

I CAN'T BREATHE!



Credit: The Democracy Collaborative

I Can't Breathe!

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This Spring-Summer 2020 is witnessing, in the USA and now the World, a massive number of public protests. Not everyone is on board -as could be expected. But the anger has reached an intensity and determination that is surprising. The (formerly) widely accepted concept of *Law and Order* is questioned and often rejected.

David Masciotra, the author of the forthcoming book *"I Am Somebody: Why Jesse Jackson Matters"* (Bloomsbury), wrote in *Salon* on June 13, 2020:

"Mark Twain's instruction to curious residents of Freedom Central is, by now, familiar: "If you want to see the dregs of society, go down to the jail and watch the changing of the guard." There is little doubt that the corrections officer who beats and torments the inmates under his supervision would use the phrase "law and order" as a defense for his own lawlessness. Almost any usage of that loaded term in American civic discourse serves as qualification for membership in a diner's club of hell.

Donald Trump, the latest political demagogue to employ the term as a rhetorical bludgeon against peaceful protesters, can look forward to sitting alongside Sen. Joseph McCarthy, former Alabama Gov. George Wallace, Chicago Mayor Richard J. Daley, who ordered police to attack political demonstrators at the 1968 Democratic convention, Richard Nixon and many foreign dictators in the annals of history — and, if there is an afterlife, in the middle of the inferno.

Beyond the term's dark history and utility, there is also the rarely discussed fiction it is meant to disguise. In fact, the United States is one of the least lawful societies in the developed world, and that the bulletproof bullies who scream about "law and order" are typically society's most committed enablers of criminality and corruption. The police lynching of George Floyd provoked widespread denunciation, with even ghouls like Rush Limbaugh and Mitch McConnell condemning the individual officers responsible for the death. What they do not want to acknowledge is the continuation of not only systemic racism within criminal justice, but also a culture of crime. Pundits on the American right delight in reciting the bromide, "a few bad apples," as if they coined it, but they have seemingly forgotten the full cliché: "One bad apple spoils the bunch."

One needs look no further than Buffalo, New York, to observe how the mold of a single fruit will soon spread to the rest. When two sadists in uniform shoved an elderly man to the ground for the crime of approaching them, causing him a critical head injury, their fellow cops made no attempt to help the victim. After the city of Buffalo suspended the perpetrators and charged them with assault, 57 officers resigned from the Emergency Response Team in support of their "brothers" whose version of "law and



order" includes inflicting random violence on unarmed senior citizens. The "thin blue line" code of policing that requires silence from police who witness acts of cruelty and illegality from their fellow officers is, among other things, an anti-democratic violation of the U.S. Constitution.

If the press could think beyond the narrow assumptions of political debate, and if the Democratic Party had more rhetorical daring, they might make it clear that Black Lives Matter, a formidable coalition of civil rights organizations, and tens of thousands of outraged citizens filling the streets in protest of police brutality, are on the side of the law. It is their opponents and critics who support and defend mutinous and dangerous breaches of constitutional order. John Adams famously declared that "we are a nation of laws, not men." Police officers, no matter the self-pitying cries of their union captains and the sputtering of their unofficial PR specialists on Fox News, are supposed to be subject to American law just as much as the citizens they purportedly protect.

It is not only cops who are often able to live outside the law. It is also the wealthy and well-connected sociopaths who poison the environment, exploit the poor and manipulate unprincipled political officials. After the murder of George Floyd provoked civil unrest, Donald Trump and the Republican leaders of Congress bloviated extensively about "law and order." They would prefer their constituents to forget that it was only weeks earlier that they declared any future coronavirus relief package must include the innovative concept known as "corporate immunity."

Paul Bland, the executive director of Public Justice, a national public interest law firm, explains that the Republican plan "would free corporations of any responsibility — even when a corporation's unreasonable and dangerous actions hurt people." Under the system of corporate immunity, big business can violate the rights of its workers and consumers, endanger public safety and increase the risk of sickness and death for anyone in their facilities, without fear of legal penalty. So much for "law and order." The Trump administration took advantage of the pandemic and mass protests to betray the law and threaten Americans, under the cover of a distracted press. The National Resources Defense Council reported on June 4 that Trump signed an "unprecedented" executive order that "allows industry to skirt foundational environmental laws, such as the National Environmental Policy Act, the Clean Water Act, and the Endangered Species Act, in order to rubber-stamp polluting projects. "The NRDC warns that enabling corporations to bypass review requirements of NEPA will not only have "catastrophic consequences for wildlife," but also, in the words of the organization's president, Gina McCarthy, "harm our health and our communities."



