



Western
Voices

Western Voices

An anthology of winning essays from the
Bruce H. Leland Essay Contest

Volume 10 • 2012

Western Writing Program
Department of English and Journalism
Western Illinois University

credits

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For more information about the Leland Essay Contest, visit us in 124 Simpkins Hall, call 309-298-1103,

Western Voices

Table of Contents

Acknowledgements

Magdelyn Hammond Helwig, Director, Western Writing Program

Introduction for Students Reading *Western Voices*

Steve Long, *Western Voices* Production Editor

Red Hot, 3rd Place, Eng 100

Mia McLemore

Not Just a Pole, 2nd Place, Eng 100

Dwight Field

Epidemic of Bullying, 1st Place, Eng 100

Meghan Garmin

The Cycle, 3rd Place, Eng 180

Kate Glenn

Define Me, 2nd Place, Eng 180

Chelsea Townsend

Letter to Superintendent Koch, 1st Place, Eng 180

Charles Thomas

Romeo and Juliet: A Real Life Tragedy, 3rd Place, Eng 280

Hannah Feldhaus

Art vs. Crime, 2nd Place, Eng 280

Elena Katz

A Library for the Digital Age, 1st Place, Eng 280

Matt Gustafson

Acknowledgements

Magdelyn Hammond Helwig, Director, Western Writing Program

Western Voices 2012 is the tenth volume of an annual publication of winning essays from the Bruce H. Leland Essay Contest. We are excited to continue the tradition of showcasing the work of our student writers who are the heart of our writing program.

All students in writing courses in the Western Writing Program are eligible to enter the Leland Essay Contest. First, second, and third place prizes are awarded for each course: English 100 for developing writers, English 180 for first-year students, and English 280 for sophomores. A panel of volunteer judges who teach these courses selects the winning essays.

Without the dedication and talent of our students at Western Illinois University, this publication would not be possible. For their hard work editing the essays and designing and producing the collection, I wish to thank students from English 483G: Professional Editing. I thank, too, the student writers who submitted the fruits of their labor to this contest. The success of the Leland Essay Contest and *Western Voices* is due to your contributions.

I am grateful to the instructors who spend countless hours encouraging, supporting, and inspiring our students. Your commitment to excellence is visible in these pages. Special thanks go to the judges who volunteered their time and expertise and to Barbara Ashwood-Gegas who worked tirelessly to coordinate the contest this year.

I am indebted to the Department of English and Journalism's Writing Committee—chair Jacqueline Wilson-Jordan, Barbara Ashwood-Gegas, Neil Baird, Kelly Budruweit, Barbara Harroun, and Bill Knox—whose tremendous hard work is invaluable to the program. Thank you to the faculty and staff of the Department of English and Journalism and to the Chair, Dr. Mark Mossman. Your enthusiastic support of our student writers and our program is vital.

Finally, I want to thank our retiring writing faculty, Diana Allen, Kathy Balderson, Bev Braniff, Jim Courter, Joan Livingston-Webber, and Ed Parkinson for their years of service and dedication to the teaching of writing, which has been of such significance in shaping our program. We will miss you. ✍

Judges: Laura Black, Jose Fernandez, Barbara Harroun, Bill Knox, Kathleen O'Donnell-Brown, Penny Rigg, Eric Tucker, Melissa Wangall, and Jacqueline Wilson-Jordan

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Introduction for Students Using *Western Voices* in Composition Courses

Steve Long, Production Manager for *Western Voices*


Welcome to the WIU Writing Program.

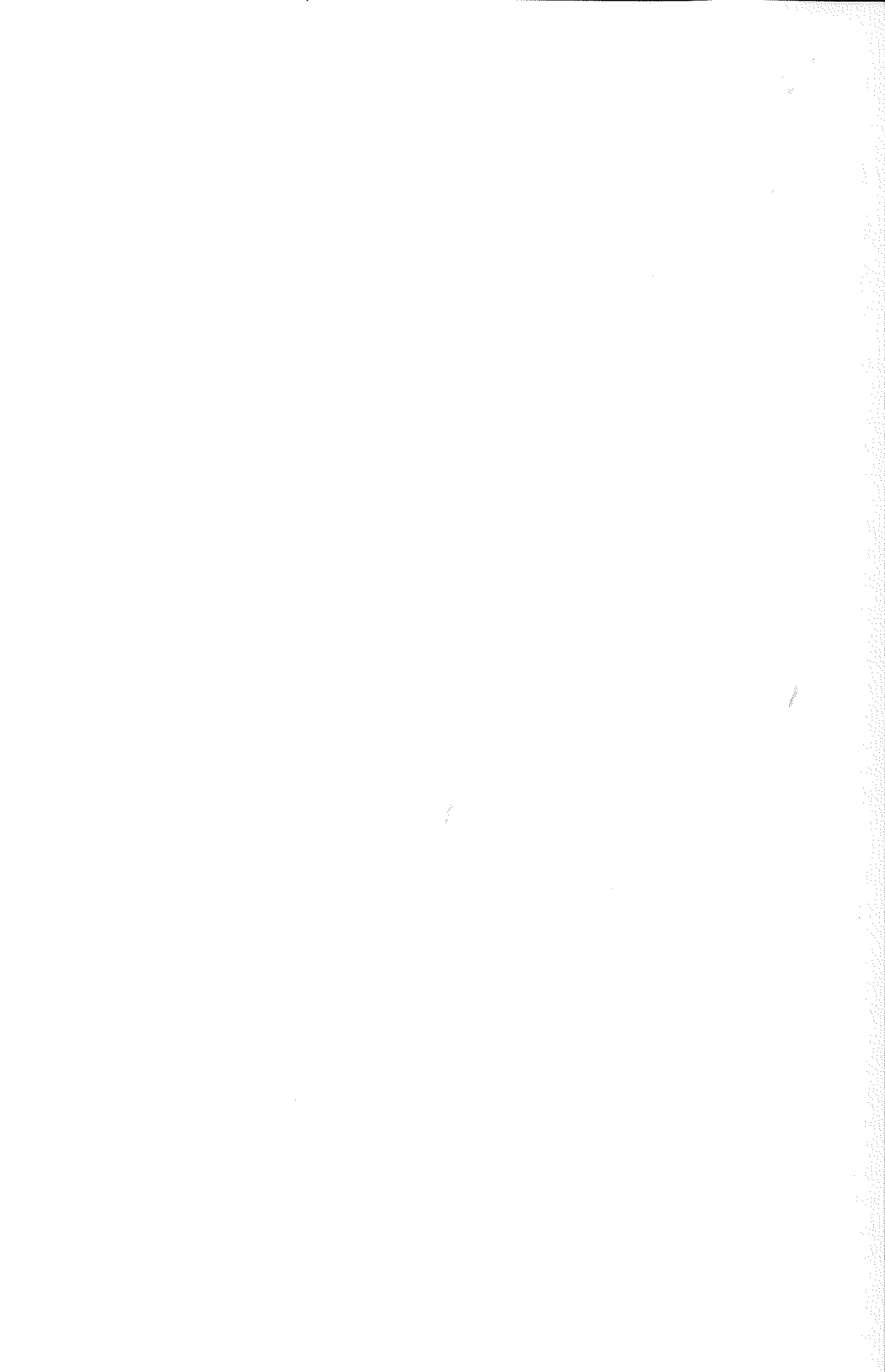
In the pages that follow, you'll find a collection of the finest essays written in 2011 by students in English 100, 180, and 280. Except for some light editing to correct minor punctuation and word choice, these essays appear as they were submitted to the Leland Essay Contest. They were chosen to represent an achievable model of excellence to which you can aspire in your own work.

Herein you'll discover writing from students just like yourself—writing that reflects the depth of feeling and the execution of craft that Western students should learn to expect from themselves. Showcasing unique perspectives and rich prose, as well as quality scholarship and research, these essays illustrate the things that you can aspire to in your own writing. But although they were chosen as the best essays submitted, they are not perfect, nor should they be. As you learn to recognize and identify those imperfections—details that exemplify the variously developing levels of undergraduate craft and style—you will no doubt improve in your own writing. We learn as much from recognizing missteps (and in these essays, they are slight) as we do from admiring successes. Consider the language in these essays as the expressions of your friends and classmates: they are students just like you who put their best foot forward and dared to do their best. I encourage you to let the work of your peers inspire you to find your own voice as a storyteller and as a scholar.

The range of topics and genres represented in this anthology are as diverse as those you'll be assigned in your English composition classes. The introductions to each submission were composed to help guide you in determining which elements of each essay might best serve your needs and interests as you complete your coursework. In *Western Voices* you'll find examples of argument, research and analysis, personal essay, and a number of other types of writing you can expect to see on your instructor's syllabi.

