



1. *Colosseum as Icon*
2. *Privacy and its American Context*
3. *Jussie Smollett Hoax*

Colosseum as Icon

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EDITOR-IN-CHIEF

Over the centuries, many have come to Rome to stand in the shadow of the ancient monument to the Roman Empire, the renowned architectural achievement – the Colosseum. Travelers and academics often comment, however, that their visual expectations far exceed their first impression of it. Touring the Colosseum is almost anticlimactic. The magnificent amphitheater, faced with gleaming travertine stone three stories high and lined with statues -- a venue that that once hosted gladiator fights, mock sea battles, staged animal hunts, and public executions of Christians, criminals, and ill-fated persons -- now seems a mere skeleton whispering about its former blood-soaked glory, imposing structure, and storied history. The Colosseum has a complicated history that explains

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its ruined state. After the fall of the Roman Empire, it suffered damage from lightning strikes, fires, plundering, neglect, vandalism, and earthquakes. Over the centuries it was also re-purposed as a chapel, cemetery, lodging, workshop, and fortress. The most severe damage came in 1349, when a tremendous earthquake caused the outer southern side to collapse. Many of the fallen stones were used to build other prominent structures around Rome. The interior of the amphitheater was also stripped of stone, travertine facing, and bronze clamps (used to hold the stonework). Thus when modern observers encounter the Colosseum, they see an elegiac and crumbling pile of rocks.

If, at first glance, the Colosseum does not meet our expectations, what can be done? Can it be made “whole”? Some believe that educational opportunities, academic research, and site preservation warrant the reconstruction of such monuments. The 18th-century French writer Charles de Brosses proposed an original solution: “My plan ... would be to reduce the Colosseum to a semi-amphitheater, and to demolish the rest of the arches on the side of Mount Caelian, to restore the other half to its former shape and to turn the arena into a fine public square. Wouldn't it be better to have a partial Colosseum in good condition than to have a whole one in tatters?” Aesthetes and architects can contemplate the question.

If reconstruction seems disruptive or daunting, what about cleaning the structure? Is that cultural disruption? Diego Della Valle, owner of the global luxury goods brand Tod's, gave millions a few years ago for the purpose

of scouring by hand, with brushes large and small, each stone and brick of the Colosseum. Two thousand years of dirt and pollution (and memory and history?) were scrubbed down with atomized water to reveal the structure's natural patina. There were no significant renovations or modernizations, as were previously called for by the likes of de Brosses. Nonetheless, was something lost in this process?

In *The Seven Lamps of Architecture*, the Victorian-era art critic John Ruskin considered a reconstructed monument one of the greatest of sins: “... it is a lie from beginning to end ... it means that the total destruction that a building can suffer is related to: a destruction out of which no remnant can be gathered; a destruction accompanied by a false description of the thing destroyed.” Ruskin admitted that there is a distinct

weakening of an architectural structure that occurs over time, through the process of weathering and centuries of misfortune. Erosion and time remove the layers of function, form, and detail. These factors push the structure into the domain of uselessness and sentimentalism. But in that deconstructed state, Ruskin argued, a heightened intimacy transcends the visual effect and formal design. For him, that was where the real beauty came from – a certain timeworn vulnerability rather than a sought-after perfection.

So the visible lines of imperfection, seen in monuments like the Colosseum, are what scholars and artists like Ruskin find so expressive. From the layers of material, keen travelers or researchers may spend more time interpreting its remnants and contemplating the different stages of its development and decline, learning more than they would from a reconstructed monument. Physical encounters with a declining edifice short-circuit its ordinary architectural logic and open a person to a different emotional and expressive interpretation. Essentially, ruins are more interesting and enchanting, and engage the intellect and imagination more easily than other works of architecture.

Thus the power of a decaying Colosseum, as of other ancient monuments, rests in its capacity to conjure historical and cultural memory, and part of its value is derived from its ability to have stood for centuries. Reconstruction and scrubbing away layers of dirt may make a monument “whole” and serve a more utilitarian purpose. But a monument's spirit and integrity will be compromised in the process.

Privacy and its American Context

ANDREW JUCHNO
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Our world—saturated by social media and artificial intelligence—has become increasingly public. Ever more willing to share intimate details, Americans young and old post very private, sometimes damning, information online with little regard for consequences. Partly as a result, both the government and private companies have access to unprecedented amounts of information that is compiled into databases and readily available to those willing to pay subscription fees. Given the sheer pervasiveness of technology and data collection, we ought to have an intensive national dialogue on an appropriate legislative response. Before that debate happens, however, we must

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have a firm theoretical understanding of what exactly we mean by “privacy.”

Privacy has been a feature of American culture since our founding. Then, much of the conversation sought to distinguish retirement from hermit-like solitude. Retirement from public life was as much a political trope as a lived reality. For a certain slice of American society in the eighteenth century, returning home to one's farm (usually understood to be a rather sprawling estate) and books constituted retirement. No longer holding public office, such men were “private” citizens. Quite unlike retirement, in contrast, hermitage was a dangerous, self-imposed isolation. Many tracts were published that warned against becoming a hermit, as it signaled a conscious rejection of American democracy, a form of governmental requiring active participation. Completely withdrawn, hermits willingly relinquished their voice in politics.

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continued on back

The public was the man's realm. Removed from the home, he was disengaged from the woman's private realm. That realm was defined in terms of Victorian domestic ideals, which required that the woman lead the home spiritually. In the South, however, such distinctions figured less prominently. More agrarian in nature, the southern economy kept men in the home. Although women had a specialized role in the household, that world was very much dominated by men. Unlike northern women, those of the South did not have a discrete private sphere.

