became euphemistic shorthand for sexual relations between the occupiers and hundreds of thousands, even

millions, of German women. Frederick Taylor, *Exorcising Hitler: The Occupation and Denazification of Germany* 83-84 (New York: Bloomsbury Press, 2011).

103. I. Sayer and D. Botting, *supra* note 69, at 225.

The first two years after the war witnessed in Germany a sociological phenomenon without precedent in the history of modern Europe--that of universal concubinage. The practice was widely observed from the lowest to the highest ranks of the Allied armies. Among the lower ranks in the US Zone it was so widespread that German girls were kept quite brazenly in the barrack rooms of the big Army bases, and regular bed checks were necessary to root out female guests who were off-limits. Among the top brass the spate of high-class German mistresses--many of them of dubious Nazi background--threatened to spill over into public scandal. As a consequence of total promiscuity, the incidence of VD reached epidemic proportions.

Id. VD epidemic.

“Capt. Harvey Smith once bitterly remarked that he had the dubious distinction of commanding the highest battery in the highest battalion in the highest division in the highest army in the ETO [European Theatre of Operations], measured by its rate of VD.” Jim Wendell, Huck Finn and Tom Sawyer in World War II: Life with Orlin Runde in the 390th, 19-20 *in* The Institute on WWII and the Human Experience, Tom Brokaw Collection, 1941-97 (Robert Rubero & Kimberly York eds. 2001) Box 52, Folder 2 (Florida State University Special Collections & Archives) https://archives.lib.fsu.edu/repositories/6/archival_objects_14008.

104. The Hague Conventions and Declarations of 1899 and 1907, pp. 118 (Art. 28), 123 (Arts. 46 and 47) and 131 (U.S. ratification) (New York: Oxford University Press, 1915) (J. Brown ed.) (Convention IV Respecting the Laws and Customs of War on

Land).

105. I. Sayer and D. Botting, *supra* note 69, at 51.

106. *Germans Look Ahead*, Weekly Information Bulletin, (no. 21) (1945) (Office of the Director, Office of Military Government (U.S. Zone) United States Forces European Theater (Reports and Information Branch), at 30, 31.

107. *Id.*

108. S. Givens, Bringing Back Memories: GIs, Souvenir Hunting, and Looting in Germany, 1945, 248 (Athens, OH: Ohio University College of Arts and Sciences) (June 2010) (M.A. thesis).

109. I. Sayer and D. Botting, *supra* note 69, at 231.

110. Givens, *Liberating the Germans: The US Army and Looting in Germany during the Second World War*, War in History, vol. 21 (no. 1) (2013), at 35.

111. I. Sayer and D. Botting, *supra* note 69, at 222.

Indeed, the whole American effort was put in jeopardy by the criminal, not to say treasonable, conduct of certain members of the US Army Corps of Transport, who devised a profitable scheme which involved rerouting whole train-loads of gasoline tankers away from the Ardennes front, where the gasoline was urgently needed for American tanks, southward into liberated France, where it was siphoned off and sold for a fortune on the French black market. *Id.*

112. Jenkins, *The Joe Biden Mystery Dance*, Wall Street Journal, April 28, 2021, at A15. More generally, see, e.g., C. Glass, *The Deserters: A Hidden History of World War II* (2014).

113. E. Ziemke, *supra* note 68, at 219.

114. Givens (2013), *supra* note 110, at 42.

115. S. Givens (2010), *supra* note 108, at 92-93 n. 232, citing Army Information Branch, Army Service Forces, Pocket Guide to Germany 1 (U.S. Government Printing Office: 1944).

116. *Id.* at 105.

117. Givens (2013), *supra* note 110, at 50.

118. *Id.* at 51.

119. S. Givens (2010), *supra* note 108, at 103.

120. Givens (2013), *supra* note 110, at 42 n. 53.

121. XII Corps (United States) [https://en.wikipedia.org/wiki/XII_Corps_\(United_States\)](https://en.wikipedia.org/wiki/XII_Corps_(United_States)).

122. The move of 1945 during which Germany was invaded, conquered and occupied by the Allied armies were climactic months in a great and tragic period of human history. I am conscious and proud of the privilege I enjoyed during those months as a war correspondent attached to General Eisenhower's armies. O. White, *Conquerors' Road* 186 (2003).

123. *Id.* at 97.

124. I. Sayers and D. Botting, *supra* note 69, at 127.

125. *Id.* at 127-128.

126. *Id.* at 130.

127. *Id.* at 127 ("a week or two after" June 7), 128 and 130.

128. *Id.* at 130.

129. *Id.* at 134.

130. *Id.* at 130.

131. *Id.* at 130 and 134.

132. *Id.* at 130.
133. *Id.* at 131.
134. *Id.* at 130 (asterisk omitted). To that remote generation, the phrase “white man” was not a badge of opprobrium. Therefore, Singleton means the lady hit him with every term that did debase.
135. *Id.* at 130 n.
136. Latynina, *Russia Isn't a Military State. It's a Delusional One*, Wall Street Journal, May 1, 2022, at A17.
137. *Id.*
138. Judah, *The Russian Terror*, New York Review of Books, May 26, 2022, at 42.
139. *Id.* at 47.
140. *Id.*
141. *Id.* at 43.
142. *Id.* at 47.
143. *Id.*
144. L. Bojor, et al., *War-Tested Resilience in Ukraine: Surviving Year One*, Scientific Bulletin, vol. 28, (no. 2) (2023), at 1, 6-7 (published online June 14, 2023) (Sciento) <https://doi.org/10.2478/bsaft-2023-0001>.
145. *Appendix V. Military Occupation: Extract from Unrevised 1945 Manuscript*, in White, *supra* note 122, at 199, 205.
146. Saunders, *The Suitcase Part Two*, London Review of Books, August 13, 2020, at 31, 32.
147. M. Williams, *Chronology: 1941-1945*, 533 (1989) <https://history.army.mil/html/books/011/11-1/index.html>.

148. M. Gilbert, *The Day the War Ended: May 8, 1945--Victory in Europe* 82 (1995), citing Ryan, *A General's Death*, Daily Telegraph, May 8, 1945.

149. Wheatcroft, *Mogul of Mystery*, The New York Review of Books, October 7, 2021, at 40. “The territories of the erstwhile Czechoslovak Republic, occupied by the German Armies in March 1939, are hereby incorporated into the territory of the Greater German Reich and are placed under its protection as the ‘Protectorate of Bohemia and Moravia.’” Decree of the Fuehrer and Reich Chancellor Concerning the Protectorate of Bohemia and Moravia, March 16, 1939, art. 1(1).

Office of the United States Chief Counsel for Prosecution of Axis Criminality, Document No. 2119-PS 1939 Reichsgesetzblatt, Part 1 (translation), in *4 Nazi Conspiracy and Aggression* 485 (Washington, DC: United States Printing Office, 1946) (The Avalon Project: Documents in Law,

History and Diplomacy) (Yale Law School) <https://avalon.law.yale.edu/imt/2119-ps.asp>.

150. P.L., *Czechoslovakia Since 1945: A Brief Historical Sketch*, Fourth International, vol. 9 (no. 2) (1948) (E. O’Callaghan, transcription & mark-up), at 57-63 <https://www.marxists.org/history/etol/newspaper/fi/vol09/no02/Czech.html>.

151. Majersky, Ministry of Finance of the Slovak Republic. (2004). *Development of the Exchange Rate of the Czechoslovak Koruna*. BIATEC, vol. 12 (no. 1) (Narodna Banka Slovenska), 23, 23-24 <https://www.google.com/search?q=czechoslovakia+koruna+november+1945&rlz=1T4RV>.

152. Michalek, *The Tripartite Commission and the Czechoslovak Monetary Gold*, Historicky casopis, vol. 65 (no. 5) (2017), at 895, 918.

153. M. Gilbert, *supra* note 148, at 375.

154. *Id.* at 23.
155. *Id.* at 285-286 (footnote omitted). Gilbert translates *peklach* as ‘packages.’ *Id.* at 286 n. 1.
156. *Id.* at 346-347.
157. L. Byrnes ed., *supra* note 12, at 451 and 516.
158. Fifteenth United States Army http://en.wikipedia.org/wiki/Fifteenth_United_States_Army.
159. L. Byrnes ed., *supra* note 12, at 516; B. Dickerson, The Liberators of Pilsen: The 16th U.S. Armored Division in World War II Czechoslovakia 157 (2018). “Patton’s Third Army occupied much of the western Sudetenland.” D. Stafford, Endgame, 1945: The Missing Final Chapter of World War II 440 (2007).
160. Waters, *Remembering Sudetenland: On the Legal Construction of Ethnic Cleansing*, Va. J. of Int’l Law, vol. 47 (no. 1) (2006), at 70.
161. G. MacDonogh, After the Reich: The Brutal History of the Allied Occupation 127 (2007).
162. Nathans, *Stalin’s Lawyers at Nuremberg*, The New York Review of Books, September 23, 2021, at 38, 40.
163. Mount, *Why We Go to War*, London Review of Books, June 6, 2019, at 13.
164. Schiller, *Closing a Chapter of History: Germany’s Right to Compensation for the Sudetenland*. Case Western Reserve Journal of International Law, vol. 26 (iss. 2) (1994), at 402 n. 5.
165. *Id.* at 401n.4.
166. A. Read, Expulsion of the Sudeten Germans: Influence on the Socialization of Czechoslovakia 15 (2012).
167. *Id.*
168. F. Taylor, *supra* note 102, at 72.
169. D. Gerlach, The Economy of Ethnic Cleansing: The Transformation of the German-Czech Borderlands after World War II 115 (2017).
170. L. Byrnes, *supra* note 12, at 489.
171. *Id.* at 515.
172. E. von Kuehnelt-Leddin, Liberty or Equality: The Challenge of Our Time 270 (1952).
173. D. Gerlach, *supra* note 109, at 115.
174. *Id.*
175. Frederick Taylor, *supra* note 102, at 78.
176. P. Caquet, The Bells of Treason: The 1938 Munich Agreement in Czechoslovakia (2018).
177. *Id.* at 76.
178. WWII Veteran Transcript. Subject: Werner Kleeman. (June 16, 2009). Tape 5, side B. (Bobby Allen Wintermute, interviewer) (Matthew McCain, transcriptionist) (transcribed July 8, 2009) <http://qcpages.qc.cuny.edu/history/wwiiveterans/transcripts/werner%20Kleeman/wkleeman05.html>.
179. Rundell, *supra* note 25, at 381-382.
180. *Id.* at 382.
181. I. Sayer and D. Botting, *supra* note 69, at 232.
182. *Id.* at 241.
183. Givens (2013), *supra* note 110, at 41.
184. I. Sayer and D. Botting, *supra* note 69, at 231. Beware one noun. Monetarism

is: “The name applied to a theory of macroeconomics which holds that increases in the money supply are a necessary and sufficient condition for inflation.” G. Bannock, R.E. Baxter and E. Davis, *Dictionary of Economics* 278 (1998). Recall that, as quoted in the text at footnote 151, the Slovak Republic’s Ministry of Finance ascertained that in 1945 Czechoslovakia a substantial money surplus had ignited inflation. As seen in the text at footnote 215, Berlin’s mid-1945 inflation followed money supply expansion.

Insofar as rationing and price controls fail to address the money supply, Sayer and Botting err in their label (“rigid monetarist policy”). But insofar as rationing and price controls do induce shortages, which incite bidding-up prices, Allied policy exacerbated problems it undertook to solve.

185. I. Sayer and D. Botting, *supra* note 69, at 244. Legal-tender laws, like those in the U.S., only specify what currencies discharge debts, including the payment of taxes. Forced-tender laws remove the freedom of choice in the use of currencies for all transactions, including everyday purchases like groceries. When forced tender is imposed, all domestic exchanges, including those that traders would rather conduct in another currency, must be conducted in the currency designated by law. Forced tender laws are a communist staple.

Hanke and Hinds, *El Salvador’s Big Bitcoin Mistake*, *Wall Street Journal*, June 23, 2021, at A21. “Forced-tender laws are also common during military occupations. In World War II, a Nazi currency called Reichskreditkassenscheine was forced tender in conquered countries.” *Id.*

186. Rundell, *supra* note 25, at 386 and 397.

187. L. Byrnes ed., *supra* note 12, at 465. “With the end of the war and the collapse of morale and discipline that the end of the fighting inevitably entailed, serious crime

amongst the military soared.” I. Sayer and D. Botting, *supra* note 69, at 22.

188. E. Zeimke, *supra* note 68, at 336.

189. Rundell, *supra* note 25, at 398.

190. E. Ziemke, *supra* note 68, at 335-36, citing *inter alia* EUCOM, *Currency Control*, at 10 (footnotes omitted). “G-5 Civil Affairs Officer, division and higher.” L. Byrnes ed., *supra* note 12, at 525.

“[C]onversions are made for military occupation purposes at 10 reichsmarks to the dollar.” *Monetary and Financial Reform in Germany*, *supra* note 60, at 77 n. 1.

191. I. Sayer and D. Botting, *supra* note 69, at 223. The late Rutgers University psychologist Dr. Dorothy Dinnerstein determined:

The harassed, humanly muffled fathers of the boys who would later bloom for a few years as proudly raggedy, fiercely unco-optable new leftists were not heroes who went with streaming banners where noble deeds were done: they dutifully trotted off to an ugly place [World War II], in which success itself was in some sense morally disgraceful, and trotted back with the wherewithal to keep the hearth fires where life really burned stoked.