The Leland Essay Contest is designed to display the finest work by writers in undergraduate English composition classes. As you continually strive to improve in your writing while taking the intellectual risks expected of the best college students, if you find that, after your hard work, you've created something special, take one more step and submit it to the Leland Essay Contest. It's a special honor to be recognized for your accomplishments and your determination, and, who knows? Your efforts may end up being that spark of inspiration that helps another student just entering the class you're in now to do their best. If you do choose to submit your work, I wish you the best of luck!

All of the information you need to enter the Leland Essay Contest can be found here: http://www.wiu.edu/cas/english_and_journalism/writing/leland.php. 



“Red Hot”

Mia McLemore, English 100, 3rd Place

Introduction: This narrative follows the progress of a teenager’s “Red Hot” anger, from sixth to ninth grade. As she navigates school, bullies, and her home life, the author struggles to control her behavior but receives some helpful advice along the way.

Sixth Grade

It all happened so quickly. The fat-faced, caramel-skinned, thick-armed girl pushed me. She actually pushed me.

“What you gonna do now, Bitch?” Kia said after.

At the moment, I was stuck. I had never been in a fight with anyone except my brother. And this girl was not my brother. So I did what anybody in my situation would do: I punched her. Next thing I know, a big group of familiar faces formed.

“FIGHT, FIGHT, KICK HER ASS!” chanted the crowd.

I guess she thought I disrespected her in front of her friends, so then she slapped me. Next thing I know, fists were clashing, hair was being pulled, and the teacher was walking in. From the sounds of the chants, I was winning, but I couldn’t tell; everything was a blur. That’s when the big red ball of anger started.

Now at this stage in my life, you couldn’t tell me shit and couldn’t argue with me about anything because I knew it all.

Seventh Grade

Before long, I had a flip mouth and an attitude to back it up. Any time a girl said something to me, I had either a smart comment or a stank face. This is when I became fluent in sarcasm. Nobody could touch the bad attitude and anger ball that had formed in me. But I was always that one who touched the hot stove when they were warned not to. Taylor Flowers was the only girl that I’ve kept a grudge with since the seventh grade. She hated me: for what reason. I don’t

know, but she talked shit about me all the time. Every time the 6 foot 1 inch tall, small-lipped, big-eared girl snickered when I walked past, the fury that aroused in my stomach almost made me sick. At this moment in time, my feelings didn't matter; the big red ball had taken me under and I wasn't fighting back. So when spring break came around, the bullying stopped, but the red ball hadn't. The days went by so fast you would've thought Friday meant Fast Lightning. Now Taylor, like any other bully, was so predictable that I knew if I pushed the right buttons, she would be bound to snap. So I pushed them; I had my friend call her up and tell her all these untrue things that I said, and before I knew it, Taylor Flowers was in the front of my house with an army of people. Usually somebody in my situation would be scared, but not me.

"So you talk shit about me and think you're going to get away with it, Fatass?" she asked.

I chuckled at the statement because it was true; I was a fatass. "Well it depends on how you take it, Tree?" Now I knew this insulting statement would set it off.

"You bitch!" Taylor screamed.

Before long we were rolling all over my front lawn: hair pulling, face scratching, arm biting. But what I had over Taylor is that she was taller, meaning she moved a little slower, so I crouched down and slid from under the tangled arms, wrapped my legs around her waist, sat my butt on her stomach, and just started punching her in the face. Moments after, my dad was pulling me away from the girl I called Tree. He couldn't believe what I had done. So after it was all said and done, he sent the bullies home, and called me into the house. I was breathing it and sweating so hard, my chest looked like it was covered with thick raindrops

Eighth Grade

Now at this stage in my life, you couldn't tell me shit and couldn't argue with me about anything because I knew it all. At this moment in time, I didn't get along with my mother because we would go tit for tat. She didn't like that I was too grown for my age. And my dad couldn't take that his little princess was growing up. So the communication between them and me was completely gone. I kept fighting in school, being suspended for ten days due to the many fights. One day while in science class, I was sitting there popping my gum in an annoying manner just because I could; then I heard a voice say:

"I hope you know nobody likes a little girl with a bad attitude and an anger problem. I think you need to handle that as soon as possible," Ms. Wallace said.

"But I don't care if somebody likes me or not they can kick rocks, honestly," I whispered.

"Well you have the potential to be something special. I just hope you start using your ears not your mouth all the time," she said since

Ninth Grade

So this is where the shit really hit the fan. I thought I was the best thing walking into Thornton Township High School. You would think I was a senior, the way I walked the hallways. It was like that for months until that one senior Tamisha Brown tried me. The hallway was spinning, and she pushed me into the lockers. Now what I didn't understand was why she didn't like me. Well as the story unfolded, she didn't like me because she thought that I was messing around with Will Jamis her scumbag of a boyfriend. What girl was messing with him? But in this scenario, I was above. So there again I was fighting for a reason that was above me. The big red ball had taken over again, and I couldn't control it. My anger had gotten worse, and no one could talk

Not Just a Pole

Wright Field, English 100, 2nd Place

roduction: "Not Just a Pole" is a well-written narrative about the constant presence fishing had in the life of the author. From the time he was a child, Field has spent time fishing with his father at Otter Lake leading up to his leaving home for college. Through this narrative, it is clear that fishing and the experiences Field has had with his father have shaped who he is today.

Summer

I have passed first grade and there is no more school or homework to be done. It is a beautiful, warm, summer afternoon at my house. I sit inside, bored out of my mind, just thinking of something to do on a Sunday. I look out the window, seeing all of the pretty birds flying, puffy white clouds, and clean cars cruising by with their windows down. I have to get out of this house.

Suddenly my dad saves this boring Sunday turning it into a day of excitement. There he is, standing on top of the stairs, screaming my name to come up. I rush up the stairs to hear the surprising news that my dad is so anxious to tell me. He says, "Son how would you like to go down to the lake with our fishing poles and catch us some fish?" Before he even finishes his question, I dart to my room to grab my fishing pole. I overhear my mom in the kitchen complaining how there still needs to be cleaning done in the house, but that never stops my dad from having a good day for fishing. We arrive at Otter Lake (the lake that I am so familiar with since it is only about a mile away from my house) where it is fairly quiet and calm, and there are other fishermen. My dad and I both reel out our fishing lines from two comfy rocks and wait patiently for a sudden nibble. I'm wearing my goofy khaki shorts with a camouflage t-shirt that doesn't match. My ugly bowl-cut hair is blowing in the strong wind. I don't care how I look. I just love going to my dad while waiting for fish to swim by.

8th Grade

I'm hanging with girls and playing basketball and football. I don't have time for fishing anymore; none of my friends ever want to go. I come home on the bus from a long, boring school day to see a big ol' construction truck on our farm property behind my house. Little do I know my dad is having the workers install our very own pond! I can't believe it. I drop my Green Bay Packers book bag in the driveway and quickly sprint to the backyard. There are dozens of construction workers with tools and big trucks there to dig a giant hole for my family. The ground is torn up and the water is filled with tons of fish. A week later, I get out of school, and my dad and I both grab our fishing poles and walk outside to go fishing. I missed being able to go fishing with my dad; I am so caught up in school and sports I never have the time. The bobber

suddenly goes straight under the water; I stop explaining how my day was at school to catch the hungry fish that wants my night crawler. I grab my pole and start to reel in the heavy monster. The line is getting closer and closer until I see a mean snapping turtle peak his head out of the water to break my fishing line. "Better luck next time," my dad says hysterically.

*I just love talking to my
dad while waiting for fish
to swim by.*

Senior Year

My high school career is coming to an end. I walk into school with my friends who I have known since I was a little kid. I am filling out job applications like crazy just so I can have a sense of the real world before I go off to college. I come home from school and every night at dinner my parents are always bugging me about finding a job. I am getting worried that I'm not going to get anything until one lucky day I read the weekly newspaper. Under job listings it says, "Otter Lake now hiring." I am wearing clean casual jeans with a nice button-up shirt for my first job interview ever. After thirty minutes of nervous questioning I leave the park feeling confident that I am the employee that they want. I wait patiently for weeks, but still haven't heard anything back from Otter Lake. I am sure that they have found someone else. I spoke too soon. About a week later, I come home after basketball practice to hear a lovely voicemail from Otter Lake saying that I have the job. I come into work with a smile on my face surrounded by people who are as interested in fishing as I am. I have been working for about a month now and the boss tells me one day that he

fishing. After working a whole summer I pack up my things and leave to start a new life at college. It is a warm sunny day while driving Macomb to start my freshman year at Western Illinois University. I'm driving down the interstate looking through my rear view mirror and suddenly spot my fishing pole sticking out the window of my dad's truck; he must have thrown it in without me knowing. 🎣

Epidemic of Bullying

Meghan Garman, English 100, 1st Palce

Introduction: In this essay, Garman examines the growing trend of bullying, specifically cyber-bullying. Garman examines the difficulties in defining bullying as well as putting a stop to it as it often isn't until it is too late that the bullied individual comes forward.