Tinpot tyrant Trump and his demented circle of enablers shout for "law and order," and feigning concern for the damage or injury that might result from unruly protests. Circumvention of environmental regulations that could cause the sickness or death of thousands of people is of no concern. The First Amendment is also not a priority for the right, for all its whimpering about "freedom of speech." Since the Black Lives Matter demonstrations began, activists have catalogued more than 600 incidents of police beating and harassing protesters without provocation, and almost 300 police attacks against journalists. Trump facilitated one of the most egregious violations of constitutional liberties when he and Attorney General Bill Barr ordered police and National Guard to use tear gas to drive peaceful protesters from Lafayette Square so the president could take a prom photo, Bible in hand like a bouquet, outside of St. John's Episcopal Church. In his defense, Trump and his supporters have claimed that not all the protesters were peaceful, and that there were criminals among them. They've offered no evidence for this accusation, but their own record indicates that even when there is sufficient evidence for criminal charges, they are willing to look the other way, at least when the offenders are wealthy and friendly to the Trump administration.

The Transactional Records Access Clearinghouse at Syracuse University reports that Justice Department prosecutions of white-collar crime have fallen to their lowest point in 33 years. David Sklansky, co-director of the Stanford Criminal Justice Center and a former prosecutor, called the Syracuse study "disturbing," and suggested that the decline reflects political priorities more than a drop in the crime rate in corporate boardrooms. This code of silence around the current free-for-all for white-collar criminals exposes the insincerity of right-wing panic over looting. As Don Henley once put it, "A man with a briefcase can steal more money than any man with a gun."

As Trump has attempted to create chaos in the streets and encouraged a culture of criminality in corporate America, he has also presided over unprecedented corruption in the executive branch of the federal government. The president has personally fired four inspectors general, removing the most effective assurance against misuse of governmental authority and funds in the White House. Far from "draining the swamp," as he promised in his campaign, and in direct contradiction of his "law and order" bluster, Trump has created a sewer of deception, corruption and criminality. Conservatives display no compunction over their consistent violations of the law. Legal protections of free speech and assembly, the natural environment and worker safety are meaningless to the criminal element of American government. Their flagrant disregard for the Constitution is familiar to the victims of infamous FBI programs like



Operation CHAOS and COINTELPRO. The only novelty in America's current days of fury is the widespread popularity of a movement to struggle for true equality under the law.

"We have one beautiful law," Trump recently said in his characteristically bizarre syntax and diction, repeating the word "beautiful." He went on to imply that the "one law and order" serves everyone. His actions, however, have shown that he and his supporters are consistently opposed to law but do indeed insist on order. They don't mean an order under the rule of law, but a social order that maintains their class at the top of the hierarchy, and those they would deem undesirable — the majority of the American people, but especially those who are black, Latino or Native American — fighting for scraps at the bottom. Tax cuts for the wealthy, the elimination of regulatory limits on corporate impulses of avarice and the destruction of all protections for citizens of average means have followed, according to a predictable script of economic control.

If Trump were even remotely sincere about "one beautiful law," he would be out marching in the street alongside Black Lives Matter, rather than threatening its activists and protesters with "vicious dogs." Because the movement now in the streets is the most powerful force in American society currently demanding equal and fair enforcement of the law."

In fact, Wikipedia has a specific entry on *Law and order*, but it is followed by *(politics)* -which is justified. Hereunder are some highlights.

*"In modern politics, **law and order**, also known as **tough on crime** and the **War on Crime**, is demands for a strict criminal justice system, especially in relation to violent and property crime, through stricter criminal penalties. These penalties may include longer terms of imprisonment, mandatory sentencing, three-strikes laws, and in some countries, capital punishment.*

Supporters of "law and order", generally from the right-wing, argue that incarceration is the most effective means of crime prevention. Opponents of law and order, typically left-wing, argue that a system of harsh criminal punishment is ultimately ineffective because it does not address underlying or systemic causes of crime.

"Law and order" became a powerful conservative theme in the U.S. in the 1960s. The leading proponents in the late 1960s were Republicans Ronald Reagan (as governor of California) and Richard Nixon (as presidential candidate in 1968). They used it to



dissolve a liberal consensus about crime that involved federal court decisions and a push back against illegal drugs and violent gang activity. Richard Nixon in his political campaign to persuade both people who were tired of political assassinations as well as those who were concerned about increasing crimes. White ethnics in northern cities turned against the Democratic Party, blaming it for being soft on crime and rioters.

The political demand for "law and order" was made by John Adams in the 1780s and 1790s. It was a political slogan in Kentucky around 1900 after the assassination of Governor William Goebel. The term was used by Barry Goldwater in his run for president in 1964.