D. Dinnerstein, *The Mermaid and the Minotaur: Sexual Arrangements and Human Malaise* 265 (1977) (footnote omitted). Whether or not black marketeer Brigadier General Vaughn’s Get Rich Quick Trick with increasingly ragged Berliners proved in some sense morally disgraceful, Vaughn happily trotted homeward pocketing the wherewithal the General wanted.

192. *Measuring Worth: Exchange Rates Between the United States Dollar and Forty-One Currencies* https://www.measuringworth.com/datasets/exchangeglobal/result.php?year_source=1944&...

193. *Germans Look Ahead*, *supra* note 106, at 31. During December 1923, mailing a letter in the Weimar Republic cost 50 billion marks. J. Grable, *An Inflation Primer*, Journal of Financial Services Professionals, September 2021, at 11, 12. “Inflation essentially destroyed the savings, pensions, and livelihoods of millions of Germans.” *Id.*

194. Rundell, *supra* note 25, at 398.

195. N. Schadlow, *What Happens After Victory?: War and the Art of Governance* 114 (2017).

196. *Id.* at 116.

197. S. Givens (2010), *supra* note 108, at 107.

198. I. Sayer and D. Botting, *supra* note 69, at 221.

199. Chesterfield Smith (title), *supra* note 10, at 12-13.

200. W. Kleeman, *From Dachau to D-Day* 142-143 (2006).

201. Chesterfield Smith (title), *supra* note 10, at 13.

202. S. Matthew, *supra* note 31, at 16.

203. Initially the Commander-in-Chief and Military Governor on the American side was General Eisenhower, but in reality he was more of a prestigious figurehead, who had won his spurs in war rather than government, and the effective day-to-day running of the American Zone of Germany fell on the shoulders of his Deputy Military Governor (who later became Military Governor and later still Commander-in-Chief as well), General Lucius D. Clay.... I. Sayer and D. Botting, *supra* note 69, at 188.

204. D. Eisenhower, *Eisenhower: At War, 1943-1945*, 761 (1986).

205. *Appendix V. Military Occupation: Extract from Unrevised 1945 Manuscript*, in O. White, *supra* note 142, at 199, 201. America’s Milt Felsen mused retrospectively upon Germans he saw in Salzwedel immediately after the U.S. Army’s mid-April 1945

arrival: Who were these people who appeared magically from nowhere to kiss the feet of yesterday’s enemy? They were survivors, the anonymous, nonparticipants, the uninvolved, the masses. And they were wiser perhaps than appeared at first glance. After all, what real difference did the cast of characters at the top mean to them? They still would have to find work to do, scratch for bread, pay rent, struggle for bare existence, and pay tribute to the powerful. M. Felsen, *The Anti Warrior: A Memoir* 238 (1989).

206. Chesterfield Smith (title), *supra* note 10, at 97.

207. S. Givens (2010), *supra* note 108, at 107-108.

208. I. Sayer and D. Botting, *supra* note 69, at 223, citing Charles L. Mee, *Meeting at Potsdam* (London: 1975).

The expulsion and killings of the Sudeten Germans of Czechoslovakia also continued apace. Even as the Big Three met [at Potsdam], there was an explosion at an ammunition dump near Usti, a Sudeten town known as Aussig, on the River Elbe. Although it was an accident, it was attributed by the local Czech militia to Nazi Werewolves [postwar resistance], and a massacre followed: Germans were shot down in the street, women and children werethrown into the river, several hundred people perished, and yet more fled to the West.

D. Stafford, *supra* note 159, at 502.

209. E. Ziemke, *supra* note 68, at 337 (footnotes omitted).

210. G. Wheatcroft, *Europe’s Most Terrible Years*, *The New York Review of Books*, December 17, 2020, at 72, 73.

211. C. Goeschel, *Suicide in Nazi Germany*, ch. 1, sec. V (2009).

212. E. Ziemke, *supra* note 68, at 337.

213. W. Stivers and D. Carter, *The City Becomes a Symbol: The U.S. Army in the Occupation of Berlin, 1945-1949*, 1 (2017) <https://history.army.mil/html/books/045/45-4/index.html>.

214. *Id.* at 4-5.

215. S. Givens (2010), *supra* note 108, at 248.

216. W. Stivers and D. Carter, *supra* note 213, at 118. Historian Jenny Unglow explains of Berlin: “People could move freely between different [e.g., U.S.S.R., U.K., and U.S.] zones, sampling contrasting strategies of ‘denazification’.” Unglow, *Silences and Scars*, *New York Review of Books*, October 20, 2022, at 18, 20.

217. I. Sayer and D. Botting, *supra* note 69, at 226. “In the ruined, disease-ridden city, men and women struggled to make a living. The black market flourished.” Unglow, *supra* note 216, at 20.

218. Givens (2013), *supra* note 110, at 42.

219. “Besides cameras and watches, civilian pistols and other weapons garnered the GI’s attention.” *Id.*

220. E. Ziemke, *supra* note 68, at 333.

221. Chesterfield Smith (title), *supra* note 10, at 14.

222. Lindsey, *supra* note 26, at 15, citing 1 *Standard Fed. Tax Rep.* (CCH) sec. 142.

223. Bittker, *Taxing Income from Unlawful Activities*, *Case Western Reserve Law Review*, vol. 25 (Fall) (1974), at 130.

224. *Id.* at 143.

225. Ermey, *Betting on Sports? Deal in the IRS*, *Kiplinger’s Personal Finance*, July 2018, at 15.

226. W. Shirer, *The Rise and Fall of the Third Reich: A History of Nazi Germany* 1139-

1140 (2011) (Fiftieth Anniversary ed.).

227. L. Mosely, *Marshall: Hero for Our Times* 392 (1982). Reiterates University College London’s Neal Ascherson: “Forty percent of Germany’s housing had been destroyed; daily calorie consumption in the British occupation zone was down to 1,050 by early 1947.” Ascherson, *By the Skin of Our Teeth*, *New York Review of Books*, May 24, 2018, at 53.

228. M. Felsen, *supra* note 205, at 242.

229. *Id.*

230. *Id.* at 243.

231. *Id.* at 245.

232. *Id.* at 236.

233. *Id.*

234. *Id.*

235. *Id.* at 238.

236. *Id.* at 240.

237. *Id.* at 241-242.

238. O. White, *supra* note 122, at 97.

239. I. Sayer and D. Botting, *supra* note 69, at 227.

240. *Id.*

241. M. Felsen, *supra* note 205, at 239-241.

242. *Id.* at 237.

243. Erb, et al., *The Strategic and Tactical Value of Commodity Futures*, *Financial Analysts Journal*, vol. 62 (no. 2) (March/April 2006), at 69, 94.

244. *Id.*

245. *Id.* at 70 (Figure 1).

246. *Id.* at 71 and 94. From 1982 through 2003, cattle represented a commodity the price of which did dependably rise with inflation. Hulbert, *Commodities Aren't Likely to Boost Investment Performance, History Says*, Wall Street Journal, August 7, 2023, at R6.

247. Hulbert, *What Investors Should Understand About Inflation*, Wall Street Journal, September 5, 2021, at R1, R2.

248. *Id.*

249. *Id.*

250. Labaton, *Hillary Clinton Turned \$1,000 into \$99,540, White House Says*, New York Times, March 30, 1994, <http://www.nytimes.com/1994/03/30/us/Hillary-clinton-turned-1000-into-99540-white-house-says>.

251. Hosenball, *Hillary's Adventures in Cattle Futures Land*, Newsweek, April 10, 1994, <http://www.newsweek.com/hillary's-adventures-cattle-futures-land-187048>.

252. Engelberg, *New Records Outline Favor for Hillary Clinton on Trades*, New York Times, May 27, 1994, <http://www.nytimes.com/1994/05/27/us/new-records-outline-favor-for-hillary-clinton-on-trades>.

253. Babcock, *Hillary Clinton Futures Trades Detailed*, Washington Post, May 27, 1994, at A01, <http://www.washingtonpost.com/wp-srv/politics/special/whitewater/stories/wwtr940527.htm>.

254. Labaton, *supra* note 250.

255. Anderson, et al., *A Note on Odds in the Cattle Futures Market*, Journal of Economics and Finance, vol. 18 (no. 3) (Fall 1994), at 357.

256. *Id.* at 360.

257. *Id.* at 363.

258. Yatter, et al., *Insider Trading in Commodities Markets: An Evolving Enforcement*

Priority, Latham & Watkins Client Alert White Paper (no. 2827) (March 11, 2021), at 1-2 lw.com/admin/upload/SiteAttachments/Alert%202827.v5pdf.

259. H. Clinton, *Living History* 224 (2003).

260. Wiser, *The FRONTLINE Interview: Jim Blair*, PBS North Carolina (September 27, 2016) pbs.org/wgbh/frontline/article/the-frontline-interview-jim-blair/. “I had 11 other people that were close to me that I talked into getting into this once-in-a-lifetime opportunity,....Hillary was one of those 11 people.” *Id.* “According to the White House official, Blair passed on trade orders for about a dozen other people besides Clinton.....” LaFraniere and Babcock, *A Lawyer Placed Hillary Clinton's Commodity Trades, White House Says*, Washington Post, April 10, 1994. Staff researcher Lucy Shackelford contributed to their report. [washingtonpost.com/archive/politics/1994/04/10/lawyer-placed-hillary-clintons-commodity-trades-white-house-says/bbe9549e-f27f-4654a0a6-c52f9519144/](https://www.washingtonpost.com/archive/politics/1994/04/10/lawyer-placed-hillary-clintons-commodity-trades-white-house-says/bbe9549e-f27f-4654a0a6-c52f9519144/).

261. LaFraniere and Babcock, *supra* note 260.

262. Wiser, *supra* note 260.

263. *Id.*

264. *Id.* “I don't think people understood that this was an 18-month slog.” *Id.*

265. H. Clinton, *supra* note 259, at 224. “Because Clinton was the only one authorized to trade her account, [commodity brokerage firm Ray E. Friedman and Company's Springdale, Arkansas, office's head broker Robert L. “Red”] Bone technically violated trading regulations by taking her orders from Blair, according to Leo Melamed, the former chairman of the Chicago Mercantile Exchange.” LaFraniere and Babcock, *supra* note 260.

266. H. Clinton, *supra* note 259, at 551.

267. *Id.* at 526-527.

268. *Id.* at 208.

269. *Id.* at 225.

270. *Id.* at 540.

271. The Starr Report: The Official Report of the Independent Counsel's Investigation of the President⁴³ (1998), citing FBI Lab Report, 8/17/98, at 2.

272. When Chief Justice William Rehnquist dissented in the flag-burning case of *Texas v. Johnson*, he raised Ralph Waldo Emerson's poem *Concord Hymn*, the 1812 burning of Washington and attack on Fort McHenry, the *Star Spangled Banner*, John Greenleaf Whittier's poem *Barbara Frietche*, Iwo Jima and Mount Suribachi, the Inchon landing, Flag Day, the Pledge of Allegiance, and John Philip Sousa's *The Stars and Stripes Forever*. *Texas v. Johnson*, 491 U.S. 397, 422-426 (1989) (Rehnquist, C.J., dissenting). But Mrs. Ross's link to Old Glory is problematical: "The legend of Betsy Ross was omitted." Swan, *The Political Economy of Congressional Social Policymaking: United States v. Eichman and Texas v. Johnson*, North Carolina Central Law Review, vol. 19 (no. 2) (1991), at 146, 150.

273. Holland & Knight: Our History, *supra* note 6.

274. Rakoff, *A Prisoner of His Own Restraint*, New York Review of Books, November 3, 2022, at 39.

275. *Id.* at 40.

276. Some consensus, concededly, might believe even comparably extreme gambling losses aboard Second World War (whether or not postwar) troopships. En route to Egypt from Britain aboard his vessel, Randolph Churchill still is said, J. Ireland, Churchill & Son (New York: Dutton, 2021), to have gambled away to other officers' 850 pounds. The unlucky husband telegraphed his wife that her spouse expected Mrs. Churchill to make

good his indebtedness. So, as she was to claim: "I sold all my wedding presents, including some diamond earrings and a couple of nice bracelets." *Queen Mother of the Clinton Court*, New York, January 18, 1993, at 24, 29. Skepticism might arise over whether British wartime troops gambled so heavily *on credit*. Or perhaps exceptions applied for extending credit to Prime Minister Winston S. Churchill's offspring.

277. A \$4,000 sum annually earning 5.9 percent calculated quarterly through the 78 years from September 1945 to September 2023 would be worth \$385,555.33. Compound Interest Calculator, U.S. Securities and Exchange Commission investor.gov/financial-tools-calculators/calculators/compound_interest_calculator.htm. Steal the seed, steal the harvest?

278. Latynina, *supra* note 136, at A17.

279. Mount, *supra* note 163, at 12.

280. See, e.g., E. Higgins, *We Are Bellingcat: Global Crime, Online Sleuths, and the Bold Future of News Publishing* (2021).