In his essay "Bullied to Death," *Time* author John Cloud reveals a disturbing trend: four cases of teen suicide in the fall of 2010 can be linked to bullying. The cases are unique but preventable for each, or so it seems. As a country we invest money to prevent bullying, but our technological society has made that almost impossible. Hateful words and harassment through social media have spread like wildfire which makes it that much easier for bullies to leave their mark. With ever-changing ways to diminish someone, it makes it all the more unattainable to attach a single definition to bullying. So how far do harassment and hatred have to go to be considered bullying? I feel that this epidemic of bullying is only going to get worse and we've only scratched the surface of how common it really is.

I feel that with the new world of technology we have been taught to hide behind our laptops and cellular devices. Our identities have been masked and our hateful words become more vivid. You can say whatever you please without facing the reaction of your victim. Bullying and harassment have come a long way since the days of calling someone ugly on the playground. It has gotten out of control; as Cloud explains, "The technology of bullying has advanced much faster than efforts to stop it ever could" (2). Adults are at a standstill on how to control the nuisance of technological bullying; whose responsibility is it to punish a child for cyber bullying, the schools or the parents? All the while we are trying to figure out who to blame, children's behaviors continue to get worse.

It is impossible to write a single working definition of what exactly bullying is. Each situation or incident has its own unique variation. If a child doesn't face physical harm but is emotionally distraught, does that make it bullying or should we tell the child to toughen up? There are a million different extremes when dealing with harassment cases, so how do we clarify exactly what makes behavior, bullying?

Being unable to define bullying, we find ourselves at a loss on how to deal with it. It isn't until the bullying becomes unbearable for the victims that it's finally noticed by some authority figure. At that point it may be too late for everyone involved. The bully's behavior becomes irrevocable when the victim makes a permanent decision. Cloud asks, "Why can't we recognize

warning signs in bullying...?" (3). How exactly can we prevent bullying if we can't even define what it is?

*Bullying and harassment
have come a long way since
the days of calling someone
ugly on the playground.*

There is no end for bullying; it's a vicious cycle. Cyber-bullying is a behavior picked up by today's generation that will carry on for years to come. Bullying has just made its debut in headlines, through cases of suicide, and will continue to prosper. We must figure out a way to correct the behavior at a young age and pick up on the smallest warning signs. Schools and parents (or guardians) need to work together as one to make sure bullying isn't evident on playgrounds or on social networking sites. Unless changes are made rapidly, this generation and the ones to come will be based on harassment and hateful words. ✎

Work Cited

Cloud, John. "Bullied to Death?" *Time*. 28 Oct. 2010: 1-5.

The Cycle

Kate Gehn, English 180, 3rd Place

Introduction: In this narrative, Gehn skillfully illustrates the relationship between a father and daughter after a divorce. Through her father's actions and humor over the course of many years, the author learns key life lessons about relationships, patience, and light-heartedness. Despite its short length, this story is able to transport the reader to the detailed, warm scenes between father and daughter within.

It's 1994, and I am two years old. I am staying with my father for the weekend. He rents a room in a trailer from a lady he met at work (my future step-mom). A tiny little oasis in a concrete desert is where we are. There are other metal homes here, but they aren't special. They don't have my dad. My first memory comes from this paradise. I am sitting on the training potty in the bathroom. The door is open. I smile as I hear those familiar footsteps approach from down the hall. There he is, my dad. He doesn't return my smile at first, but instead sticks his pink tongue out at me. I immediately return the joke. We giggle at each other, and he continues down the hall. Ever since this first memory, that tiny act has been and will continue to be a symbol of "I love you" for both of us.

~*~

It has two bench seats, blue and soft; a plethora of napkins and straws in the center console; a magic seat that turns M&M's into Skittles every few weeks; a monster that lives under one of the seats and never quite catches my toes; a bottomless coffee cup; a stereo with a cassette player, and a CD player accompanied by an eclectic library of music that ranges from James Taylor to Smash Mouth to Yes. Sitting behind the wheel is a self-described "dyslexic, cynical, misanthropic person with a mal-adjusted sense of humor." His skin is dark from the sun, his eyes outlined by the rims of his glasses, and his clothes are worn from the labor that comes with being a carpenter. A smile plays across his lips as he sings one of his favorite songs, "Someone's in the Kitchen with Dina," to the little girl with curly, blonde hair sitting next to him in the passenger seat.

Being a child of divorced parents, I spent a lot of my quality father-daughter time in this car. It was more than just a white 1992 Oldsmobile Cutless Cierra; it was an escape from the rest of the world, an alternate realm inside four doors where my father and I would never part.

~*~

"You know, Kate, boys are stupid," my father says as I walk in the door. I tilt my head to one side and raise an eyebrow at his unorthodox greeting.

"Oh?" I say as I kick off my work shoes. I have just arrived home from working at Hy-Vee, our local grocery store chain, holding a single red rose, a weekly gift from my boyfriend. I suspect this to be the topic my father is hinting at.

*It was an escape from
the rest of the world, an
alternate realm inside four
doors where my father and
I would never part.*

"He should really plant you a rose garden," he replies. "It'd be much cheaper." I giggle at his joke as I cut the rose and place it in a vase. As I return to the living room, my father decides it's time to tell me a secret about boys—a secret that girls aren't supposed to know. He tells me that I have to tell my boyfriend to stop buying me roses. Confused by this idea, I urge him to go on. He informs me that in order to get my boyfriend to know me better, I have to tell him to stop buying me roses. Because if I don't, then he will continue to just buy me roses because he knows that they make me happy, and then he doesn't have to think of something else. But if I do tell him to stop, then he will *have* to find out something else that I like. It is an ingenious idea, but I might end up with fifty stuffed animal penguins in my room.

~ * ~

Pine tree, popcorn on a string, oyster stew, ham, cranberry sauce, gingerbread, and sugar cookies—these are the scents that fill my grandpa's house. Almost all of my dad's

my aunts Chrissy and Heather, who live out of town. We have just stuffed our stomachs to the brim with our traditional Christmas dishes, ham steak, potatoes, green bean casserole, oyster stew (for the brave souls), and much more. My cousin Ashley and I jump up and take on the role of Santa's elves and pass out all the presents from around, under, and behind the Christmas tree. Once everyone has their heap of presents, we dig in and free our bounty from its paper confinement. But in our family, the wrapping paper is not cast aside and tossed in the trash after the presents have been unwrapped, at least not right away. Slowly but surely, the presents get stashed in the various nooks and crannies of the living room, everyone claims their posts, and gathers their ammo—wrapping-paper balls. The living room has now transformed into a battle zone where everyone is a target. Some alliances are formed, but in the end, it's every man for himself. Through this long-standing tradition, many aspiring beaus of the family have either been accepted or denied. It's survival of the fittest and the well-humored in my family.

~ * ~

Shock, fear, and unsettling adrenaline—these are the emotions that are washing over me again and again. I blink my eyes open. The world is crooked, and the two ton metal machine under my novice control is irritated. Merely ten seconds ago, I was attempting to pull my father's car back into its usual spot in our driveway, right in front of the carport. This seemingly simple task was thwarted by my clumsy feet; I have just learned that only one foot should be used when driving an automatic. The car, confused by my mixed signals, sprinted forward into the pole that used to hold up our carport and over the bagged lawn soil piled there. I look over at my father in the passenger seat as I process this

surprises me with concern. Laughter fills the silence between us as we take a damage report. We are both fine. However, the carport and the car have both seen better days. To this day, my father's car has a bright red dent on the front driver's side corner, and the pole is bent. But I too have a lasting impression from this day: "I can buy another car. I *can't* buy another you," said my father.

~ * ~

It is 2008, a Wednesday. My father and I are staring at each other. Red is splattered across the floor in our kitchen. I am frozen, waiting for his reaction. In this split second, my father teaches me something: some things are not worth getting mad over. He laughs at himself, picks up the saucepan from the floor, and shuts off the heat on the stove. I look down at the mess we have made and smile as I wiggle my toes in spaghetti sauce-soaked socks. The learning continues as we throw our socks down to the laundry room and grab some kitchen towels. We giggle as we clean up the mess by racing across the kitchen floor with kitchen towels on our feet. With every moment we have a choice. I choose to laugh.