Flamm (2005) argues that liberals were unable to craft a compelling message for anxious voters. Instead, liberals either ignored the crime crisis, claimed that law and order was a racist ruse, or maintained that social programs would solve the "root causes" of civil disorder, which by 1968 seemed increasingly unlikely and contributed to a loss of faith in the ability of the government to do what it was sworn to do—protect personal security and private property. Conservatives rejected the liberal notions. "How long are we going to abdicate law and order," House GOP leader Gerald Ford demanded in 1966, "in favor of a soft social theory that the man who heaves a brick through your window or tosses a firebomb into your car is simply the misunderstood and underprivileged product of a broken home?"

Flamm (2005) documents how conservatives constructed a persuasive message that argued that the Civil Rights Movement had contributed to racial unrest and President Lyndon B. Johnson's Great Society had rewarded rather than punished the perpetrators of violence. Conservatives demanded that the national government should promote respect for law and order and contempt for those who violated it, regardless of cause. In January, 1965, Johnson himself called for a "war on crime", and with Congressional approval of the Law Enforcement Assistance Act of 1965 and Omnibus Crime Control and Safe Streets Act of 1968 directed federal funding to local police.

After Reagan took office in 1981, he started appointing tough conservative judges. The number of prisoners tripled from 500,000 in 1980 to 1.5 million in 1994. Conservatives at the state level built many more prisons and convicts served much longer terms, with less parole. By the time they were released they were much older and thus much less violent.

Causes

Among these, two seemed important: riots and crimes



Riots:

Although the Civil Rights Act of July 2, 1964 forbade all discrimination on the basis of race, in 1965 police brutality towards a Black man during a traffic stop resulted in major riot among Blacks in the Watts neighborhood of Los Angeles, the government's response to which is considered by many to have been a failure. Indeed, every summer from 1964 through 1970 was a "long hot summer", though 1967 is particularly called that since 159 riots occurred that year. Additionally, after the April 4, 1968 murder of Martin Luther King, a new wave of riots broke out in over 100 cities, with nights of violence against police and looting and burning of local white-owned businesses. The inner neighborhoods of many major cities, such as Detroit, Los Angeles, Newark and New York, were burned out. National Guard and Army troops were called out. At one point, machine gun units were stationed on the steps of the Capitol building in Washington to prevent rioters from burning it down.

Crimes:

Secondly there was a dramatic rise in violent street crime, including drug-related murders, as well as armed robberies, rapes and violent assaults. Inner city neighborhoods became far more violent and people tried to move out to safer ones. The number of violent crimes more than tripled from 288,000 in 1960 (including 9,110 murders) to 1,040,000 in 1975 (including 20,510 murders). Then the numbers levelled off.

In response to sharply rising rates of crime in the 1960s, treatment of criminal offenders, both accused and convicted, became a highly divisive topic in the 1968 U.S. Presidential Election. Republican Vice-Presidential candidate Spiro Agnew, then the governor of Maryland, often used the expression; Agnew and Nixon won and were reelected in 1972.

Notorious crimes by released murderers occurred in the 1980s and 1990s, are often credited with influencing politics along "law and order" lines. Most notably the release of the murderer Willie Horton who committed a rape and a rampage of severe violence when he was released, is generally credited with favoring the election of President George H. W. Bush over the man who released him, Massachusetts governor Michael Dukakis. Whatever the cause, Bush beat Dukakis by a margin of both popular and electoral college votes that has not been surpassed since 1988. Also, the release of the murderer Reginald McFadden, who went on a serial murder and rape spree by the acting governor of Pennsylvania, Mark Singel may have been a contributing factor in the 1994 election of Pennsylvania governor Tom Ridge, in which Ridge defeated Singel by a margin of 45% to 39%.



Results

Advocates of stricter policies toward crime and those accused of crime have won many victories since the issue became important. Highlights include stringent laws dealing with the sale and use of illicit drugs. For example, the Rockefeller drug laws passed in New York state in 1973—and later, laws mandating tougher sentences for repeat offenders, such as the three-strikes laws adopted by many U.S. states starting in 1993 and the re-legalization of the death penalty in several states. Opponents of these and similar laws have often accused advocates of racism. Civil rights groups have steadfastly opposed the trend toward harsher measures generally.

Though violent crimes are the primary focus of law-and-order advocates, quality-of-life crimes are sometimes also included under the law-and-order umbrella, particularly in local elections. A tough stance on this matter greatly helped Rudy Giuliani win two terms as mayor of New York in the 1990s, and was also widely cited as propelling Gavin Newsom to victory over a more liberal opponent in San Francisco's mayoral election of 2003.

Platt (1995) argues that the intensity of law-and-order campaigns represents a significant shift in criminal justice that involves modernization and increased funding for police technology and personnel, privatization of security services and surveillance, higher rates of incarceration, and greater racial inequality in security and punishment.