281. Servicemen's Adjustment Act of 1944, ch. 268, 58 Stat. 284 (1944).

282. Chesterfield Smith (title), *supra* note 10, at 8.

283. U. Lee, *The Employment of Negro Troops* 241 (2000), citing Bingham, *The Army Personnel Classification System*, *Annals of the American Academy of Political and Social Science*, vol. CCXX (March 1942), at 21; and W. Bingham, *Post War Education of Negroes: Educational Implications of Army Data and Experiences of Negro Veterans and War Workers* 25 (1945) (A. Caliver ed.).

284. H. Eysenck, *The Structure and Measurement of Intelligence* 83 (2009).

285. International Society for Philosophical Enquiry, https://www.thethousand.com/tests_test_scores.php.

APPENDIX

Specific Item Two for Expert Investigation

Another self-congratulatory, Smithian oral history anecdote presents itself. Sidney L. Matthew attributed partial financing of Mr. Smith's postwar University of Florida endeavors to his golden touch-seaborne crap shooting. The Second World War's veterans were assisted financially in pursuing higher education through the famed Servicemen's Readjustment Act of 1944²⁸¹ ("GI Bill"). Regarding this case, however, some top-rank universities might not have levied fees at all upon a matriculating ex-Major Smith. Instead, they might have bid against one-another to subsidize his presence.

Mr. Smith on January 14, 2000, assured posterity and his guilelessly receptive (even congratulatory) University of Florida Digital Collections interviewer Julian Pleasants) about Smith's Army achievement of 1941:

S:I will give you a summary of the thing. I know that Spring, early like February (which is not really Spring), we were in Camp Blanding there, back. They gave us something in the nature of (maybe it was a regular) IQ test. There were almost 19,000 people in our division, and I understand that I made the highest grade on the IQ test. I believe that the perfect score was 180, and I made 180. Nobody else in the whole division made higher than 176.

P: It must have been that [roughly one year, as prewar teenager, of Smith's] University of Florida education.

S: I guess. I had always read extensively since I was six years old, and that was probably a lot of it. I applied, as I remember in February after that

for Officer Candidate School. We were moved somewhere about March, out to Waco, Texas, to an Army camp out there, Camp Bowie maybe. I was notified out there that I was accepted to Officer Candidate School.²⁸²

Mr. Smith hearkens to his Army General Classification Test. Or so his understandably hazy dating decades later signals. For according to the U.S. Army Center of Military History: "The chief test on which classification was based was the Army General Classification Test (AGCT). This test, given generally from March [not February but more early spring, as Smith sensed in recall] 1941 on, had been devised to help the Army sort soldiers according to their ability to learn. It was crafted to separate the fast learners from the slow."²⁸³

Future attorney Smith's score of 180 cries for confirmation. For the mean Army General Classification scores for examinees who had been accountants and attorneys before their entry into the Army was only 128.²⁸⁴ Today, the International Society for Philosophical Enquiry restricts membership to applicants with intelligence quotients above 99.9 percent of the population. It accepts applicants with a raw score of only 157 on the pre-1976 Army General Classification Test.²⁸⁵ This utilization of the pre-1976 Army General Classification Test tends to vindicate Mr. Smith's recollection thereof as something in the nature of an IQ test.

Quaere, whether Mr. Smith scored 118, as guiltlessly misrecalled in the evening of his memory to have been 180. Yet if Mr. Smith's 180 score actually attributed to him the level of speediest learner among 18,000 to 19,000 examinees, then his score seems a credential counting him among matriculants making any university he might select postwar the envy of its counterparts. Observe that he associates his Mount Everest-topping score with spring in Camp Blanding. Suppose he was moved to Texas only in

March (or even later: “somewhere about March”). Thereby he could have been tested at Camp Blanding during March. That month comports with the U.S. Army Center of Military History’s timeframe. That month presents a more springlike span than February (“which is not really Spring”).

Alternatively, judge the bankability that over 18,000 personnel were tested (not simultaneously) with enlisted man Smith. Ponder if the Army thought everyone in the division still required sortation by ability to learn. Mr. Smith fails to affirm (literally) his score superior to those of 18,000 or more among his Army brethren tested. Instead, he scored (literally) atop other examinees. Their total remains unfathomed. *Quaere*, whether his precise wording 58 years after the fact leaves open the door to a total of, e.g., three examinees that afternoon. Whereas identified with mathematical certainty proves his fast-learner testing *score*. It proved perfect and unmatched. To date, his datum’s credibility depends upon the reliability of recollection dictated in 2000, 58 years after the fact. That was the year he reached the age of 83. In 2022, President Joseph Robinette Biden, Jr., turned 80.

Upon excavation of evidence (e.g., Mr. Smith’s U.S. Army file, and his household’s financial records) by disinterested, professional third-parties (if only thanks to timely and unstinting cooperation from Mr. Smith’s estate), substantiation of his IQ/AGCT summit-score might be published for posterity. Said substantiation can fortify his credibility concerning more sensitive assertions associated with his military experiences. Those include the alleged gambling-winnings carried-off his boat from Europe. And said substantiation (refreshing his fame for the future) might crown him in glory he deserves. Whereas resistance to said substantiation could convey a contrary lesson all its own.

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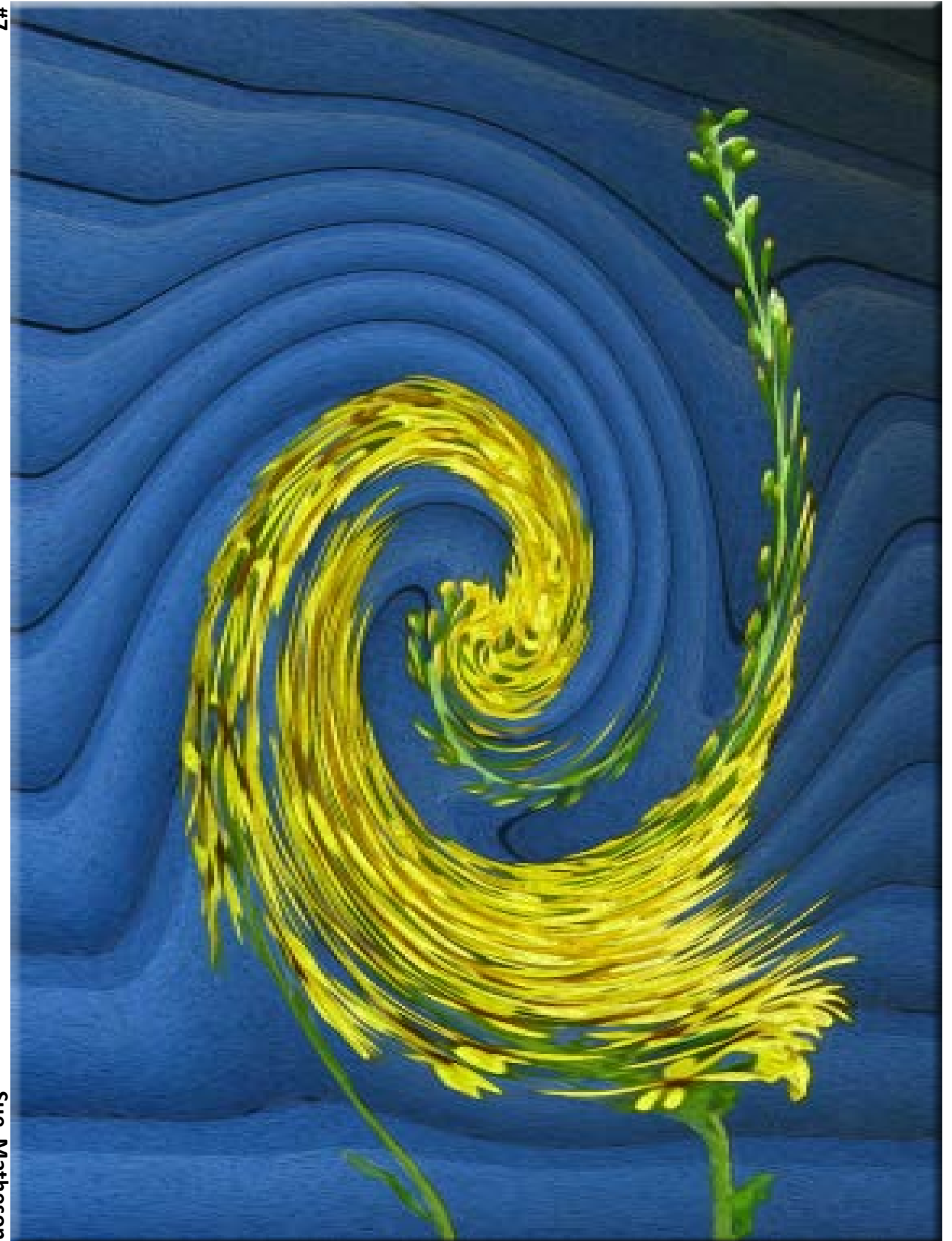
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#7



Sue Matheson

KILLING FOR LIVING: EXPLAINING THE ECONOMIC ESSENTIALS OF IBADAN CENTRAL ABATTOIR, AMOSUN, 2009-2021

Thaddeus T. Ityonzughul
Benson Idahosa University,
Benin City, Nigeria

Abstract

This article examines the economic essentials or benefits of Ibadan Central Abattoir (ICA), Amosun between 2009 and 2021. It argues that abattoir is a global industry that has attracted the attention of scholars the world over. However, the academic inquiries on abattoirs are not historical in nature and have also neglected the positive aspects of abattoirs. Also, they have not hinged directly on the ICA. It is this gap accentuated by the extant literature that prompted this study. The study adopts an interdisciplinary methodology, using primary, secondary, and tertiary sources of data collection for the analysis of the phenomena. It reveals that the ICA has affected (positively and negatively) the economy and society of the host community, Oyo State, and Nigeria from a broader perspective. It concludes that the positive effects of the ICA surpass the negative ones.

Though, this study does not claim that the ICA has totally transformed the economy of the stakeholders. The argument is that the ICA contributed marginally to the economy of and society of the people, largely because of the challenges that bedeviled the facility since its inception up to 2021. The study, therefore, offers a roadmap regarding the ways of nipping in the bud the challenges of the ICA for its optimal performance and sustainability for the betterment of the economy and society of the stakeholders.

Keywords: Killing; Cows; Economic Essentials; Central Abattoir; Ibadan

Introduction

In attempting to cope with his daily challenges, man has engaged in diverse economic activities. Some of these activities are agriculturally inclined relating to crop production while others focus on diverse agri-businesses including animal husbandry and pastoralism. The animal aspect of the economic activities of man motivated the establishment of abattoirs, globally. This is done for capital formation and the dietary needs of man. Abattoir has become a topical issue in the academic discourse in Nigeria and elsewhere in the world. In Nigeria, a lot of work has been done on abattoirs. For example, J. Y. Magaji and C.D. Chup hinged their study on, “The Effects of Abattoir Waste on Water in Gwagwalada- Abuja, Nigeria”¹ emphasizing that untreated waste from the slaughterhouse is properly managed, at times they discharged into open drainage which flows into the nearby and the adjoining streams. The implication is that the leachate from the dumped and decomposed waste usually percolates into the soil and also flows into streams thereby endangering human health.

Similarly, Y.O. Bello and D.T.A. Oyedemi, delve into the study of “The Impact of Abattoir Activities and Management in Residential Neighbourhood: A Case Study of Ogbomoso”.² The study discloses that mismanagement of the abattoir paves way for the air and water pollution and the most affected people are those whose residences are closely located to the slaughterhouse. The authors, therefore, note that the health implications of the said abattoir to man are numerous, ranging from coughing, typhoid, diarrhea, malaria, fever, and muscle pains, among others. To address these challenges, the study recommends the exclusion of abattoirs from the residential neighborhood. Y. Buhari, A, S.M. Dabai, and A. Abdulazeez in their joint study of “Abattoir Management: A Case Study of Malumfashi Local Government, Katsina State, Nigeria”³ reveals that lack of poor management of abattoir usually results in infectious diseases or even life-threatening morbidities. The study identifies the challenges of the abattoir spanning from substandard facilities, mismanagement, and paucity of funds. The study calls for the intervention of the government and other relevant stakeholders to enhance the proper management of the facility.

Relatedly, O.O. Olusola-Makinde, D.T. Orotupin, and F.C. Adetuyi invested twelve months into a study of “Year-round Bacteriological Quality of Onyearugbulem Abattoir Waste and Allied Water Bodies in Akure, Nigeria”.⁴ The study postulates that Nigeria’s abattoir, including the one under review, are unmechanized and ill-equipped, and constructed by non-architect. The unmechanical and structural deformity paves the way to poor management which in turn exposes humanity, animals, and animal products to infectious diseases. Their study of the facility shows a high level of bacteria in the surface associated with Onyearugbulem and cautions against the associated health risks of these bacteria.

O.Osibanjo and G.U. Adie’s which examines “Impact of Effluent from Bodija Abattoir on Physioco-chemical Parameters of Oshunkaye Stream in Ibadan City, Nigeria”⁵ states that good quality water is scarce. This arises as a result of untreated effluents being discharged into surface water bodies. The authors investigate the qualities of effluent and stream water (before and after mixing effluent) using basic water parameters. The study shows that Oshunkaye falls in the class of grossly polluted water after mixing with effluent from the slaughterhouse. Before the mixture, it fall in the class of partially polluted. This is the implication that the slaughterhouse effluence has to be treated before discharging in the receiving stream for the safety of humanity.