~ * ~

Until adolescence, it never quite struck me how different my relationship with my father was from the other kids around me. That seems to be the defining moment for most parent-child relationships, the time to sink tragically into the rebellious teenager/overbearing parent scene or to float upon the waters of communication and trust. For my father and me, it was never a question of sink or float; sinking was never an option. Towards the end of junior high school, I started to look around at my peers and how they interacted with their parents. Some rarely spoke to each other, others fought constantly, and a very few percentage could say that they told their

parents "everything," which in teenage lingo meant, "everything I *want* them to know." But my relationship stayed its course above the treacherous depths of deceit for the most part (I am human after all). I owe our success in part to the fact that my father is not just my father. I can honestly say that he is one of my best friends, but not to that irritating stage that some adults reach. He knows when it's time to be authoritative and when it's time to be amiable. He has realized that he is not only raising me, but influencing how I will raise my future children. It is then that I hope to continue the cycle. ✎

Define Me

Chelsea Townsend, English 180, 2nd Place

Introduction: This narrative provides a view from the life of a bi-racial teenager. Throughout the story, she struggles with feeling unwanted and trying to define herself, feeling that she is between two races. Striving to find her way in a judgmental community, she identifies key features that truly make up the definition of an individual.

My eyes kept reflecting back the enemy in the mirror. Who am I? Not even the golden cross hanging from my necklace could paint a true picture of my life or even write it out. Did people see the same things as the sorority of assassins or just another person walking to class? The edges of me began to blur as I locked onto my own eyes.

Those assassins set fire to my brain. I already sat with legs crossed, arms folded across my chest, and my eyes constantly lowered. Sometimes I would think something in my head, but regardless of what I did, my voice never left my mouth. I felt like the elephant in the room no one wanted. As people pushed their way into the small dining room and hallway of my uncle's house, the air lessened. The air bags tried to fill up again as the organ between them increased its drumming. I looked at my cell phone. There was still six hours until we got to leave St. Louis and return to Macomb. None of these people knew me. This visit was pointless.

The only two ways out for air were either through the larger living room full of women blocking the door or a small square room packed with men enjoying some games while drinking their poison. My shoulders shrugged as I headed to the living room. It should be simple enough to navigate through my own gender. Although a few did stop talking to look at me as I made my escape into the tiny bit of nature left in St. Louis.

The smell of nature filled my lungs with pure, desired oxygen. The large tree in the corner of the lot gave enough oxygen for the whole block and music as the leaves swayed against each other in the breeze. The ferns and flowers around the perimeter of the house gave off an odor as well that could not really be placed as a welcomed smell, yet it was not a bad one either. My lips curved upwards as I looked on the ground at the countless cigarettes. At least this stairway did not smell like an ashtray.

Breath filled my lungs once more, and I began to draw. My pencil was already broken but still functional. It shook as I sprawled out the upper arch and then twisted as the lower arch was formed. While making the cornea, the lead fell on the paper. I picked it up with my nails, leaving an indentation in the cylinder. Placing the lead back into the hold and turning the pencil just

showed failure after failure. Why did I leave my sharpener in Macomb?

I then decided to stop drawing and re-enter the house. The conversations of the women were loud once more. If I was not mistaken, I think I even heard my father's name through the screen door. My hand, once firm, now shook toward the handle. It jerked back upon touching it. I let out a breath as my shoulders relaxed and then entered the house. What was wrong?

*I was not always like this:
contemplating who I was,
what I would be.*

Their eyes bore into me. It was not just the three, but around seventeen more recruited to the sorority of assassins staring at me. Their eyes held no shine, their arms were across their torsos while they put weight on one side of their bodies, and daggers were sent straight into me. Their laughter had ceased, along with conversations. My eyes began to shine more as the dam tried to hold back anything, if not everything. I escaped into the dining room again to sit by my sister.


"Don't worry about them. They are just mad at us because we are mixed," she said.

I looked up. Never had I heard that to describe myself before, but it made sense.

Her lips only turned up a bit into a weak smirk, "They are just angry dad got with a white girl."

This was what was wrong. Was that all bad? People were people, no matter the race. Why did it matter that my mother was white and

my father was black here or there? Plus, the anger shown should not be placed on the offspring of the couple who decided to be in that relationship. It is not like the children had a choice of who their parents would be. I sighed.

I was not always like this: contemplating who I was, what I would be, and the rest of that spiel. In the beginning, we were just people. The red and black checkered shoes, the gray cotton shirt on my back, or even the color of my skin were all just words to describe me, yet did not define me as a person. My dam broke, allowing water to wash away the stone of my thoughts, and I was left to wade in the waters of my beliefs. As the water began to rise, I wondered if I would make it to land safely or become a forgotten ship at the bottom of the sea. 

Letter to Superintendent Koch

Charles Thomas, English 180, 1st Place

Introduction: This letter, addressed to the Illinois State Board of Education superintendent, suggests the need for educational reform to meet the needs of inner-city minorities, specifically those minority students in Chicago. Thomas supports his belief that educational reforms could benefit minority students through the use of research from newspaper articles that point out current problems.

April 6, 2011

Christopher Koch
100 North First Street,
Springfield, IL 62777

Dear Superintendent Koch,

As a Black American, I strongly believe that the adverse effects of slavery are still very much present today. Although America has passed constitutional amendments to counteract decades of discrimination, it still exists. Affirmative action is something that our society has done to combat discrimination against women and minorities. The fundamentals of affirmative action are drawn from the simple American belief that all people deserve the opportunity to succeed. I find it illogical to think that simply opening a door intrinsically implies that we are allowing Black Americans to pass through it. I believe that in order to tackle the disparities that exist between inner-city youth and their suburban counterparts, we must first build a strong foundation, by reforming our education system in a more holistic manner for poverty-stricken communities like Chicago.

The majority of minorities live in impoverished inner-city areas, where the school systems fail to meet the same standards as their suburban counterparts, increasing the odds of failure for those minorities who were not fortunate enough to have access to academically inclined public schools. According to *The New York Times* the average graduation rate for Black students is 67% compared to 81% for Whites. Education has always been known as the key to success, but if minorities aren't afforded the same opportunities as nonminorities, then we are simply perpetuating the cycle of poverty and disparity. Chicago should be the model that shows our nation exactly what is possible with a little American ingenuity and persistence. A complete educational reform would give inner city youth a chance at something their parents may not have had. Educating minorities properly would allow America to create a competent minority

work force that is as equally employable as the majority thus theoretically leveling the playing field for generations to come.

Education reform is a tricky subject. There are many challenges to be dealt with when tackling such a substantial issue. According to an article in *Chicago Tribune* published September 7, 2010, an inner city school student was quoted as saying “The violence is like one world, the education is another world. And you can’t take on two worlds when you are just living in one.” The student went on to explain how he has had friends that have simply stopped attending school because they were disliked and harassed by those living in the neighborhoods in which their respective schools were located. This issue might have been an aspect that was overlooked by someone who had no genuine interest in helping the students they service. According to this same article, many believe that inadequate funding will funnel low quality and unmotivated teachers into the Chicago Public Schools. If this hypothesis is accurate, then we are looking at a desperate situation.

Attendance is an issue that many Chicago public schools struggle with. Lisa Black, of the *Chicago Sun-Times*, reported in the article “As Student Absenteeism Rises, a Charter School Fights Back” on March 24, 2011, “Marshall High School recorded a 53.5 percent attendance rate for 2010”. It seems to me that it would be hard for students to graduate without actually attending classes. If we want students to attend classes more frequently, we need to target what keeps them away. If traversing dangerous neighborhoods discourages potential graduates from attending school, then maybe we should consider a safer alternative to walking. When combating an issue that touches all aspects of one’s life as education does, we need to be extremely involved in order to completely

understand the issues at hand. We need to observe first-hand what makes attendance so problematic. We need to understand why so many students don’t feel motivated. One question I have for you is, how do you plan to tackle the problems that lie outside of your jurisdiction as Illinois State Superintendent of Education?

Education has always been known as the key to success, but if minorities aren’t afforded the same opportunities as nonminorities, then we are simply perpetuating the cycle of poverty and disparity.