Despite these past understandings of privacy, Americans in the last hundred years or so have come to a different one. In 1890, Samuel D. Warren and Louis Brandeis published "The Right to Privacy" in the *Harvard Law Review*, arguing that citizens have "the right to be let alone." Subsequent cases—such as *Katz v. United States* and *Roe v. Wade*—have cemented legal claims to privacy, marking the judicial establishment of broader privacy protections. Late twentieth- and early twenty-first-century scholars, however—both legal and political theorists—have co-opted those and other rulings to falsely divine a general constitutional right to privacy. Such a claim is wrong, and dangerously so.

Judith Decew is at the very forefront of the political theorists pushing for an expansive understanding of privacy. Arguing that society ought to have a presumption in favor of privacy,

Decew conceptualizes it as encompassing enforceable claims to "informational privacy," "accessibility privacy," and "expressive privacy." In addition to the fact that those terms are fairly nebulous, it seems that Decew would have almost everything defined as a privacy concern. In doing so, she not only robs privacy of a practical and workable legal understanding—those protections guaranteed by the Fourth Amendment—but would also move our society toward a degree of atomization that's antithetical to democracy. In a sense, her theory risks the creation of modern hermits.

Decew advocates a new American philosophy that regards an atomized society as desirable. If, as Decew contends, there is a more expansive sphere of privacy than most of us are used to or agree on, then the only way to avoid violating each others' extensive privacy interests is to tread cautiously around them. And where, in that case, can one act with what political theorist George Kateb calls "the democratic gregariousness," the democratic sociability or fellowship, necessary for upholding the American political system? Behaving in accordance with Decew's rather extreme vision of privacy would require not only restricting ourselves from accessing information that has already been shared by others, but also that we neither prevent others from expressing themselves nor get too close to their persons.

Take, for example, Decew's assertion that by overhearing a hushed conversation on a subway, you intrude on the privacy

of the people talking. Privatizing that public place gives these people have both informational and expressive interests in privacy. The lowering of a voice implies that the information being shared is intimate and not meant for all ears. However, making information available to a degree that invites others' access to it implies a certain nonchalant attitude towards that information. The only way to absolutely protect information, then, is to not share it. If, as Decew contends, there is an expansive sphere of privacy, then the only way to avoid violating others' extensive privacy interests is to tread cautiously around them. Such limitations are overly restrictive.

The American legal system's approach to privacy is neither unified nor theoretically driven. Within that approach, there may very well be constitutional rights in addition to tort interests (meaning personal interests against harm). What Decew considers its weakness, its lack of specificity and clear definition, is actually its strength. It matters little if the legal tradition breaks along lines of tort and Constitution, because one can readily identify the location of a privacy interest. Decew's conception of privacy, in contrast, does not clearly locate the three types of interest she identifies. By avoiding such a broad theoretical approach, which would prevent democratic gregariousness and outsource personal responsibility, the Constitution and American tort law protect traits of our citizenry that are essential to the maintenance of democracy.

Jussie Smollett Hoax

MONTANA SPRAGUE
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Recently stories of hate, intolerance, and injustice have flooded the media. Most people, out of compassion, rally behind those who were hurt and take steps to ensure that we don't allow these types of crimes to occur.

This was my initial reaction when Jussie Smollett, an actor and singer, reported that he had been the victim of a hate crime. He alleged that two men in ski masks had attacked him, calling him racial and homophobic slurs. According to Smollett, they even proclaimed, "This is MAGA country." Smollett originally stated that the two suspects then "poured an unknown liquid" on him and put a noose around his neck.

His story was instantly full of holes, such as having no video footage after police scoured hundreds of hours of tape from the location where Smollett claimed the attack occurred,

as well as phone records showing he had been in contact with his alleged attackers an hour before and directly after the assault. The Chicago police, who had to divert time and resources from all of the city's open homicide cases, picked up on these flaws immediately.

Inconsistencies in Smollett's [hate crime] report, however, did not stop the masses from sharing his story on social media.

Inconsistencies in Smollett's report, however, did not stop the masses from sharing his story on social media. Celebrities and political figures like Nancy Pelosi, Terrence Howard, Maxine Waters, and Cory Booker were especially quick to give Smollett a platform. Once the police concluded that he had faked the attack, however, these same people became mysteriously silent.

Kamala Harris, who tweeted in support of Smollett after his initial report, was asked to respond by a reporter after news

of his false report was revealed. She initially ignored the reporter who was referencing her tweet and sidestepped the question. After public outcry, Harris finally clarified on Twitter that she no longer supports Smollett. Her actions are too little, too late.

The much larger issue is that compared with the volume of response to his initial outcry, very few people are discussing the implications of Smollett's hoax. In his blatant lies, he has provided ammunition for every person looking for a reason to doubt victims of hate crimes. One would hope that public silence is a way to minimize discussion of his actions in order to limit the amount of "Well, Jussie Smollett faked a hate crime. How do we know (insert victim here) isn't doing the same thing?" Unfortunately, by refusing to publicly and vehemently denounce Smollett and everything he has done to set back victims' rights, people are inherently giving validity to those who would use his actions against future victims.

Brian Levin, director of the Center for the Study of Hate and Extremism at California State University San Bernardino, said the hoax "is the worst possible thing at the worst possible time" because of its dangerous implications for victims in the future. There is no way to fully repair the damage Smollett has done to the credibility of victims of hate crimes. But a lack of dialogue does nothing to fix it.

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