The above extant studies have shown that a historiographical gap exists on the subject of the abattoir. Better still, the above literature shows that there is no or near absence of literature on the positive/economic aspects of abattoirs. This study intervenes to close the existing knowledge gap by analyzing the extent of the contributions of the ICA to the economy and society with a specific reference to the people of Oyo State and Nigeria from a broader perspective. Methodologically, the study employs the interdisciplinary approach in line with the use of primary and secondary sources of data (in another way it adopts qualitative methodology with empirical data) to examine the economic essentials or benefits of the ICA. The fieldwork consists essentially of identifying printed materials in form of books, journal articles, and internet materials that treat the issues relating to the abattoir in Ibadan, Nigeria, and elsewhere in the world. Besides, oral interviews were conducted with cattle traders, government representatives (civil servants- veterinary and medical doctors) canteen operators, drivers, university lecturers, and members of the general public for the purpose of corroborative analysis and objectivity. Neither of these sources could be considered inferior or subordinate to the other, but rather complement

each other. Sequentially, besides the introduction, the paper conceptualizes abattoir, traces the location and historical foundations of the ICA, examines its economic benefits as well as the debilitating challenges that accompanied the facility under consideration. The paper attempts a concluding thought and advances some policy options that would help in stemming the tide of challenges that impeded the ICA during the period under consideration.

Abattoir Conceptualized

This segment of the paper attempts a scholarly and contextual analysis of the word abattoir. A.S. Hornby, on the one hand, conceptualizes abattoir as a place where slaughtering of animals and processing of meat products for human consumption is performed.⁶ Food Agricultural Organization, on the other hand, defines an abattoir as a formally established institution that ensures humane handling of animals and hygienic processing of meat animals and their products.⁷ As colorful as this definition seems to be, it has not shown a true picture of how animals are handled in the course of transporting them to slaughterhouses in Nigeria. For example, most animals that are brought to slaughter at the ICA are usually transported from the Northern part of the country. These animals, especially cows, are usually maltreated while they are still alive which is against the rules and regulations governing their handling. At times they are tied in ropes to one another; sometimes the ropes pass through their nose causing them injuries and difficulty in breathing. In many cases, the cattle dealers tied ropes to their horns and twist their necks to enable them to have a space in the truck to carry as many as possible per trip. Due to this horrible treatment, many animals died on the way to the ICA.

Abattoir establishment is supposed to ensure that final products produced follow adequate antemortem and post mortem inspection as well as hygienic processing to

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ascertain safety before retailing and distribution to the public.⁸ However, the above assertion contradicts what is obtainable in many abattoirs across the Nation. The Central Abattoir Ibadan (ICA) also lacks the facilities and capacity that depict the meaning of abattoir as stated above. The lack of ultra-modern facilities has degraded the level of hygiene that suppose to maintain at the ICA. The processes and methods the ICA customers use in transporting the meat from the abattoir to their various food canteens across the town are equally unhygienic. Some transport the meat from the abattoir to their various food centers using motorcycles. These meats are usually exposed to specks of dust and flies thereby exposing them to health hazards. Those customers who usually hire the services of commercial drivers known in the Yoruba language as *Maruwa* also experience the same challenges. Similarly, C. Alimentarius looks at abattoir as:

[a] licensed facility that has been duly registered and approved by the controlling authority to collect, slaughter, and process animals to ensure the production of safe and wholesome meat for human consumption. It applies to premises provided by relevant authorities for butchers and other animals meat handlers for the slaughter and processing of livestock to produce meat.⁹

In the process of performing the above tasks, abattoirs suppose to ensure surveillance of animal diseases at the time of slaughtering to avoid zoonotic transmission to humans through meat consumption. Contributing to the meaning and content of abattoir, the *Columbia Electronic Encyclopedia* was more forthcoming when it states that:

[a]n abattoir is a building for butchering. The abattoir houses facilities

to slaughter animals; dress, cut, and inspect meats; refrigerate cures, and manufacture byproducts. The largest abattoirs are those of the meatpacking industry. Plant construction, drainage, water supply, disposal of refuse, and all operations are under government regulations.¹⁰

The material above provides a comprehensive meaning of abattoir. Deducing from the above conceptual underpinning, it is clear that the ICA meets some characteristics of abattoir like slaughtering and inspection of meats. Despite these, the facility lacks pipe-bone water, electricity, and modern facilities to refrigerate processed meat. Moreover, the abattoirs lack machines for proper waste disposal thereby constituting a threat to human and animal health. Additionally, Y. Buhari, A. S.M. Dabai, and A. Abdulazeez observe that

[a]battoirs are facilities approved for the collection, inspection, and slaughter of food animals for human consumption. The facilities are established to centralize slaughtering processes and ensure the safety of meats and meats products. However, if not properly managed, abattoirs are good sources of infection or even life-threatening morbidities.¹¹

Extrapolating from the above definitional analysis, this paper conceives abattoir as a slaughterhouse or a facility where animals are killed by men primarily for earning a living. It is a business venture or an industry that provides a source of income to man and also satisfies his dietary needs. It is a licensed and registered agri-business where animals are killed basically for capital formation or economic purposes. Abattoir provides funds to the individual businessmen and both local and state governments (in this case the ICA

provides funds to Akinyele Local Government Area and the Oyo State Government of Nigeria).

Location and History of Ibadan Central Abattoir, 2009 - 2021

Amosun is a settlement and one of the wards in Akinyele Local Government of Oyo State. Amosun ward is among the eleven local government areas that make up the Ibadan metropolis (with a projected population of 3 million).¹² Amosun has two main markets for cattle products, namely: Kara Market (with abattoir services) and Ibadan central abattoir. The ICA is located at Kilometre 16, Ibadan Oyo Express Way, Ibadan. The ICA is situated on a ten-hectare land in Amosun. This project was initiated in 2009 by the Adebayo Alao Akala (the the Governor of Oyo State) as a Build Operate Transfer (BOT) project for 30 years. The development continued with Governor Abiola Ajimobi who succeeded Akala.¹³

Before the establishment of the ICA, there was no central slaughterhouse, and as such butchers in Ibadan operated on different places in different slabs. According to Yinka Fatoki, the then Executive Secretary of the Oyo Bureau of Investment Promotions and Private Partnership, the decision to move all the abattoirs in Ibadan to a central place was based on sanitary and health needs of the inhabitants of Oyo State.¹⁴ The ICA according to Fatoki came into the limelight because of the unsanitary situations of the major slabs at Bodija, Aleshinloye, and Gege areas of Ibadanland, amongst others.¹⁵ To corroborate on the health status of the abattoir, Governor Abiola Ajimobi noted during the opening ceremony of the ICA that, the slaughterhouse provides both modern and traditional slaughtering methods, rapid turn-around, and proper hygienic conditions in comparison to the informal structure that did not permit for unhygienic slaughtering and meat distribution in the State.¹⁶ Associated with the above, the *Guardian Newspaper*, Femi *the quint: an interdisciplinary quarterly from the north* 197

Ibirogba brings to the fore that the ICA is a Public-Private-Partnership (PPP) initiative to ensure the public is supplied with healthy and hygienically prepared beef while the butchers and developers undertake the business for profit maximization.¹⁷ Justify further for establishing a Central abattoir, Mr. Toye Arulogun reiterated that the closed abattoirs (former ones) were hygienically unfit for preparing cattle and other animals for human consumption and this motivated the establishment of the ICA.¹⁸

The construction work on the ICA was done by C and E limited, a local construction company that specializes in PPP ventures.¹⁹ Bisi Oladele described the ICA as a multi-billion Naira abattoir, which is the largest in Nigeria. Oladele specifically notes that Four billion hectares of land were involved. It took one year for the construction work to be completed. All these factors and many more went into the emergence of the ICA which is perhaps, the largest in West Africa.²⁰

The abattoir has diverse facilities ranging from medical clinic, lairage, comprise of the veterinary doctor's office, modern laboratory, and three concrete paved holding pens for animals before slaughtering. The holding pens are approximately 12, 000m² in size.²¹ The abattoir has two cold rooms and a modern brick incinerator. It also has three guest houses and a Police Station for security purposes. The ICA has a large office complex for the administrative staff (both of the firms and the related workers). The block also houses the Butchers Co-operative Building, a commercial bank, a canteen, and a clinic to serve the butchers' needs, members of staff of the ICA, and the customers.²² The abattoir also contains 224 shops for renting by meat sellers and other traders trading at the premises. In the terms of external facilities, the abattoir contains five conveniences, a good road network with concrete drainage, and solar-powered street light.²³ These facilities are set out to provide good quality to the workers and in the course of doing it, it generates

employment to the different classes of people as discussed in the subsequent analysis.

Economic Benefits of Ibadan Central Abattoir (ICA), 2009 - 2021

Despite, the fact that all the economic benefits of Ibadan Central Abattoir (ICA) are tied to the provision of employment and income generation/capital formation. To enhance a lucid understanding of these two major benefits, these benefits are broken down into different points as presented herein. The ICA provides employment opportunities to a lot of the teeming population of the Oyo State and even beyond. Agreeing on this matter, an oral informant, Olumide Adewale revealed that:

On daily basis, about 2,000 people usually come into the ICA premises for different economic purposes. Some are workers of the abattoir while others are traders or patronizers. The ICA has about forty health and environmental professionals, six hundred casual workers, and laborers. The number of customers that patronize the services of the facility cannot be exactly quantified. However, the facility receives and attended to a lot of customers every day. The patronage is usually more competitive during the festivities such as *Sallah*, Christmas, and Easter, among other festivities.²⁴

Relatedly, an interviewee, who is also a prominent butcher at the facility under review, Adewale Sheriff corroborated this information by noting that the abattoir employed the services of butchers, cleaners, and security personnel, among others. This is because the ICA has other supporting facilities like a clinic, Microfinance bank, and a commercial bank.²⁵ This is the implication that the abattoir has contributed to the employment strength of the inhabitants of Oyo State.

Furthermore, the Amosun abattoir has enhanced cattle market/business both within and outside the host state. A lot of cows are slaughtered every day in the slaughterhouse. In discussing this matter, Sheriff was very specific when he said that an average of five hundred cows are being slaughtered and processed on daily basis at the ICA to supply the dietary needs of the people.²⁶ These cows are reared by both the Fulani people (who mostly reside in the Northern part of the country) and the Hausa migrants who migrated to Ibadan metropolis and its suburbs in large numbers and settled in places such as Aknyele, Shasha, and Onidundu in Amosun Council ward. They rear cattle in large quantities and sold to the cattle marketers on daily basis to earn their living. It is the presence of the ICA and other abattoirs in the country that the cattle rearers continue to sustain their business.

In the course of transacting in cattle and cattle products, the transportation business is enhanced both within the host community, Oyo State, and across the nation. This is because cows that are being slaughtered at the abattoir are mostly reared far away in the Northern part of the country and as such bringing them to Ibadan where the facility is situated requires the use of transportation.²⁷ The transporters usually charge heavily to transport the cattle to far places like Kebbi, Borno, Gombe, *et cetera* to Ibadan city and its suburbs. It also reveals that about five to ten trucks of cattle are usually offloaded at the said abattoir every day. The Hausa cattle traders who settled in the suburbs of Ibadan also pay for the cost of transporting their cattle to sell at the abattoir and the butchers at times go to these suburbs, purchase and transport them to the slaughterhouse. Since the Hausa cattle traders in the suburbs of Ibadan operated in intra- state routes and in most cases their products are loaded in mini-trucks their transport charges are lower than those that usually come from the North.²⁸ Explaining how the abattoir understudy gave impetus

to transport business, a Micra (small car inform of Starlet, usually use for commercial purpose in Ibadan and the adjoining areas) driver, Sunday Fatoye acknowledged that:

Our (the Micra drivers) services are hired by the canteen and beer parlor operators in Ibadan and the adjoining areas like Oyo Town, Ikire, Apomo, and Ikyoyi, among other places to transport meats to their restaurants. Anytime we are hired for such services we get a reasonable amount of money at once and that also serves as a business morale booster. The hiring of our services by the aforementioned operators usually relieves us of the stress of scouting for passengers which usually takes us some time before our vehicles are filled.²⁹

It is factual that successful services at the abattoir cannot be rendered in isolation of transportation. Because of its vitality to the business. Commenting on the importance of transportation to abattoir, D. Ljungber, G. Gebresenbet and S.A. Messmer posit that:

Transportation and handling are essential factors in the pre-slaughter production chain, playing an important role in animals' welfare, meat quality, and the risks of disease transmission. The pre-slaughter logistics chain comprises the transport operation and includes scheduling, management, and control of animals transport from farms to slaughterhouse.³⁰

Nevertheless, the ICA constitutes a source of revenue to both the Akinyele Local Government and the Oyo State Government of Nigeria. It is the responsibility of all the income earners to pay taxes to the government authority (whether to the local, state, or federal government). The operators of the slaughterhouse under study are also

not exempted from tax payment. They pay based on the income generated from their business ventures. The tax they pay suppose to be used to execute development projects at different tiers of government.