In accordance with education reform, I believe that the values of inner city families also play a key role in the education of our young people. When parents are uninvolved with the education of their children, it has an effect. Parents who neglect to convey the importance of steadfast attendance, the use of proper grammar, or even basic organization skills are robbing their children of American society’s fundamental building blocks. According to Will Okun who wrote “Why Black Students Are Failing,” an article from *The New York Times* June 23, 2008, 50% of [Black] students with uninvolved parents will not graduate from high school. I believe that early education is a necessity for both children and parents. It’s been proven that the earlier

children are properly engaged, the more likely they are to succeed academically. I believe mandating early education programs as well as parenting classes will help set in motion a full circle plan-of-action when it comes to education. Children learn the most from their families. If their parents never graduated high school, or never valued education, there's an increased possibility that those values will be passed on to the children. I propose that we make it a necessity that all first time parents receiving government assistance take parenting classes. These classes could teach things like proper nutrition, adequate motor skill engagement, along with emotional nutriment. I also believe that by the age of five, inner-city children are already playing catch up. To paraphrase what Jacquelyn Heard says in the article "City Schools Try For a Come Back." *Chicago Tribune*, February 09, 2010, There should be non-optional nursing schools that provide adequate guidance from the age of two. All these ideas could help mend the vicious cycle that has entrapped our youth. I believe that by teaching parents and children alike, we are providing them with the power to delegate their own future.

future for a country that once embodied a dream so bold that shaped the world. Minorities play a large role in our future, and we must educate them in a way that prepares them for the challenge. ✎

Sincerely,

Charles Wesley Thomas III

Bibliography

- Black, Lisa. "As Student Absentecism Rises, a Charter School Fights Back." *Chicago Tribune* 24 Mar. 2011: 2. *News Bank*. Web. 24 Mar. 2011.
- Ford, Miranda. "Are Schools Still Teaching?" *New York Times* 07 Sept. 2007: 6. *News Bank*. Web. 24 Mar. 2011.
- Heard, Jacquelyn. "City Schools Try For a Come Back." *Chicago Tribune* 09 Feb. 2010: 7. *News Bank*. Web. 21 Mar. 2011.
- Okun, Will. "Why Black Students Are Failing." *New York Times* 23 June 2008: 3. *News Bank*. Web. 21 Mar. 2011.
- Quintanilla, Ray. "It's Right Time for Change." *Chicago Tribune* 09 Jan. 2008, Metro Chicago sec.: 3. *News Bank*. Web. 21 Mar. 2011.

In closing I would like to say, education reform has a myriad of benefits for those who would be affected by it. If given the proper chance, it has been proven that underprivileged, inner city students can do just as well as their more affluent counterparts. As an American citizen, I believe that having a work force that is competent and competitive is an absolute necessity. If we, as a country, wish to stay competitive in today's world, we need to do the best we can to give minorities a chance at success. The America that we live in today is vastly different from the world of our parents and grandparents. Our minority population has greatly increased in the past decade and is only predicted to grow even larger. If we don't prepare them adequately, we will be looking at a corrupt and desolate

Romeo and Juliet: A Real Life Tragedy

Hannah Feldhaus, English 280, 3rd Place

Introduction: This essay convincingly argues for the revision of sex offender registry laws, using Shakespeare's "Romeo and Juliet" as supportive material. This well-researched essay considers every aspect of current and potential registry laws and offers up several suggestions for their revision—arguing that consensual sex between teenagers should not warrant a life-long registration on the sex offender list.

Most everyone knows the story of Romeo and Juliet. In the Shakespearean tragedy, Romeo and Juliet both die in the end. However, little thought ever went into what would have happened if they had both stayed alive and were living in today's day and age. This modern day Romeo and Juliet would not live happily ever after, even if they had survived the last act. Romeo would be considered a sex offender in most states. The happy young couple would face numerous challenges and harsh consequences, all for being in love at a young age. Sex offender registration would be required of Romeo, thus preventing him from living a normal life. Although it may seem facetious to think of Romeo and Juliet in this situation, too many young couples today are facing this very real challenge. It is because of cases like this that sex offender registry laws need to be revised. Sex offender registries should be reserved for those who commit heinous, violent, or dangerous sex crimes; not those who have consensual sex underage.

Sex offender registries have not been around as long as some may think. Most states developed sex offender registries in the 1990's (Harlem 2). The very first registry was in California in 1947 (Harlem 2). These registries were created to help keep track of child predators and offenders, and to try to prevent recurrence of the offenses. The records were made public so that parents and guardians could prevent their children from being victimized (Comartin, Kernsmith, and Miles 205). The logic behind the registries is to restrict offenders from being too close to places where children congregate, such as schools and parks, so as to prevent further offenses and to protect innocent children. This includes being within a certain area temporarily, such as a walk to a park, or living or working within a certain distance of a restricted area (Comartin, Kernsmith, and Miles 205).

Sex offender registries today have changed to include a vast array of people. Each state differs in its registry, but some states have no limit as to how young a person could be to qualify as a sex offender. Most states seem to have an age limit of 14 and above to qualify (Comartin, Kernsmith, and Miles 205). In some states, a person can be put on the registry for visiting a prostitute, urinating in public, having teenage consensual sex, streaking, or flashing, in addition to other more serious crimes such as rape and child molestation (Harlem 2). Sex offender

offender? What constitutes a sex offense worthy of being on the registry? The original intent of the sex offender registration was to keep children safe and to prevent reoccurrence (Comartin, Kernsmith, and Miles 205). So then why are people who never hurt a child in the first place put on the registries?

Sex offender registries should be reserved for those who commit crimes that harm children, whether emotionally, physically, or mentally. These crimes could include rape and molestation, but can also include consensual sex between an adult and a child with a bigger age difference than four years. Critics of the Romeo and Juliet laws may think that these laws will open up a gateway to allow sex offenders of any level or crime to get off the registry. However, under the Romeo and Juliet laws, the only people who would get off the registry would be those who were within four years of age of the underage victim, participated in consensual acts with a willing and fully aware participant, and were lacking violence or coercion (Hess A1). These people would be considered low risk for re-offense and could still be charged with a crime (Hess A1). The laws also state that a judge would have the ultimate decision as to whether the case qualified for dismissal from the registry; thus it would prevent people who may re-offend from getting off (Hess A1). Overall, the law does not take away punishment for the crime, but instead reserves registration for those crimes that are the worst in nature.

The main reason for taking Romeo and his fellow offenders off the list is to make sure the registry is used for its original purpose: to protect children and warn citizens. As of right now, most states do not require details about the crime that the offender committed; thus everyone is lumped together (Comartin, Kernsmith, and Miles 205). This is not fair for those who committed smaller crimes that did no harm to a victim. To put these

types of offenders next to rapists and call it even is unfair at best and dangerous at worst, because it makes it more difficult for parents to determine who is a real danger to their children.

Sex offender registries should be reserved for those who commit heinous, violent, or dangerous sex crimes; not those who have consensual sex underage.

The other side of the argument includes those who say that these offenders should be registered because children under seventeen years of age cannot fully make a decision since they are not adults, and these are "adult-like actions" (Hess A1). Although this is a valid point because sex is definitely an adult-type action, it needs to be put into context. People seem to be having sex at younger and younger ages. We should not register a teenager because he or she had a boyfriend or girlfriend two or three years younger than them, especially in American society where sex is all around us. At what age does a person become able to make these "adult-like" decisions? (Hess A1). Teenagers who commit this offense are just that: teenagers. Some adolescents mature faster than others, and it is not necessary to punish so harshly those who made a mostly harmless mistake. Under the Romeo and Juliet laws, nowhere does it say that consensual sex with a minor is okay or not punishable. It would become a minor offense for those who qualify, not a life-wrecking felony (Hess A1). It would give a chance for improvement back to the young

person who made the mistake, while at the same time holding them accountable.

One of the worst parts about holding these offenders on the list is that it is highly restricting on the individual for the rest of their life. The offenders are looked down upon and highly judged because of being on the registry. In fact, most offenders report threats, violence, or harassment when their status as a sex offender becomes known (Comartin, Kernsmith, and Miles 208). Some offenders have even been murdered for being on the registry (Comartin, Kernsmith, and Miles 208). Sex offenders who have harmed children are generally told that they get what is coming to them. However, those who have not hurt a child or committed some heinous act may still face these types of ill-treatment. Not only do these offenders face persecution, but they are highly limited on where they can and cannot be, where they can work or live, and what they can do. The registry makes little to no differentiation between a rapist and a Romeo and Juliet offender. The people who commit these types of offenses still have their names put on the Internet, along with a picture, stating them to be sex offenders (Harlem 1). Also, a person may not attend a school function or party with his or her children ("Take Romeo"). These people are quarantined to certain living areas, have restrictive limits on jobs, and cannot enjoy certain places, such as parks, because of these rules (Harlem 1). Of course, every state is different, but overall it is unfair and unjust to lump all offenders together when their crimes are so different.

There are many arguments for why someone should not be taken off the registry. Some seem extremely valid on the surface. An argument made by Berkowitz states that the rights of the individual must not be placed above the rights of the victim (226). She is absolutely right: no victim should ever have to

endure pain for the sake of their perpetrator. However, are the "victims" in this case really victims? For example, an "offender" in Illinois, cited in the article "Take Romeo off the Sex Offender List," actually married his "victim". They now have children and are happily married, despite the fact that the man is now on the sex offender registry ("Take Romeo Off"). The problem with putting the victim first in some cases is that they really never even considered themselves a victim. Obviously individual cases vary, so it is important that a clause in the Romeo and Juliet laws leave the final decision up to a judge, but offenders whose "victims" never claimed to be victimized should not be paying for the "damage" that they never caused.