Additionally, the operation of the Amosun abattoir has led to the emergence of ancillary businesses inside the abattoir premises. Due to high patronage that involved a lot of people who come to work or to buy meat at the abattoir, different petty trades have emerged.³² There are food vendors, selling most especially, African dishes. Some petty traders (especially women) engaged themselves in grinding soup ingredients while doing so, they sold other condiments as they grind. Others specialized in the selling of assorted vegetables. To add to these, they were operators of provision stores in the abattoir where both of the staff and customers approach in times of their needs. The location of the mini-market actually at the promises has reduced the stress and also save the time of both the workers and the customers from going out to look for their needs.³³ The said market created a source of income for traders and this goes a long way in improving their economic strength. Deducing from the above analysis one cannot hesitate to say that there are a lot of economic benefits obtained from the abattoir.

Challenges of the Ibadan Central Abattoir, Amosun, 2009- 2021

Since the inception of the Ibadan Central Abattoir (ICA), it has faced some critical challenges that mitigated its healthy operations. Some of these challenges were faced by the Oyo State Government in attempting to have a central facility for the slaughtering of animals. Other challenges were hinged on the host community while the butchers also faced some challenging issues in the course of working. The animals also encountered some challenges before their slaughter. The customers/buyers also faced some daunting challenges in the process of patronizing the facility for harnessing its economic benefits

or gains. For clarity, these challenges are treated one after the other in the subsequent discourse.

First, in attempting to centralize the abattoir services in State, the Oyo State Government revoked all the licenses of all other slaughter slabs and withdrew the veterinarians that were previously inspecting the health status of both animals and the meat.³⁴ Also, in December 2017, the state government took about sixty members of the National Butcher's Union of Nigeria, Oyo State Chapter for an excursion to Agege Abattoir in Lagos State to see the benefits and sanitary status of a good abattoir.³⁵ This was done to convince people of the need for having a central abattoir in Ibadan. Even after this, some of the members of the butchers union did not immediately move into the new abattoir premises. According to Femi Ibirogbo:

The union demanded four conditions before moving to the central abattoir and they included adequate security of life and cattle; effective transportation system; a pedestrian bridge to cross from the expressway; and reduction of the cost of cattle handling from N 5,000 to 3,500.³⁶

The then, Secretary of the National Butchers Union, Oyo State Branch, Olagoke Lateef, noted that the government had taken care of their welfare by granting their request apart from the construction of the pedestrian bridge. The government also held a town-hall meeting with over 2, 00 members of the union in April 2018, and set up a committee of all stakeholders, and a Memorandum of Understanding (MoU) was signed, yet some members were hesitant of relocating to the new site.³⁷ Josiah Oluwale in throwing light on the role and challenges the government faced in relocating the facility, recollected:

Since 2014, the State had ceased to collect the due rates and taxes from all abattoirs in Ibadan, to encourage compliance and ensure that the operators wind up and comply with the meat law of Oyo State which makes it illegal for anyone to operate any slaughter slab, abattoir or slaughterhouse without the authority and license of government.³⁸

Despite government efforts and enough time given to the butchers, the State Ministry of Agriculture had observed that instead of winding up their activities, some bad elements in the Union were rather establishing new slaughterhouses in unhygienic towns and suburbs without any form of certification or mandate.³⁹ Deducing from the foregoing, it is clear that some members of the butchers union were not in agreement with the State government over the relocation of the abattoir facilities to the newly established central abattoir in Amosun village. This may be as a result of the long distance from Ibadan city to Amosun the facility and lack of social amenities, and so forth.

Besides government challenges, members of the host community also suffered certain challenges that emanated from the ICA project. For instance, it is alleged that the Oyo State Government took the ancestral lands of the host community without due compensation and this has denied them access to their farmlands thereby aggravating their poverty and suffering. Explaining the challenges the abattoir melted on the people of Amosun village (the host community), an interviewee, whose name was not disclosed by the *Vanguard Newspaper* expressed acrimony:

Since the Oyo State Government's bulldozer ravaged the farmland, destroying residents' cash crops to make way for the modern abattoir, the people of Amosun have lost their means of earning an income, and many

have been living from hand to mouth.⁴⁰

Aside from the destruction of farmlands in the host community, there is an allegation that the farmlands of Amosun village have been confiscated by the government. Recounting his ordeal, a patriarchal of Amosun village, Pa Lamidi Amosun was quoted verbatim saying:

We were among some of the richest in the community; our fathers were well-to-do and showed us the act of farming as a means of livelihood. Today, all the fame, land, and farm produce are gone. Look at my grandchildren there, they are all playing when they suppose to be in school. During my father's time, parents took their children along to the farm if they could not go to school. We learned to be hunters or farmers, but look at them, we have nothing to hand over to them.⁴¹

To corroborate the above, Ojo Amosun (the son of Pa Lamidi Amosun) stated that he takes his wife and their first son to the neighboring villages to assist people on the farm and get paid daily or weekly to enable him to take care of his children and his aged father.⁴² Commenting on the siting of the abattoir on their ancestral land, a member of the Amosun family as well as a former resident of Amosun village, Olayiwola Adio postulated that he has left for another community in Ibadan where life seems to be more meaningful to him.⁴³ He emphasized that he will not be able to cope in a community without having a source of livelihood. Adio was more forthcoming when he reiterated that, "many of our families have left for nearby areas where life is meaningful. I am now a yam seller in Ibadan, I can not cope with the community any longer".⁴⁴ The

narratives above, confirmed that members of the host community were not satisfied with the establishment of the ICA on their ancestral lands based on the alleged claim that they are not giving any form of compensation.

Health-wise, the host community is also affected since a lot of waste is usually accompanying abattoirs that are not ultra-modern in nature. There is a pollutant in animals waste as a result of poor waste disposal and this has impacted water through several possible pathways, including surface runoff and erosion, direct discharges to surface waters, spills and other dry-weather discharges leaching into soil and groundwater, and air releases, including subsequent deposition back to land and surface water.⁴⁵ Analyzing the health implications of the ICA on the host community, a specialist in Biochemistry, Anne Adeyanju observes that:

Animals' manure (decomposed animals' horns, bones, blood, *et cetera*) can result in water and air degradation, which in turn impact both the aquatic and the terrestrial ecosystems. As regards water degradation, the animal's manure leaches into the water system affecting the biochemical oxygen demand of aquatic organisms, it also pollutes the water and thereby renders it useless for drinking and irrigational activities.⁴⁶

Abattoirs in Nigeria including Oyo State and the ICA, in particular, have difficulties in disposing of untreated effluence or processing these wastes in an environmentally acceptable manner. Due to this reason, there is a high risk of environmental pollution like a nuisance, odor, soil pollution, and public health risks through the transmission of zoonotic diseases to humans. In 2009, Aderemi Oluwale reported that it was a similar unhygienic condition that paved the way for the outbreak of cholera in Bodija abattoir

in Ibadan in 2008 which in turn led to the communal clash between the butchers and members of the host community.⁴⁷

Furthermore, other challenges bedeviled the operation of the abattoir that were lack of portable water and roasting materials; these made the butchers to engage in more hazardous and tedious job. Sharing his experience, a renowned butcher at the facility under examination, Olawale Sheriff disclosed that the facility lacks running water and this has posed a challenge to the butchers and also affected by the hygiene and neatness of the abattoir.⁴⁸ As a result of the lack of tap water, the butchers relied on buying from the water vendor through tanker supplies. The profit which could have been used to meet up with other needs is being diverted for the purchasing of water. The butchers faced the challenge of the obsolete method of meat processing. As at the time of this study, the butchers were solely on their local initiatives which in most cases was detrimental to human health. For example, they relied on the use of fuel for roasting animals since they did not have grasses to roast the animals which in addition to being harmful to human health is also costly.⁴⁹ The ICA also lacks electricity for the storage of the unsold fresh meats and as a result of this relied on the purchasing of petroleum and diesel which is very costly.

The customers/buyers, on the other hand, suffered the challenge of high transport fare. This is because the ICA is located very far away from Ojo, about 16 kilometers precisely. This distance is farther compared to other towns in the Ibadan metropolis. The distance has made the commercial drivers to charged them high for transporting their meat to their various canteens located in Ibadan and in the adjoining areas. Because of the location or distance, it usually takes the customers a reasonable time of business to access the facility. At times, after finishing their purchase, they still wait by the roadside for

quite some time before getting a vehicle to go back to their various business locations.⁵⁰

Animals also encountered some challenges on their way to the abattoir. As earlier stated, the animals are usually brought from the Northern part of the country. And the distance from the North to the West where the facility is located is quite far. In the process of transporting these animals for the business transaction, they suffered. For example, they overload them in the lorry. On transit, the owners did not care to feed them with food or water since they consider it as an additional cost for their business expenses. In some instances, the animal's necks are twisted and tied to one another to have a space to transport more of them at the same time in one truck. In the course of doing this, they passed thick ropes through their nose to cause them pain in case they want to jump out of the vehicles or to fight among themselves.⁵¹ These, contradict the rule guiding the handling of animals. Supporting this position, Professor of Zoology at the University of Ibadan, Olajumoke A. Morenikeji noted that the above cruelties are antithetical to the laws governing animal-human relations. She noted that anyone who cruelly beats, ill-treats, overrides, overloads, tortures, infuriates, or terrifies, amongst others is a defaulter of the law.⁵² The Penal Code makes provision protecting animals from cruelty in Section 207th which provides that

[w]hosoever, cruelly beats, tortures or otherwise wilfully ill-treats any tame or domestic animal or wild animal which has previously been deprived of its liberty or arranges for fights between cocks, rams, and other domestic animals shall be punished with imprisonment for a term which may be extended to one year or with fine which may extend to fifty pounds or both.

The law further provides that whoever wantonly over-rides any animal or wantonly

employs any animals which by any reason of age, sickness, wounds, or infirmity is not in good condition to work or neglects any animals in such a manner as to cause it unnecessary pain is subject to face the wrath of the law.

Conclusion: Pathways to Stemming the Tide of the Challenges of the ICA, Amosun

This paper hinged on the economic essentials/benefits of the Ibadan Central Abattoir (ICA), Amosun. It is obvious from the preceding analysis that hygiene was the fundamental reason that occasioned the establishment of the ICA. Before the establishment of the ICA butchers operated on different slabs in different areas in Ibadan thereby threatening the health of the inhabitants. It was this unhygienic condition that led to the outbreak of cholera in 2008 in the Bodija, abattoir. The study delved into the history of the ICA and stated that the abattoir was established as the PPP and based on the tenant of Built Operate and Transfer (BOT) for thirty years. It brought to the fore that the ICA is the brainchild of the then Governor of Oyo State, Governor Adebayo Aloa Akala, and the project was fully executed by his successor, Governor Abiola Ajimobi. The paper revealed that the ICA impacted both positively and negatively the economy and society of the host state and by extension Nigeria at large. Positively in the sense that, the abattoir has provided job opportunities to a lot of people and boosted cattle market/business between Hausa/Fulani of Northern and the Yoruba people of Western Nigeria. Negatively, it has succeeded in polluting the air and water of the host community as well as allegedly confiscating the ancestral land of the people of Amosun Village. However, the negativisms and the positivisms are cross-examined; one would not hesitate to say that the economic/positive impact of the ICA surpasses its challenges/negative effects. Despite this, it cannot be denied that the abattoir contributed marginally to the economy of the operators and

other stakeholders because of the critical challenges that impeded its activities.

Based on the challenges that mitigated the activities of the ICA, the paper recommends some policy prescriptions or the pathways that it felt, would help in stemming the tide. Firstly, the major stakeholders in the abattoir business should work out modalities to create proper waste management to do away with the problem of environmental and water pollution which is harmful to the health of the host community and the ICA workers. Secondly, members of the host community should be adequately compensated. The Oyo State Government, the major stakeholders in ICA, the owner of all lands in the State should allocate new plots to them as a form of compensation. The government should also provide basic amenities for them, such as electricity, roads, tap water, health facilities, and free education, among others, to make life more meaningful to them. These infrastructural facilities (especially water and electricity which are also lacking at the ICA) if provided would also be used by the ICA staff and the customers.

Thirdly, the major stakeholders of the ICA (the Oyo State Government) and her partner company (the C& E Ltd) should procure meat vans for supplying meats to the customers at their various food centers across the State. This would help to protect meat against disease or bacteria infections. By transporting the meats, the abattoir will also generate money out of it and this, in turn, will improve on its financial strength. Besides, the idea of the ICA was conceived by the C&E Ltd and the Oyo State Government to offer modern abattoir services. In this wise, it should have a plant to train scientists and technicians to enable them to produce biogas out of the animal wastes. If this is done, would have a stable power supply and reduce its expenditures on the procurement of diesel and petroleum. This supposed source of power will also be extended to the host community as part of its community development services.

Finally, the health workers (medical and veterinary doctors) are not working enough; they should insist that slaughtered animals are not roasted with fuel in the course of processing them into the meat. This is because using fuel to roast animals which will eventually be consumed by humans can affect human health. The fuel contains chemical compounds known as polycyclic hydrocarbons which when released, can act as free radicals, and bioaccumulation of these radicals in the body can lead to cellular damages, cause cancer, suppress the immune system, and in some instances lead to death. If the above policy options are considered and implemented the activities of the ICA would be improved and more economic benefits would be derived from the ICA as desired.

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#8



Sue Matheson

FILM REVIEW:

Mohanagar: A South Asian Landmark in the Age of Web Series

Forkan Ali

University of New South Wales, Australia

In today's age of web series, there is a wide range of productions available to audiences of all cultures and backgrounds. From stories of unknown women in remote villages in Africa to the corruption of political figures in megacities around the world, and from space adventures to undersea creatures, there is something for everyone. Among the many series available, some stand out as particularly noteworthy for their ability to capture human experiences and explore themes of unfulfilled expectations and dreams. One such series is the Bengali *Mohanagar*, created by Ashfaque Nipun¹ in 2021, which is an eight-episode work of art. Making a significant impact in the world of South Asian productions, the

1. Ashfaque Nipun is a famous Bangladeshi filmmaker, screenwriter and actor, known for his web series works such as *Mukim Brothers* (2010) and the telefilm *Ei Shohore* (2019). He won the Meril Prothom Alo Jury Awards for Best Screenplay and Best Director for *Mohanagar*, which was a huge success in Bangladesh and India. Often admired for profound character development and excellent color grading, Nipun is also known for tackling taboo and sensitive subjects in society, showcasing political corruption and the hidden aspects of society through his works.

series effectively portrays the life philosophy of people in the titular region through the powerful use of local words, body language and casual conversations. *Mohanagar*, which also explores the theme of corruption and how it affects the lives of ordinary citizens, has been praised for its strong performances, advanced production values and its ability to tell a compelling story that is rooted in reality. As Roushini Sarkar argues, the series “deserves credit for introducing truly grey and psychologically deep characters ... [and for keeping] the viewers on the edge of their seat.” With its depiction of the social reality of the region, *Mohanagar* could be considered as a landmark in the age of web series.

This crime-thriller series (rated 8.6 by IMBD) is a subtle yet powerful commentary on the changing social dynamics in post-independence Bangladesh. The journey of the protagonist Harun (Mosharraf Karim) is beautifully portrayed and provides a glimpse into the struggles and triumphs of working in a corrupt system. The series' attention to detail and authentic representation of Dhaka's bustling streets, subcultures and neighbourhoods add to the richness of the story. The plot takes place over the course of one night in a Dhaka police station and masterfully recreates the real-time unfolding of events while keeping the audience engaged through strong performances and unexpected twists as well as well-written and entertaining dialogue. *Mohanagar* is a pioneering series for advanced cinematography that excels in its portrayal of the corruption and political power struggles in South Asian cities. The story follows the mysterious activities and inner movements of common people as they confront corruption. The way the characters talk and interact creates suspense and accurately represents the colloquial language of the present adult generations in Bangladesh. The director skilfully portrays a thrilling story of seven hours spent by police inspector Harun Ur Rashid, sub-inspector Moloy Kumar

(Mostafizur Noor Imran), AC Shahana Huda (Zakia Bari Mamo), a pick-pocket and a businessman's son Afnan Chowdhury (Shamol Mawla), who is accused of murdering an ordinary man.

The story also revolves around a wealthy businessman and politician, Alamgir Chowdhury (Lutfur Rahman George), and his son, Afnan Chowdhury. At a party, Afnan's actions bring shame to his father, who subsequently punishes him. Later, he gets arrested for running over a pedestrian with his car. Alamgir's representative tries to bribe the police to release Afnan without involving a lawyer, but the police refuse. The young man is eventually released after his father pays a large sum of money. The sequence thus illustrates how corruption is a widespread problem that affects the lives of regular people and how those in power and with wealth can use it to evade the consequences of their actions. Nipun revealed that the episodes of the web series titled "Eshaner Megh," "Chiching Faank," "Shape Bor," "Golar Kaanta," "Ambashyar's Chand," "Andher Joshti," "Goray Golod" and "Kistimat" are likely symbolic sub-titles used masterfully in the narrative's thematic context. According to Bivas Rai Chowdhury, all of these sub-titles are symbolic probably because the director wanted to make a meaningful thriller. However, it could be argued that Nipun might have stressed more on the depiction of the social reality of Mohangar (Metropolis) Dhaka by showing the dysfunctional system running the megacity and presenting the more sensational aspects of crime. The series could have also benefitted from a major focus on the character of Abir and his relationships with the other characters, which presently results in a comparatively underdeveloped main story.

Mohanagar addresses the desire for justice and punishment of wrongdoers, particularly for powerful individuals who often evade consequences. The advanced

production and skilled acting make the series a standout, because they effectively capture the natural anxiety of people towards the issues of corruption and justice. This is reinforced by OC Harun's expressions, including "two things never wait for anyone— money and time" and "never hide the truth from two people, the police and the mother," which are particularly noteworthy for their philosophical depth and impact on the issues of reverberating Bengali traditions, present generations and cultural manipulation in a globalized world.

The first season ends with a cliffhanger that raises questions about the true nature of the main character, Harun, a corrupt police officer. The series suggests that he may have taken bribes as a tactic to fight corruption, hinting that he may be the scapegoat of the system in spite of being honest inside. The final dialogue of the last episode implies that the system is plagued by corruption and that, in order to fight it, one must become a "ghost" inside of it. Overall, *Mohanagar* delivers a gripping, thought-provoking drama that is rooted in reality and strongly critiques power politics and the flawed system developed in the subcontinent. Thus, director Nipun has produced a serious yet entertaining drama that is rooted in contemporary social reality and scathing in its denouncement of power politics and the loophole-ridden system.

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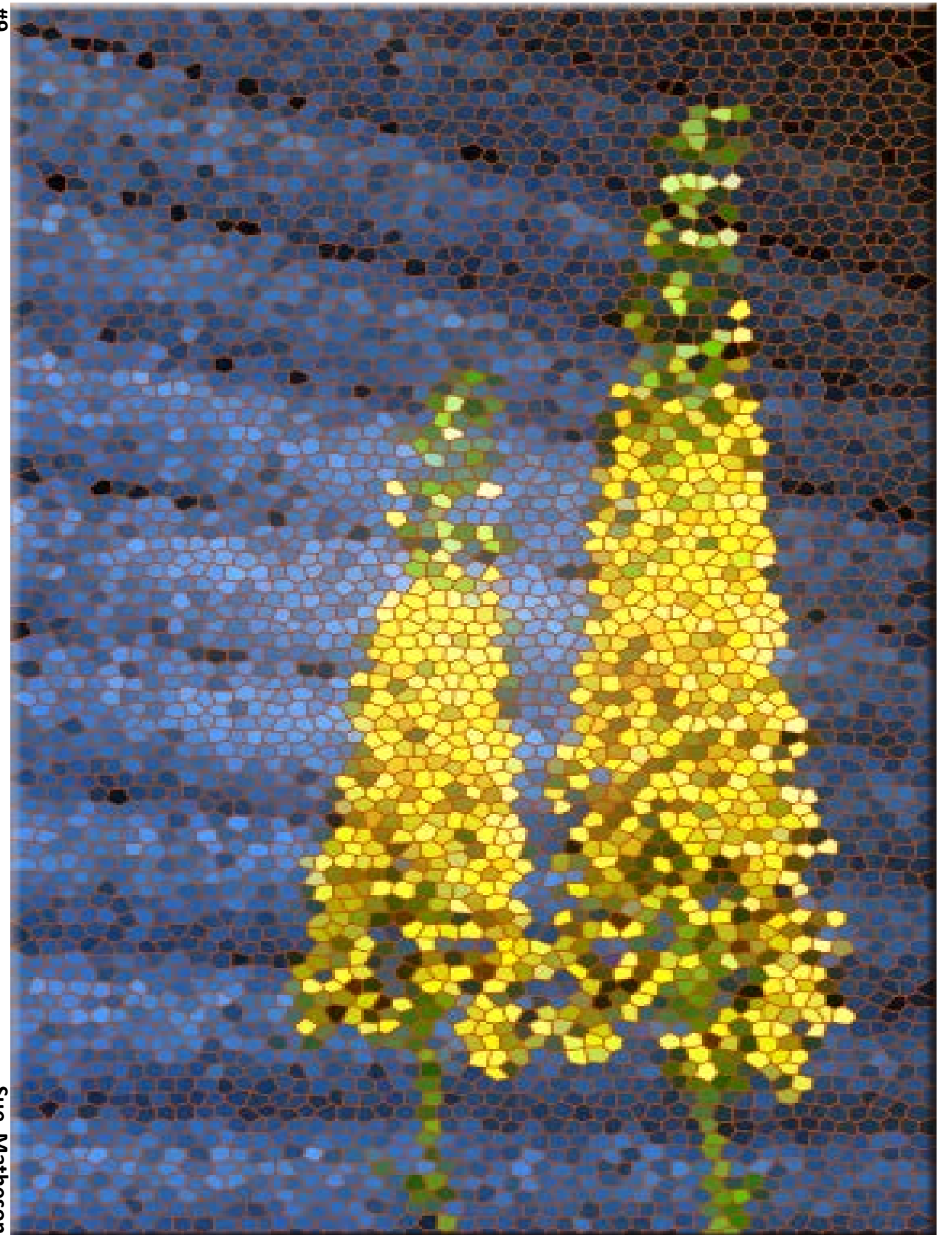
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#9

Sue Matheson



FILM REVIEW:

A Tiresome Conversation: *The Last Winter* as a Climate Crisis Capsule

Jeremy R. Laughery
Texas Tech University
Lubbock, Texas

The Last Winter (2006), writer-director Larry Fessenden's¹ third major film feature, opens with a disorientating cold scene, the first shot being an extreme close-up of a grainy breakroom television beaming a propagandic commercial for the North Corporation's oil extraction endeavors straight into the helpless film viewer's eyes. The film that follows embraces these on-its-sleeve thematic ruminations, with the setting serving primarily as a claustrophobic canvas on which Fessenden can paint his characters' charged interpersonal conflicts. This direct, didactic film style is nothing new for Fessenden, whose previous film *Wendigo* (2001) features a similar thematic candor in its plain human vs. nature premise.

In *The Last Winter*, however, Fessenden's character-conflict-driven script is fueled by a

1. Larry Fessenden is an American director, writer, producer, editor, actor and cinematographer. His New York-based production house Glass Eye Pix has produced many low-budget films by now-acclaimed directors, including Ti West and Kelly Reichardt. His films are characterized by a modern approach to established horror tropes, often blending elements from folklore and classic horror films with a kinetic, contemporary style and setting.

more culturally relevant and resonant issue: climate change. The North Corporation and dreams of oil extraction in Alaska are founded on progress-first, pro-capitalist rhetoric, which is embodied by Ed Pollack (Ron Perlman), the manager of the team living on the remote drilling site that the film takes as its setting. To combat the ever-marching engine of progress championed by Pollack and his corporation, Fessenden pits the character of environmentalist James Hoffman (James Le Gros) against him, tempering Hoffman as a foil to Pollack and foreteller of the ecohorror elements that drive the last half of the film. As two factions form in the isolation of the Alaskan tundra, the team witnesses nature's reckoning on the issue in the form of vengeful spectral spirits that begin to haunt them as the ice begins to melt.

As an ecohorror film that drapes the dressings of the climate change crisis over both its premise and plot, *The Last Winter* and its writer-director are forced to employ more creative strategies to involve the audience in a debate that has already long been unfolding with increasing intensity even on its premiere. Fessenden's greatest accomplishment is revealed through his distinct knack for writing tense, believable character dynamics and selecting actors that embody his characters to best underscore these fraught dynamics. The characters often make on-the-nose declarations that a modern viewer might find a bit dated—as an example, at one point, Pollack yells at Hoffman, “Do you even realize you're putting everyone at risk with this kind of talk?” However, in his construction of characters that approach the climate crisis with more specificity in their background, these unnuanced phrasings play as naturally revealed points of contention rather than preachy observations made by an out-of-touch director. Pollack's character is driven by more than just the deepest shades of pro-capitalism: he is also hellbent on the success and safety of

his team, which includes the son of a close friend, Maxwell (Zach Gilford). Consequently, though Pollack often spouts the most obvious counterresponses to Hoffman's scientific observations, Fessenden never allows the character's underlying care for his team and their personal accomplishments to sink under the weight of the broader capitalist everyman rhetoric. This care is further brought to the surface by Perlman's interpretation of the character—Perlman, of *Hellboy* (2004) and *Hellboy II* (2008) fame, has an uncanny ability to humanize otherwise grating characters, and this performance is another stellar showcase of this acting strength. Similarly, Hoffman, played by the “intensely likable, underused” LeGros, is not merely an archetypal alarmist (Edelstein)—Fessenden instead colors him as a weary scientist that has been fighting this battle for years to no avail. Thus, though Hoffman continues to serve as the oppositional environmentalist in the film's character composition, he also has factored more into his life and priorities that complicate his stake in the argument, chiefly his romantic entanglement with crew member Abby (played by Connie Britton). Le Gros's performance, one that flirts with both righteousness in his beliefs and emotional confusion at how these play into his new relationship, further brings the central conflict between Pollack and Hoffman into complex territory. These inspired writing and acting choices allow the obviousness of the ideological clash to breathe and grow into organic territory.