Another valid argument is that a teenager really does not have the mental capacity to be able to make such adult-like decisions (Hess A1). While it is true that some teenagers may not be mature enough to make these choices that will never stop them from doing it anyway. This does not mean that the act was right or lawful. But the real question is: should the person pay for this mistake for the rest of their lives? There is no doubt that it is unlawful for a 15-year-old girl who is dating an 18-year-old boy to have sex. There is a reason it is against the law. However, is it necessary to punish the 18-year-old for the rest of his life? There should be punishment for what he did; however, it should not be a felony, but a misdemeanor (Hess A1). He should not be placed on the same level as those who seriously scar their victims for life, such as rapists and child molesters.

Rehabilitation for these offenders is extremely high, with a low re-offense rate (Comartin, Kernsmith, and Miles 206). Many never commit another sex crime in their lives. Since they are considered juveniles themselves, it can be said that they do not quite understand what they are doing in the first place. Many

young people make stupid mistakes. Many other juvenile offenses such as stealing, speeding tickets, or even arson or destruction of property, are often not judged as harshly as adult crimes of the same type (Comartin, Kernsmith, and Miles 2006). The juvenile is usually put into public service, given a fine or jail time, and then rehabbed as a normal citizen. If this is the case with these offenses, then what makes a minor consensual sex offense so different? Teenagers can be rehabilitated and taught what is right and wrong; they do not need to be punished for the rest of their lives for something they did when they were young.

As stated earlier, the main reason that a person is put on the sex offender registry is to prevent relapse and protect the public, especially children (Harlem 2). However, some may argue that slapping someone's picture and name on the Internet is not going to protect children—neither will telling them to not attend certain events or live in certain areas (Fitch). The best protection against sex offenders is parents being educated and watching who hangs around their children (Fitch). This does not mean that the registry is not valuable. It is extremely helpful to those who wish to protect themselves and their children. However, most people are not afraid of the man down the street who had sex with his underage girlfriend when he was 18 (Harlem 3). There is therefore no point to putting said man on the registry.

The registries are overcrowded (Harlem 2). The number of offenses required to register has caused the number of registries to explode (Harlem 2). It would make more sense to reserve the registry for those who committed more heinous crimes. Then those who are high risk for re-offense could be more closely monitored, and the registry would be returned to its original intended purpose. The dangerous predators would be the ones on the

registry, not the people who will most likely not harm the community anyway.

Many things need to be considered when dealing with sex offenders. If the states are still not convinced after seeing the overwhelming evidence that registering people who fall under the Romeo and Juliet laws does nothing, then they should at least consider removing them from the registry after their time of punishment is over. For example, put them on probation with registration for five years, but then take them off of both. Then the person does not pay for the crime for the rest of their life.

Overall, the Romeo and Juliet laws are very logical. The punishment for someone who qualifies for protection under these laws more closely matches the level of the crime committed. Instead of being held to the same or similar standard as those who committed rape or child molestation, they will be eligible to get off of the registry and be rehabilitated. However, they will not get off for their crime but can be given a new chance at life instead of being condemned. ❧

Works Cited

- Berkowitz, Carol. "Sex Offender Registration: Balancing the Rights of the Individual with the Public Good—A Commentary on Comartin, Kernsmith, and Miles." *Journal of Child Sexual Abuse* 19.2 (Mar/Apr 2010): 226-230. *Academic Search Premier*. Web. 12 Apr. 2011.
- Comartin, Erin, Poco Kernsmith, and Bart Miles. "Family Experiences of Young Adult Sex Offender Registration." *Journal of Child Sexual Abuse* 19.2 (Mar/Apr 2010): 204-225. *Academic Search Premier*. Web. 12 Apr. 2011.
- Fitch, Marilyn. Letter. "Being Informed is Best Aid Against Sex Offenders." *Herald Times* 10 Aug. 2005: 2. *Lexis Nexis*. Web. 12 April 2011.
- Harlem, Georgia. "Unjust and Ineffective; Sex Laws." *The Economist* 8 Aug. 2009. *Front Briefing: N. P. Lexis Nexis Web*. 26 Apr. 2011.

Hess, Hannah. "Bill Would Pare Sex Offender List Teens in 'Romeo and Juliet' Relationships Could Seek Removal From Illinois Registry." *St. Louis Dispatch* 28 Feb. 2011: A1. *Lexis Nexis*. Web. 1 Apr. 2011.

"Take Romeo Off Sex Offender List." Editorial. *Chicago Sun-Times* 28 Feb. 2011: 21. *Lexis Nexis*. Web. 1 Apr. 2011.

Bibliography

Becker, Tara. "My Brain Doesn't Have a Statute of Limitations." *Daily Gazette* 26 March 2011. State and Regional News: N.P. *Lexis Nexis*. Web. 1 Apr. 2011.

Caroe, Laura. "Victims' Anger At Sex Offenders Bid." *Evening Chronicle* 23 Apr. 2010: A6. *Lexis Nexis*. Web. 12 Apr. 2011.

Koch, Wendy. "States Ease Laws that Punish Teens for Sex with Underage Partners." *USA Today* 25 July 2007: 01A. *Academic Search Premier*. Web. 26 Apr. 2011.

Pride, Terry. "Castration Doesn't Work." Letter. *The Virginia Pilot* 17 Feb. 2006: B10. *Lexis Nexis*. Web. 12 Apr. 2011.

"SJC Rules on Side of Sex Offenders." Editorial. *Lowell Sun* 28 Sept. 2010. Editorial: N.P. *Lexis Nexis*. Web. 12 Apr. 2011.

Art vs. Crime

Elena Katz, Second Place, English 280

Introduction: Should street art be a punishable act? This is the question addressed in this essay in which the difference between street art and graffiti is examined. By addressing the distinction between these two forms, the author explains why street art should not be considered illegal despite the fact that numerous street artists have been punished for creating their art.

Art is subjective, but should crime be? When art is the crime, the line between the two suddenly becomes unclear. While it is technically illegal, hundreds of street artists became famous through their work painted on the sides of buildings and sidewalks, causing their hobbies to be seen as talent rather than criminal behavior. To some, these paintings are beautiful works of art for the public to enjoy, but to others, these "artists" are using graffiti to deface public property. Though they may use the same method, street art and graffiti produce very different products, yet for some reason they receive equal punishment. With society moving quickly to accept new standards, street art should be recognized as a form of self-expression and freedom of speech, rather than a crime.

Earlier this year, the Los Angeles Museum of Contemporary Art hosted an exhibition called "Art in the Streets," which featured the work of street artists around the world. At the same time, an artist who participated in the exhibition was arrested for breaching parole of an earlier graffiti conviction. His bail was \$320,000 and he was sentenced to 180 days in jail (Greiner). Essentially, he was arrested for being an artist who had the honor of contributing his work to a gallery, and there have been many others who have been in similar positions. As the street art phenomenon has grown over the years, the art community's interest has grown with it, leading to people paying large sums of money to hang framed copies in their homes and in numerous major galleries featuring the work. Large museums and galleries such as Tate Modern in London, the Brooklyn Museum, the National Gallery of Victoria, and Canberra's National Gallery of Australia, have promoted street art with large exhibitions. Meanwhile, many of these shows' contributing artists have faced consequences for their work. Coinciding with the Tate Modern show was the arrest of five artists, one of whom faced two years of jail time. The arrests caused some controversy: on one hand, the art allegedly cost the taxpayers £1 million. On the other hand, several supporters of the artists were touching up their own works of art being shown at the museum during their lunch breaks or during their hearings, the same art that got the men arrested in the first place (Akbar and Velleley). Society cannot seem to make up its mind, should we be celebrating these artists or punishing them?

If there is one part of the controversy that seems to have no clear answer in sight, it is the difference between “art” and “graffiti.” Some people may choose to believe that any form of street art is considered graffiti; however, this is not the case. When most people think of graffiti—images of foul language, gang tags, and crude illustrations—may come to mind. However, street art is nothing of that sort. Street artists can be talented individuals who paint stunning works of art. They use walls and sidewalks to express themselves and to have their voices heard. Sometimes it may not be enough to do this through the Internet or even through a piece of paper. These are people who want something bigger and that does not have to be seen as harmful. It is true that plenty of people use spray cans for harm, but those who use it for other purposes should not suffer the same consequences. It may be reasonable to ask that individuals who use graffiti be punished for their actions, but those who use it for the purpose of art are not to be placed in the same category.

In our current world of reality television and overexposed young adult novels, art does not get the same appreciation it once had.

Few can deny the beauty that some of these spray can wielding men and women produce. Not only are some of their murals breathtaking to even the cynics, but many are also responsible for sending the public thought-provoking messages and commentary. Some of the most beloved artists in history

have not had the same effect on the public. Few would also argue that art is not a form of free speech. It is a form of self-expression and one that should not be censored. Poetry, film, television, and fashion can all be considered forms of free speech, which is why art should be too. If art *does* fall under the First Amendment, shouldn't all facets of it be included? Who was it that decided art should be illegal? Saying that people cannot express themselves through art is a direct violation of the First Amendment, which should be honored, not torn apart to fit only a section of the population's beliefs. Just because these artists use the streets as their canvases does not make them less of artists than Pablo Picasso or Leonardo DaVinci. Hundreds of years ago, street art would not be anywhere close to being acceptable, but society is constantly moving and adopting new standards and technologies. Just as we learned to honor a woman's right to vote or integrate computers into our daily lives, street art is a modern phenomenon that we should learn to embrace.

It would be difficult to discuss street art without mentioning a man who goes by the name Banksy. Banksy is by far the most famous street artist on the planet, and he suffers greatly for it. He never reveals his real identity and has only been spotted wearing monkey masks and hoods to conceal his face. Not one to be subtle, Banksy's impact is undeniable, and his works send strong messages that are heard around the world. Some of his artwork has provided clever commentary on controversial issues, such as his image of two male police officers kissing, a Native American holding a sign that says, “No Trespassing,” and another that reads “If graffiti changed anything—it would be illegal.” He has even managed to break into large museums unnoticed and add his own pieces. On top of creating now-famous works of art, he also filmed a documentary about street art, *Exit Through the Giftshop*, which was

6


ominated for an Academy Award earlier this year. The man's work is that of a true talent, yet it will most likely be years until his fans can applaud him directly. If he were to reveal his identity, the perceived damage he has created would surely land him in prison for years. Most of today's youth probably cannot name a current artist, but Banksy is more than likely to be a familiar name to them. One of the most talented and celebrated artists of this generation is a wanted criminal because of laws that prohibit him from creating art. Banksy surely speaks for most of the street art community when, in an interview with David Fear for *Time Out New York*, he said, "Should graffiti be judged on the same level as modern art? Of course not: It's *way* more important than that."

While it is ideal to think of street art as an art form that should be treated as any other, it would be naive to think that there is no reason why it is currently illegal. Some of these works of art are placed on private property and those that are on public property have to be cleaned up using taxpayers' money. With street art becoming larger and more extravagant, the damage is costing the public more and more money, not to mention that there are still large amounts of people, especially older generations, who see street art as insulting and do not wish to see it on a daily basis. Judge Christopher Hardy describes a group of street artists as, "a wholesale self-indulgent campaign to damage property on an industrial scale" (Akbar and Valley). It is understandable that it is unfair to tax payers to have to pay for the damage, but who is to say that street art is "damage" and that it *needs* to be cleaned up? If advertisements can cover our buildings, why can't art? With the amount of support that street art has gained (the gallery and museum exhibits are proof), it is almost as if there are more people who prefer it to stay than not. Authorities assume that the public wants these

artworks washed away, when they are not even given a choice.

Street artists face large fines and possible jail time for crimes that are in no way harmful or violent. Considering that these crimes do not hurt a soul, it ends up being a bit curious that there are such strict laws about it. Victoria, Australia, for instance, introduced a law in 2007 that enforces that "a person can be fined merely for possessing spray paint 'without lawful excuse' on or around public transport" and a person can face up to two years jail time for graffiti (Freeman-Greene). If these artists really do have to face consequences, they should at least be reasonable and not excessive like prison. One street artist, who goes by Bob, has a solution. "There's room for debate, but jail sentences shouldn't be part of that. They should just have to do youth work or clean up ugly tags... I suppose the greater the cost of removing the graffiti, the greater the punishment should be, though not prison" (Akbar and Valley). If authorities still cannot recognize this type of art as acceptable to society, then they should at least take a step back and reassess how they are dealing with the "problem".

It is a little ironic that one of the most beloved and fascinating trends is also a crime. People are willing to pay millions of dollars for copies of street art to hang in their homes, yet the originals are illegal. Like any form of art, street art is a form of expression and labeling it as illegal is an infringement of the First Amendment. While cleaning up the artwork costs the public millions, who is to say that they need to be cleaned up? The public should be viewing these previously unheard voices as inspiration, not vandalism. The messages they send are changing and shaping society; punishing those who create them should be a crime in itself. This is one thing that the world should stop being conservative

current world of reality television and overexposed young adult novels, art does not get the same appreciation it once had. Passing by a single piece of art on the street could be enough to spark emotion or create discussion; taking that away from the public is something of which to be ashamed. 

Works Cited

Akbar, Arifa, and Paul Vallely. "Graffiti: Street art-or crime?" *The Independent*. The Independent. 16 July 2008. Web. 15 November 2011.

Fear, David. "Street (il)legal: Q&A with Banksy" *Time Out New York*. Issue 759. 10 September 2010. Web. 28 November 2011.

Freeman-Greene, Suzy. "Street Art Deserves More than a City's Double Standards." *The Age*. Fairfax Media. 26 February 2011. Web. 28 November 2011.

Greiner, Zang. "Does Street Art Show Encourage Graffiti?" *The Art Newspaper*. Issue 225. The Art Newspaper. 07 June 2011. Web. 27 November 2011.

A Library for the Digital Age

Matt Gustafson, English 280, 1st Place

Introduction: This essay analyzes the difficulties of establishing a digital library due to copyright infringement laws and regulations. Google's unsuccessful attempt to create a digital library is used as the primary example of these difficulties. Gustafson's position that a digital library is a growing necessity is supported by the numerous sources presented in this essay.

Have you ever downloaded music illegally? These days it seems hard to find the few under the age of thirty who have not. I certainly remember the rise and fall of Napster and other similar file-sharing programs. No longer did I have to worry about the gamble involved in buying a CD. I could just download songs for free, and if I didn't like them, I could delete them. Every year, similar innovation drastically changes the way we experience and share media. With this innovation however, we constantly face new legal issues; copyright infringement being one of the main concerns. Certainly, infringement was at the forefront of the demise of Napster. The music industry feared it would be ruined by the loss of revenue caused by piracy and even with its relative success in copyright litigation, one can see the hits the music industry has taken with fewer physical record stores out there than ever before—although the failings of the music industry can surely be traced to other issues as well. One can see economic interests are most often behind copyright litigation and in 2004, copyright industries—that is, industries involved in the production of copyrightable works, manufacture of associated products, distribution, etc.—made up 8.5% of the United States' National Employment, and 11.1% of GDP, so there is a lot to be lost (Park 56).

One of the more recent copyright debates has focused on Google, which, partnering with five different libraries, started a mass-digitization project in 2004 to digitize all of the books in their collections. Google's goal was to "(1) index the contents of the books; (2) display at least 'snippets' of the books among its search results; and (3) provide partner libraries with digital copies of the print books in their collections" (Manuel 1). Within a year, Google began to experience considerable backlash from authors and publishers claiming that Google was violating their copyrights by using and displaying their work without their permission. Since then, Google has been working on a settlement with the Authors Guild, who filed a class action lawsuit in September 2005.

While Google may be a bit off the mark in the way they went about their digitization of books—ultimately they had commercial interests in mind—their dream is admirable. Frankly, when it comes to the digitization of our libraries, the United States is lagging behind, with

of the Netherlands . . . trying to digitize every Dutch book and periodical published since 1470; [and] Australia, Finland and Norway . . . undertaking their own efforts" (Darnton 2). Certainly, the Google Books settlement has gotten a lot of people thinking about digitization in the United States, as well as the creation of a public digital library to counter Google's for-profit project. The benefits of such a library to the academic community would be innumerable, even if the project were simply archival. The ease with which one could search through material and access the information would greatly increase, and we could make an important part of human cultural heritage, "widely available and preserved for future generations" (Samuelson 39). We see similar benefits in academic databases already available to most academic institutions. (I am glad I will most likely never have to experience the difficulty of past research that many of my professors love to complain about.) So what is stopping the United States from stepping up and creating a public digital library? While there are financial, political, technological, and legal issues (Darnton 1), copyright issues stand above all of these (Samuelson 40). This is where I think we can learn a few things from the Google Books settlement, and their appeal to the "fair use" exemption of copyright law.

What exactly is the "fair use" exemption? According to Title 17 of the United States Code Section 107:

"the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright."

Basically, in both the above and other similar situations, the copyrighted work may be used without the copyright holder's consent. To decide whether something constitutes as fair use, the Copyright Act of 1976 lays out four factors to be weighed against one another. Those four factors are:

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the potential market for or value of the copyrighted work (17 U.S.C. § 107 (a)).