The danger that arises and ultimately weakens Fessenden's film is an ironic one: a lack of danger and urgency in the film's narrative progression. The premise and setting of Fessenden's film is ripe for exploitation of horror and dread, as the barren and blinding landscapes beg for greater involvement of its spectral, animalistic forces to tread and advance on the vulnerable, isolated site that barely blips the suffocating white blankness.

This dread is present in the film's initial setup, as Fessenden shoots the plane that flies Pollack into the site directly from above, forcing it to all but dissolve into the foreboding snow-swept tundra below: as such, the isolation creeps in almost immediately. However, this isolation slowly but surely expires over the film's runtime, as the central hostile force—the herds of hazy, spectral animals—appear only sparingly and without proper pacing or effective, dread-driven introduction. When they do appear, Fessenden allows the reaction shots of the characters peering into the dense, encroaching fog to speak for themselves, but these understated moments of menace are unable to extend the atmosphere sufficiently enough to generate a feeling of danger. Additionally, the function of character death in horror, a chief element of creating a real sense of stakes in a genre piece, is ineffectively utilized—the first crew member's death comes far too late at the midpoint with Maxwell, who is turned into an admittedly stomach-turning frozen corpse with pecked-out eyes, and loses its effect when further lethality of its antagonistic natural force is not introduced fast enough. The ultimate effect of these generic and structural failures is a film that lacks the quick pacing needed to bring a real bite to its didactic ideology-based conflict.

In the end, *The Last Winter* serves as peculiar entry in the climate change focused ecohorror canon—it is more than worth revisiting for its refreshing depiction of a conversation viewers in 2023 are all too familiar with (and exhausted by), yet it fails to fulfill this potential in the form of propulsive editing and an investing structure. It is bolstered by arguably the most important aspect of a didactic horror film: strong, believable writing, tense character dynamics and organic, emotional performances. As a film that attempts to demonstrate the nuances and dangers of the climate crisis conversation in its current complex, unbudging, insolvable state, these elements work

to realize the potential of its premise and allow the film to serve as a semi-effective warning to viewers that ideological consensus is key to overcoming the looming threat. Nonetheless, *The Last Winter* is hamstrung by its stuttering, languishing pace, a vital element to a film that takes as its subject an issue of immediacy and urgency. Because of this lethargic pacing, there is no surprise or dread when the final scene arrives, one that captures a world entering a state of chaos. Thus, though Fessenden's film serves as a believable new voice in the cinematic conversation around the climate change crisis, it never introduces the sense of danger that ecological films in the horror genre have the unique ability to craft for its viewers.

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FILM REVIEW:

Sin, Death and Love in Powell and Pressburger's *Black Narcissus* (1947) and *The Red Shoes* (1948)

Joanna Starzynski
York St John University
York, England

The Red Shoes is Michael Powell and Emeric Pressburger's tenth collaboration, which followed the film *Black Narcissus*.¹ These films established a unique and vivid style, erring on impressionism in the late 1940s. Both of them place the main female protagonists in impossible situations that were restricted to their gender (though if a man were in these situations he would not be restricted in his binary choices). This review explores the themes of sin, death and love in the film *The Red Shoes*, traces them in *Black Narcissus* as well, and examines why they should be re-watched today as their main issues are still relevant in contemporary society and films.

1. Michael Powell and Emeric Pressburger were a British filmmaking collaboration who called themselves "The Archers." They directed films which span from just prior to WWII in 1939 to 1972. Their collaboration style is known for using a rich vivid colour palette and, in the post-war years, some of their films had fatally doomed female protagonists.

Red Shoes follows the story of Victoria Page (Moira Shearer), a young, naïve dancer from an upper-middle-class aristocratic background. Vicky performs a dance for the obsessive ballet director Lermontov (Anton Walbrook) who hires her to travel with his company. While traveling with Ballet Lermontov, she meets the musical composer Julian Craster (Marius Goring). Lermontov creates a lead role for Vicky in *The Ballet of the Red Shoes*, whereas Julian composes the music. The ballet is a resounding success, but the woman falls in love with the composer. After learning of their relationship, Lermontov fires Julian, primarily because he has been developing feelings for Vicky. The latter leaves with Julian choosing her love for him over her career.

The film has a 17-minute vivid ballet sequence in the middle which provides the perfect allegory for what happens within the story. *The Red Shoes* is indeed a 1845 tale by Hans Christian Andersen, which doubles as a metaphor for the intricacies of the protagonist's life and the choices that she must make (Schofield 2018). In the ballet Vicky is tempted by the shoes; as she dances to approach them in the window of the ballet, she is pulled back by her lover (Robert Helpmann), who is wary of the shoes that the shoemaker (Léonide Massine) tempts her with. She moves and dances ever closer to the tantalizing shoes, yet her lover, the boy, keeps pulling her away until the shoemaker comes out of his shop to tempt her further. Then, as she magically appears in the shoes, the boy slowly backs off into the distance, his arms outstretched in front of him, as if warning of the shoes' evil power. The latter become symbolic of Vicky's temptation and ultimately her sin of choosing her passion to dance over her love. Once the shoes are fitted, she cannot stop dancing. There are a lot of visual metaphors and references to Victoria's own

life where Julian and Lermontov act as her tormentors and puppeteers. Eventually, an exhausted Victoria collapses into the arms of a priest and dies. The *mise-en-scène* towards the end of the ballet depicts the priest using one of the most powerful T poses in cinema with his arms outstretched representing the cross of Christ to cleanse the girl of her sins. Both the shoemaker and the priest provide yet more evidence that the shoes are unholy and represent the sin and temptation that Victoria faces (Mandradjieff 273). This ballet is therefore a representation of Victoria's own life and what is to come.

In the first half of the film, Vicky leaves the ballet with Julian after he is fired. However, later on, Lermontov visits the woman to tempt her back to *The Red Shoes* and she reluctantly accepts. On the opening night of the production, Julian visits Victoria, telling her of his love and affirming that she belongs with him, while Lermontov attempts to persuade her that she was meant to dance. The protagonist is given a choice between her love for Julian and her dancing career. Torn by her decision, she has to be escorted to the stage with the Red Shoes that seem to take a life of their own, but Victoria finally runs to the train station and leaps in front of the train. Her self-sacrifice shows the impossibility of her choice: to choose between her career and her love.

The themes of death and love in *The Red Shoes* and *Black Narcissus* represent the torment of the female protagonist. They are both fatally connected to the color red, which is the color of sin and of temptation. As soon as Victoria puts on the *Red Shoes* both in the ballet and in her life, she is trapped, the temptation of dancing and her love for Julian are in the balance, but ultimately the red shoes win (Shail). Furthermore, Victoria similarly wears white to represent her purity, but her white dress is dirtied at the end

of the ballet after she has danced through the streets. Similarly, in *Black Narcissus* white represents purity as it is the color that Sister Clodagh (Deborah Kerr) and all the girls wear. However, at the end of the film the crazed Sister Ruth (Kathleen Byron) is shown in a modern red dress, which represents the temptation of love and the loss of her purity (because she has tried to kill Sister Clodagh).

Both films deal therefore with binary oppositions and Faustian exchanges. In pursuit of her career Victoria sacrifices love and indeed her life, much like in the Ballet of the *Red Shoes*; the pursuit of her passion and cultivation of her talent end in her untimely death. The binary opposition in the *Black Narcissus* is yet again another reminder of devotion, faith and the temptation of love. The temptation of love and sin drives Sister Ruth into a crazed state. Sister Clodagh's devotion to her faith is pure whereas Ruth is tempted by death and eroticism.

Red Shoes and *Black Narcissus* are relevant today as they still inspire contemporary films, as is the case of *Black Swan* (Aronofsky 2011), which focuses on how the protagonist eventually embodies Odette to create the perfect performance. Much like Vicky in *The Red Shoes*, in Aronofsky's 2011 film there is pressure to create the perfect performance, which even alters the protagonists' state of mind and questions their beliefs. Her obsession with being Odette in Swan Lake ends in Lily's (Natalie Portman) break down of the boundaries between reality and fantasy and her will to make the perfect performance leads to her death. In this contemporary film, the themes of perfectionism and obsession dominate the narrative and involve the main female protagonists facing the ultimate choice of whether to pursue their passion to its extreme and what the cost of

this is.

The themes of obsession, death and love dominate Matthew Bourne's contemporary retelling of *The Red Shoes* (2020) as well. Bourne replaced the score of Brian Easedale with Bernard Hermann's by specifically using the rooftop theme and Scene D'Amour from Alfred Hitchcock *Vertigo* (1958). In his retelling of *The Red Shoes* the themes of obsession, love and death haunt the story from the life of Carlotta Valdes to Scotties' (James Stewart's) obsession with transforming Judy (Kim Novak) into Madeleine. The links between the three themes clearly connect *The Red Shoes* and Bernard Hermann's *Vertigo* score together (Scheller 2005). This also includes the infamous score of Scene D'Amour when Judy emerges from the bathroom transformed and seemingly possessed by the spirit—and consumed in the green ghostly light—of Madeleine.

In *Vertigo*, the sin Judy commits was conning Scottie and faking Madeleine's death with Gavin Elster (Tom Helmore); in *The Red Shoes*, Victoria's sin is the ever-impossible binary opposition and choice between her love and her passion; in *The Black Narcissus*, it is Sister Ruth's binary opposition, obsession and ultimate possession to pursue a relationship of love and lust as a nun. Finally, in *The Black Swan*, Lily's obsession with perfection and the binary opposition of her transforming from Odile ("The white swan") into Odette consumes her. All of these stories center on how women mold themselves to match men's desire of perfection for love (how they change themselves not once, but twice, to fulfil the desires of obsessive men), but, after this becomes a façade, it ultimately ends in their self-destruction and untimely death.

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iGamer: The later years and canvasser of The Party

Walter M. Young
The Pas, Manitoba

Level 40

-OffLine-

The bus did a hard curve on its way down Fisher Avenue. The deserted bus depot was there to greet the passengers. It was a cool Sunday in March when I got off the bus from Winnipeg, including a flight from Ottawa. If anyone saw me standing outside the Fat Boys Restaurant across the street, they might have described my dress in a long grey coat with glasses and a scarf. I wore a stoic countenance to hide the ugliness I felt. Remember how the hero felt in Faxanadu for the NES upon returning home to find the ramparts abandoned and whisper of ill-conceits?

What I found that evening when I returned to my ancestral home of Umperville, Simon Belmont would say, “What a horrible night to have a curse.”

Continue?

The back door was open like usual. I recognized my cousin sleeping on the couch. I immediately went to the first door on the right, down the hall, where my room was.

The first thing I noticed missing was the photo of my adopted grandparents. Then I couldn't find the painting my dead uncle left me. Instead of finding my soft bed and belonging, I found cheap workout bench and someone's busted flat screen. Lastly, I remember the broken window pane and the acrid scent of sweat and uncleanness.

This was once the room where an elderly couple adopted someone else's child. When I asked my lazy cousin what happened to my room and bed, he replied “What room? What bed?” As I left with murderous anger, he added his last taunt, “Don't come around the house anymore!” That came from the same person who was kicked out of his mom's house years earlier.

With a heavy heart and feeling no small amount of betrayal, I sought help. There were many kind people from the reserve who lent me what little they had, but also, there were many unkind, private citizens who had so much and did little. I speak well of those who came in an hour of need; I shame those whose job, no, opportunity it was to help another human being. Years later, I came to understand the kindness of strangers and the love of my neighbour. In the mean time, life had to go on that Spring of 2021.

-OnLine-

“The fog of war had lifted. There was no hero's welcome or villain's sentencing. Level Forty began not in the jungles of Zanzubarland with a legendary hero or the with a fantastic spread gun. This was hardcore mode.”

-OffLine-

Those first six months were hard. Damn hard. If someone asked me what was bothering me, I would never say. I didn't like telling people my feeling, my problems. I grew up with the stern principle that a man's problems are his own and asking anyone for help was weakness. If such a man were to solve his own problems and depend on his own holistic forces, that would make him strong, right? In those later days, I faced a declining mental health that led me to dark halls of the hospital's fourth floor – the psyche ward. The suicide spirit became my companion; everyday we thought of each other.

Before another six months pass, dear reader, how might I describe the seriousness of my mental state? I fell for a daughter of the North. If she were any Final Fantasy character type, she was courageous, beautiful, and swore like a pirate. In our salad days, we travelled around northern Manitoba; we were a tangerine team. 'The Party' referred to those days as the orange crash, but the lasting words of Jack still resounded within us. As members of The Party, I was Agent Orange and she was Orange Lady. She was going to be my player two in life.

Without putting in a password, I will relate how I met this incredible woman. While standing in a room full of NPCs, I was attending the award ceremony for the students at the old Keewatin college building. After the last speeches were given, I asked the Director of Education if he could introduce me to the woman in glasses. (Someone who saw me that day later said I had stars in my eyes.) Following that encounter, I adopted the constitution and began following our movement, The Party.

Our first assignment together was in an area called Bloodvein. We set up a camp and began the job of listening to the voter community by community, house by house,

person to person. Working side by side with her made me feel like the best version of myself. In later months, she and I attended community gatherings, potlucks, and one very special memory of watching the fireworks together. We spoke long between dinner time. It was not uncommon for the voter to occasionally ask if she and I were husband and wife. I hide behind a smile knowing who this Lady and this Agent might have been.