If we take a look at the Google Books settlement and examine how they would have fared had litigation proceeded, noting the differences between their cases for each criterion to those of a public digital library, we may examine the success with which a public digital library might proceed. Ultimately, we will find that the digitization of copyrighted works in the creation of a public digital library would not violate fair use as entailed by the Copyright Act of 1976.

The first factor to be considered is "the purpose and character of the use," which seems relatively clear cut. In past cases, this factor has been tackled in two different ways: "whether the use is transformative and whether the use is commercial" (Sag 7). Parodies are clear-cut examples of works that are transformative. They may be extremely similar to work protected by copyright but must add, "something new, with a further purpose or a different character to the original" (Manuel

6). Generally, the transformative nature of the work is only taken into consideration to override possible commercial uses. In the proposed situation the use would clearly not be commercial; therefore whether the work is transformative or not is not an issue. Since a public digital library would by nature be noncommercial and highly beneficial to society, it would easily fit this factor.

Publishers should not just assume that the creation of a digital public library would have a negative effect on their potential markets.

The second factor is the nature of the work. This factor has the potential to be subject to considerable debate, but in past cases, it has not stood out as a sole reason to reject fair use. When taking into consideration the nature of the work, it is generally assumed that certain works are afforded more copyright protection than others. For example, creative or expressive works are among those with the greatest protection, while informational works are among those with the least (Manuel, Sag). In a project such as the creation of a public digital library, a large variety of works would have to be taken into consideration. In such a situation; it would probably not be as clear-cut as either expressive or informational there would probably be varying degrees of both in many of the works as in the Google case (Manuel 8). This could present a problem for such a project; however, as stated earlier, this factor is not often taken alone. DePaul University Professor of Law Matthew Sag

refers to the Google case: "Like so many other cases, the significance of the second factor would probably have been overwhelmed by other considerations" (11). This tendency would lead one to believe that a similar thing would happen in the creation of a digital public library.

This is the point where things begin to get a bit more complicated. The third factor is the amount and substantiality of the portion used. According to Sag, "The key inquiry under the third factor is not simply how much of the copyright owner's work was used by the defendant, but rather what proportion of the work's expressive value was appropriated" (11). In the Google case, this factor was much more clear-cut. Google was simply providing snippets of copyrighted work and these could clearly be said to contain little of the work's expressive value. However, in the creation of a digital public library, one would ideally want to make whole works available. To simply archive, while still a huge part of such a project, would deny the project's status as a library, but if the project did come down to simple archival material, "courts have found copying entire works in order to digitize them reasonable" (Manuel 8). In such cases, sharing the works is not covered, however.


What one would hope to see in the creation of a digital library in which whole works are available, is the purpose of the project outweighing the third factor or, a reliance upon laws that physical libraries have used in the past to avoid copyright infringement. Traditionally, physical libraries have been able to lend copyrighted works because of the division between the rights associated with a work, as opposed to a copy of the work. According to U.S. copyright law, copyright owners only control the first sale of a work (17 U.S.C § 109(a)). Therefore, when a library buys a work, they have permission to lend it out to the public. Essentially this is the

reason why my lending a book to a friend is not illegal; however, “publishers have thus far been reluctant to accept that the first sale rule applies to digital books” (Samuelson 42). Steps toward making sure that digital books are afforded the same rights as printed books are in the works. For example, the Barnes & Noble Nook advertises that if you own one of their digital books, you can lend it to a friend for up to 14 days (Barnesandnoble.com), and later this year Kindle plans to launch a library lending service where, “You’ll be able to borrow Kindle library books from any of the more than 11,000 libraries that work with OverDrive, the leading provider of digital content solutions for libraries” (Amazon.com). One would hope to see projects like these grow in the creation of a digital public library.

The effect of the use on the potential market, or the value of the copyrighted works, is the fourth factor considered by courts, and is another factor that could be subjected to considerable debate. Since only “snippets” of whole works were made available by Google, it could be argued that Google made potential customers more aware of works pertaining to their interests (Manuel 9). For example, if I were researching copyright law, Google’s book search could tell me which books contained the specific topics I was looking for—providing enough of a preview to make sure the book was relevant—but nonetheless making me more aware than if I had done a simple catalog search. Essentially they would argue that a greater awareness of the work creates a larger market for the work, ultimately benefiting the copyright’s owners. However, in the creation of a digital public library, the consumer would be more than just aware; he or she would have access to the whole work. Still, we could argue along the same line as Google, taking the effects of piracy on potential markets as a starting point.

It is possible for one to argue that the creation of a public digital library would have the same effects on potential markets as piracy had on the music industry. One might say that making works freely available at no cost would decrease sales, thus affecting the market negatively—certainly we can see this is what the music industry argued against Napster. However this is too simplistic a view of the effects of piracy on potential markets. Studies have shown that, “piracy can increase legitimate sales through sampling effects. More people might be induced eventually to purchase legitimate versions (e.g., DVD) in order to get related material, such as a user manual, or documentation, such as song lyrics or interviews with the artists” (Park 63). Even when the whole work is essentially available for free, there are certain extra perks that people are willing to pay for. Along the same lines, making digital versions of books freely available could potentially increase the sales of physical books. Even then, we need not look for positive effects when it comes to fair use. All that needs to be shown is that the creation of a public digital library would not have a negative effect on potential markets. In fact, copyright owners have to show some proof of this negative effect. Past cases have shown that “speculative assertions of impending harm are insufficient” (Sag 13). In some cases, the courts “have required proof of actual losses in established markets” (Manuel 9). Therefore, publishers should not just assume that the creation of a digital public library would have a negative effect on their potential markets. They would most likely have to show the courts this negative effect or the high possibility of negative effects.

Taking all four factors into consideration, it seems that the creation of a public digital library could definitely be a strong case as an example of fair use. Even in places where arguments for a public digital library are defended by weaker arguments, the four fair

use factors are ultimately in place to serve the purpose of copyright, "which is to 'promote the progress of science and useful arts' and serve the public welfare" (Manuel 5). The creation of a public digital library certainly seems to fit nicely within these broad criteria. To the idealist, such benefits to society are those which shine through the muck of Google's potential monopoly on our cultural heritage. Still, we can thank Google for making large-scale digitization a hot topic, and hopefully within the next few years we will see steps toward accomplishing the dream of making the corpus of human knowledge easily accessible and available to all. 

Works Cited

- Darnton, Robert. "A Digital Library Better Than Google's." *New York Times* 24 March 2011, late ed.: A31 *LexisNexis Academic*. Web. 10 Apr. 2011.
- Manuel, Kate M. "The Google Library Project: Is Digitization for Purposes of Online Indexing Fair Use Under Copyright Law?" *U.S. Congressional Research Service* R40194 5 May 2010. *LexisNexis Congressional*. Web. 1 May 2011.
- Park, Walter G. "The Copyright Dilemma: Copyright Systems, Innovation and Economic Development." *Journal of International Affairs* 64.1 (2010): 53-68. *Academic Search Premier*. Web. 13 Apr. 2011.
- Sag, Matthew. "The Google Book Settlement and the Fair Use Counterfactual." *New York Law School Law Review* 55 (2010). *Social Science Research Network*. Web. 1 May 2011.
- Samuelson, Pamela. "Google Book Search and the Future of Books in Cyberspace." *Minnesota Law Review* 94.1308 (2010). *LexisNexis Academic*. Web. 1 May 2011.
- United States. Copyright Office. "Chapter 1, Law # 107. Limitations on Exclusive Rights: Fair Use." *Copyright Law of the United States of America* Washington, 2009. Web. 3 May 2011.
- United States. Copyright Office. "Chapter 1, Law # 109. Limitations on exclusive rights: Effect of transfer of particular copy or phonorecord." *Copyright Law of the United States of America* Washington, 2009. Web. 7 May 2011.

Bibliography

- "Copyright Term Extension Act: Constitutionality of the 1998 Law." *Supreme Court Debates* 5.8 (2002): 225. *Academic Search Premier*. Web. 10 Apr. 2011.
- Breakey, Hugh. "Natural Intellectual Property Rights and the Public Domain." *The Modern Law Review* 73.2 (2010): 208-239. *Academic Search Premier*. Web. 11 Apr. 2011.
- Depoorter, Ben and Francesco Parisi. "Fair Use and Copyright Protection: A Price Theory Explanation" *International Review of Law & Economics* 21.453 (2002). *Westlaw Campus Research: Law*. Web. 1 May 2011.
- Falkenberg, Kai. "When Copyright Is Wrong." *Forbes* 30 Nov. 2009: 20-22. *Academic Search Premier*. Web. 10 Apr. 2011.
- Parker, Preston P. "Copyright Future in the Digital World." *TechTrends* 55.2 (2011): 16-18. *Springer Standard Collection*. Web. 11 Apr. 2011.

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