The conclusion of Agent Orange and Lady Orange, these loyal members of The Party, came to a sudden and tragic end. One night during Trappers Festival, I said some real mean things and I should've been more honest about how I felt toward her. There wasn't going to be a continue screen counting down nine to zero. For a long time, I felt it was game over between us. Then, in the early part of the year 20XX, where the snow gathers down Fisher Avenue, I met the Orange Lady one last time. She was glad to see me. I could almost read her thoughts. Standing there at our old office, I met her children and the man she loved. In the end, we were still loyal to The Party. One of us went on to run for federal leadership for The Party and the other remained to canvass among the voters. Like a Metal Gear Solid reference, "There can only be one Big Boss."

-OffLine-

Months have passed. Through the haze of medication and therapeutic sessions with doctor no-face, I packed a bag of rations and equipped my long coat for a journey west. Some hours later, I found my self among the populous rabbits and hissing geese of Regina city. It took some getting used to. I scored a job as a prep cook at a Greek-Western restaurant. Between the job and gaming on my PS4, depression was still

leering in the background. I found rest and sanctuary in my sister's basement while allowing myself to go through the feelings.

On the last day my cell phone subscription ended, I received a call. It was from The Party. I was to report to the local headquarter for assignment. That summer was the most epic journey a gamer could experience outside of Skyrim or Fallout. I was about to be part of an amazing.

I recall the first day walking into headquarters. That was pizza day. It was pizza day because after an hour of Party business we needed the energy for that afternoon. That was also the day I met the first member of our team, 'Miss Kitty'. She was a short brunette with long dark hair and smooth shoulders. Besides having good looks, this woman was super smart and drove a cool, white Trans Am. It wasn't until later I found out she was running for The Party in Saskatchewan. As we canvassed around for voters, I noticed quickly she adapted to her work environment.

As the days wore on at the Tommy House, I became familiar with the call center and its daily routine. I applied myself as a certain Agent Orange once did many years ago and made friends within the headquarter staff. There were memorable stories involving a vicious dog or a solid cat statue. I even had the opportunity to attend one of The Party's meetings. A thought occurred to me. Each day I felt myself feeling better and stronger. I wasn't feeling angry or betrayed that I lost my home. The loneliness was fading.

In the weeks which followed, during one of our canvassing tours, I met the second member of our elite team, Captain Carter. He was a short dude with unkept cheek hair. As well as being super smart, Captain Carter was a talker. I recall one time he

spent almost twenty minutes with a voter. As his experience grew, so did his level in speech craft. By coincidence, the Captain was also running for a position within The Party.

And so, a super team was form during one sunny day. In a gleaming white car, Agent Orange, Miss Kitty and the Captain rode toward the outer homesteads of the city. We hit the doors by two P.M and continued for a few hours. Thanks to the new app The Party has provided to the canvasser, contact with voters can be updated live from a mobile device like a tablet. By dinner time, the crew and myself took in refreshment at the local brewery and debriefed. There was an understanding between the three of us that the community had mixed feelings about voting for The Party. We also realized the frequency The Party's must present through face-to-face encounters, distributing literature, and the power of social media. We applied these phases while working within this constituency and the others we canvassed.

Our influence spread, until it was the last day.

Among my crew and the remaining headquarter staff, I felt very much a leader. Every morning till the last day, I said 'hello everyone' and smiled to let the headquarter staff know that everything was okay. There were times when I had to motivate the other canvassers with silly jokes like "This is the city that rhymes with fun." However, there were sometimes when other canvasser spoke harshly about certain members of The Party. I reminded the sceptical canvasser that we had boots in that constituency because I was there. I silenced the nay sayers and led the field teams with the heavy handiness I was taught many years ago. Nevertheless, our time was growing short.

The last day began like the previous day. I awoke to some music and ate a

light breakfast. As I strolled the streets between Lorne Street, Hamilton Street, and eventually Victoria Avenue, the dreaded feeling overwhelmed me. After today, I won't see my friends or staff members. Our canvassing days were done. I reminded myself the most important contribution I could make to The Party was the best version of me. We spent the afternoon canvassing the communities inside the city under an angry, hot sun. When we finished canvassing and roasting, the headquarters staff gathered in a private location for its nomination meeting. There was a cash bar, but unfortunately, we were all broke.

I first said my good byes to the beautiful Miss Kitty. After the nomination meeting was adjourned, I waited outside the front entrance. She came out with those baked, brown shoulders and black genie pants. In one hand was her boyfriend, looking like the happiest man in the prairies. I only had one thing to say to her: "I know you're doing what you believe in, and that's all any of us can do. That's all any of us should. So, no matter what, I promise you, if you need us, if you need me, I'll be there." We hugged once and I watched her walk away with her boyfriend. Sometimes I thought to myself why men like him are so blessed to have such a wonderful woman. Standing there, alone and envious, I could do nothing.

Secondly, there was the last conversation I had with the Captain. In an undisclosed park bench, my friend and I spoke of the future of The Party. He later related how the two of us looked like mobsters meeting to discuss a warehouse. I was reminded of many *bon hommie* moments we shared as canvassers for The Party. We shook hands like *Marvel vs. Capcom* and bid our good byes.

-OffLine-

Epilogue.

The bus ride to the north was marked with rain and tight seating arrangement. The most spectacular sight was the full moon outside the bus window. I recognized the familiar treeline outside Carrot Valley. Further down the highway and passed the train tracks was home. The last password screen flashes and the continue count down began.

Level 41.



CONTRIBUTORS

Agnes Omotayo Adeyeye (Ph. D) is a Senior Lecturer in the Department of Religions, University of Ilorin, Ilorin, Kwara State, Nigeria. Her research focus is Church History and Gender Issues. Her articles and co-authored articles have been published in the *International Journal of Biblical and Cognate Studies*, *Journal of Sustainable Development in Africa*, *Ilorin Journal of Religious Studies*, *Journal of Religions and Peace Studies*, *Journal of the Nigerian Association for the Study of Religions*, *Kwasu Journal of Islamic, Christian and Comparative Studies*, *Benin Journal of Public Law*, and *UDUS Law Journal*.

Tosin Success Abolaji is a graduated from the Department of Religions (Christian Studies) University of Ilorin, Ilorin, Kwara State, Nigeria. His major interest is Biblical Studies, Church History and Peace Studies. He is a Master of Sociology candidate at Robert Gordon University, Aberdeen, Scotland.

Forkan Ali is a PhD Candidate in the field of English and Media studies at the University of New South Wales (UNSW) in Australia. He is a member of UNSW's Conflict and Society Research Group and regularly participates in the media studies seminar series. In addition to his work as a researcher, he is also a published writer on topics related to media, arts and literature and has had articles published in the *Australasian Journal of American Studies*, *Asian Studies*, a forthcoming chapter in an edited volume, *The Routledge Companion to Literature*, and *Social Justice*.

Mary Taiye Daniel earned her PhD. in Christian Studies at the University of Ilorin, Ilorin, Nigeria. Her articles and co-authored articles have been published in *ALORE - Ilorin Journal of the Humanities, Religion and Development in Nigeria*, *Akungba Journal of Religion and African Culture*, *Journal of the Nigerian Association for the Study of Religions*, and *Kwasu Journal of Islamic, Christian and Comparative Studies*.

Thaddeus T. Ityonzughul (Ph.D., M.A., B.A. & PGDE) is a Doctor of Philosophy with a specialty in African Economic and Social History. He had his undergraduate and postgraduate studies at the Benue State University, Makurdi, and Usmanu Danfodiyyo University, Sokoto respectively. Thaddeus started his academic career at Benue State University, where he earned his Ph.D. in 2019. He proceeded and lectured at the Department of History and Diplomatic Studies, KolaDaisi University, Ibadan, Oyo State, Nigeria; where he also served as an Examinations Officer of the Department as well as

the Departmental Board Secretary between 2019 and 2022. Currently, he is a Senior Lecturer and the Head, Department of International Studies and Diplomacy at Benson Idahosa University, Benin City, Edo State, Nigeria. He is also the Lead-Editor of the Faculty of Arts and Education's Journals at the same University. Thaddeus has published over eighty (80) articles in both reputable journals and books. Some of his most recent works appear in the prestigious Scopus-indexed journals: *International Journal of Green Economics*. Vol.15, No. 4 (Published by Inderscience) Switzerland; *African Renaissance* (Special Issue on Innovation and Sustainable Development in the Information Age), United Kingdom (Published by Adonis & Abbey), among others. He is also the winner of the British Academy Economic History Writing Competition that took place between 2020 and 2023. He is an active member of the Historical Society of Nigeria (HSN).

Martin Kuester taught English and Canadian Literature at the University of Marburg (Germany) until 2022. Holding degrees from German (MA Trier, Dr. phil. habil. Augsburg) and Canadian (PhD Manitoba) universities, he has published monographs on Canadian and English literature and (co-)edited several volumes in the field of Canadian Studies. His most recent book publication is *More or Less Educational: Literary Godgames in Anglophone Literature from Chaucer to Atwood* (Trier: WVT, 2022).

Jeremy R. Laughery is an instructor of first-year writing courses and graduate student in the Master of Arts in English program at Texas Tech University, where he specializes in film and media studies. His current projects include articles on hypermediation in Marker's *La Jetée* and surveillance in *Bo Burnham: Inside*. In his spare time, he is also a freelance film critic and copywriter.

Sue Matheson is Professor of English at the University College of the North where she teaches literature and film studies. She is also the President of the Popular Culture Association and the Book Review Editor of the *Journal of Popular Film and Television*. Her interests in cultural failure underpin her research: currently, she specializes in American Horror, Children's Literature, Indigenous Literature, and the Western.

Segun Omosule Olabisi, PhD., is a Reader in the Department of English, Olabisi Onabanjo University, Nigeria, hails from Ode Irele, Ondo State. He is a prolific writer who has contributed scholarly papers to leading journals in Africa, Asia, America, Europe and Australia. His area of specialization is oral literature.

Adeyemi Oluwadamilare Oresanya is currently a Lecturer in the Department of Performing Arts, Olabisi Onabanjo University, Ago Iwoye, Ogun State where he teaches and co-teaches courses in Children's theatre and Directing. He began his tertiary education at University of Benin, Benin City where he obtained a Diploma in Law. He earned his 250 *Vol. 15.4* (September 2023)

Master of Arts degree in Creative Arts, with Specialisation in Arts of the Theatre. from the University of Lagos. He is an indigene of Isanya Ogbo, Odogbolu Local Government, Ogun State.

Antonio Sanna completed his Ph.D. at the University of Westminster in London in 2008. His main research areas are: English literature, Gothic literature, horror films and TV, epic and historical films, superhero films and cinematic adaptations. In the past ten years he has published over seventy articles and reviews in international journals. He is the co-editor of the Lexington Books' *Critical Companion to Tim Burton* (2017) and *Critical Companion to James Cameron* (2018). He has also edited the volumes *Pirates in History and Popular Culture* (McFarland, 2018) and *Critical Essays on Twin Peaks: The Return* (Palgrave, 2019).

Joanna Starzynski holds a PhD in Film and History from York St John University. Her research focuses upon the construction of identity, community and alienation historically and within contemporary media and film. Her studies also focus upon research methodologies used when examining archival film footage. She is a Fellow of the Higher Education Academy.

George Steven Swan is an Associate Professor of Law at North Carolina A&T State University in Greensboro, North Carolina. He earned his S.J.D. and LL.M. degrees from the University of Toronto Faculty of Law; his J.D. from the University of Notre Dame School of Law; and his B.A. from The Ohio State University. Dr. Swan's published scholarship has been cited judicially. His published scholarship also has been required reading for courses at, e.g., Harvard University, the University of North Carolina, and the University of Texas at Dallas. He has been published in, e.g., the: *Alabama Law Review*; *American Bar Association Journal*; *American Political Science Review*; *Boston College Third World Law Review*; *California Western International Law Journal*; *Constitutional Law Journal Explorations in Ethnic Studies*; *The Family in America: A Journal of Public Policy*; *Florida Journal of International Law*; *Hastings Business Law Journal*; *Hastings International and Comparative Law Review*; *Indian Journal of International Law*; *Insurance Counsel Journal*; *Journal of African and Asian Studies*; *Journal of Juvenile Law*; *Journal of Legal Studies in Business*; *Journal of the Legal Profession*; *Journal of Social, Political and Economic Studies*; *Journal of Research on Minority Affairs*; *Law Library Journal*; *Louisiana History*; *McGill Law Journal*; *Natural Resources Lawyer*; *New York University Journal of International Law and Politics*; *Politics and the Life Sciences*; *Phoebe: An Interdisciplinary Journal of Feminist Scholarship, Theory and Aesthetics*; *Population and Development Review*; *St. Louis University Public Law Review*; *Seton Hall Constitutional Law Journal*; *University of Miami Business Law Review*; *University of Mississippi Studies in English*; and the *University of Toronto Faculty of Law Review*.

Walter M. Young is a proud member of the Opaskwayek Cree Nation. He lives and writes in Northern Manitoba.

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the quint's sixty-first issue is issuing a call for theoretically informed and historically grounded submissions of scholarly interest—as well as creative writing, original art, interviews, and reviews of books and films. The deadline for this call is the 15th of November 2023—but please note that we accept manu/digi-scripts at any time.

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