The phrase was used repeatedly by Donald Trump in his presidential acceptance speech, which Salon interpreted as an intentional reference to Nixon's use of the term. Politico reported that the rhetoric was at odds with the crime rates being at 50-year lows in the country.

Critics *of law-and-order politics commonly point to actual and potential abuses of judicial and police powers, including police brutality and misconduct, racial profiling, prison overcrowding, and miscarriages of justice. As an example, they argue that while crime in New York City dropped under Mayor Giuliani, reports of police brutality increased during the same period. This period included the fatal shootings of Amadou Diallo and Sean Bell, and the Abner Louima incident.*

In extreme cases, civil unrest has broken out in retaliation against law-and-order politics, as happened in London's Brixton district in 1981, Los Angeles in 1992, France in 2005, and Ferguson, Missouri in 2014.

Maricopa County Sheriff Joe Arpaio, a role model of tougher sentencing campaigners for his hardline corrections policies, was investigated by the FBI – starting in 2009 – for

I CAN'T BREATHE!



alleged abuses of power and intimidation of dissenting officials, among other controversies.

Several publications have opined that the phrase had developed into a "dog whistle" for stronger punitive measures against black people."

The United States is -by far- the country of **guns**. It is estimated that U.S. civilians own 393 million firearms, and that 35% to 42% of the households in the country have at least one gun. The U.S. has the highest estimated number of guns per capita, at 120.5 guns for every 100 people.

District of Columbia v. Heller, 554 U.S. 570 (2008), is a landmark case in which the Supreme Court of the United States held that the Second Amendment protects an individual's right to keep and bear arms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and that the District of Columbia's handgun ban and requirement that lawfully owned rifles and shotguns be kept "*unloaded and disassembled or bound by a trigger lock*" violated this guarantee. It also stated that the right to bear arms is not unlimited and that guns and gun ownership would continue to be regulated. It was the first Supreme Court case to decide whether the Second Amendment protects an individual right to keep and bear arms for self-defense or if the right was intended for state militias. Because of the District of Columbia's status as a federal enclave (it is not in any state), the decision did not address the question of whether the Second Amendment's protections are incorporated by the Due Process Clause of the Fourteenth Amendment against the states. This point was addressed two years later by *McDonald v. City of Chicago* (2010), in which it was found that they are.

Having guns everywhere is one reason for deadly violence in the USA. But the American political system is based on money: the folks over at MapLight.org recently used Federal Elections Commission data on the 2012 elections to work out just ***how much it costs to win a seat in Congress***:

- House members, on average, each raised \$1,689,580, an average of \$2,315 every day during the 2012 cycle.
- Senators, on average, each raised \$10,476,451, an average of \$14,351 every day during the 2012 cycle.

And where does most of this money come from? Much come from **lobbying groups** (which is legal in the US; you just have to register as such). The **National Rifle Association of America (NRA)** is a gun rights advocacy group based in the United



States. Founded to advance rifle marksmanship, the modern NRA continues to teach firearm safety and competency. The organization also publishes several magazines and sponsors competitive marksmanship events. According to the NRA, it had nearly 5 million members as of December 2018, though that figure has not been independently confirmed.

Observers and lawmakers see *the NRA as one of the three most influential lobbying groups in Washington, D.C.* The NRA Institute for Legislative Action (NRA-ILA) is its lobbying division, which manages its political action committee (PAC), the Political Victory Fund (PVF). Over its history the organization has influenced legislation, participated in or initiated lawsuits, and endorsed or opposed various candidates at local, state, and federal levels. Some notable lobbying efforts by the NRA-ILA are the Firearm Owners Protection Act, which lessened restrictions of the Gun Control Act of 1968, and the Dickey Amendment, which blocks the CDC from using federal funds to advocate for gun control.

I have been the target and the witness of firearms. On the night of December 21st and 22nd, 1942, we (my parents and my sister Françoise) crossed by foot, in the mud, the border between France (where we would have been shipped to the gas chambers of Dachau or Auschwitz) to Switzerland. The French gendarmes spotted us while we labored between two rows of barbed wire, and shot. I still remember the “*plock*” sound of the bullet in the mud and the splash near my feet. But the *law and order* minions of the Vichy regime gave up, and we could be caught by the Swiss border patrol, questioned and -thanks to Françoise’s young age- be interned for a few months in refugee camps -surrounded by electrified barbed wire.

Then, in the Philippines, first near Davao (Mindanao) in November 1985, then between Naga and Legaspi in September 1988, at night, the car in which I was traveling to lecture to physicians, was shot, and we recovered the bullets inside. Again, no harm.

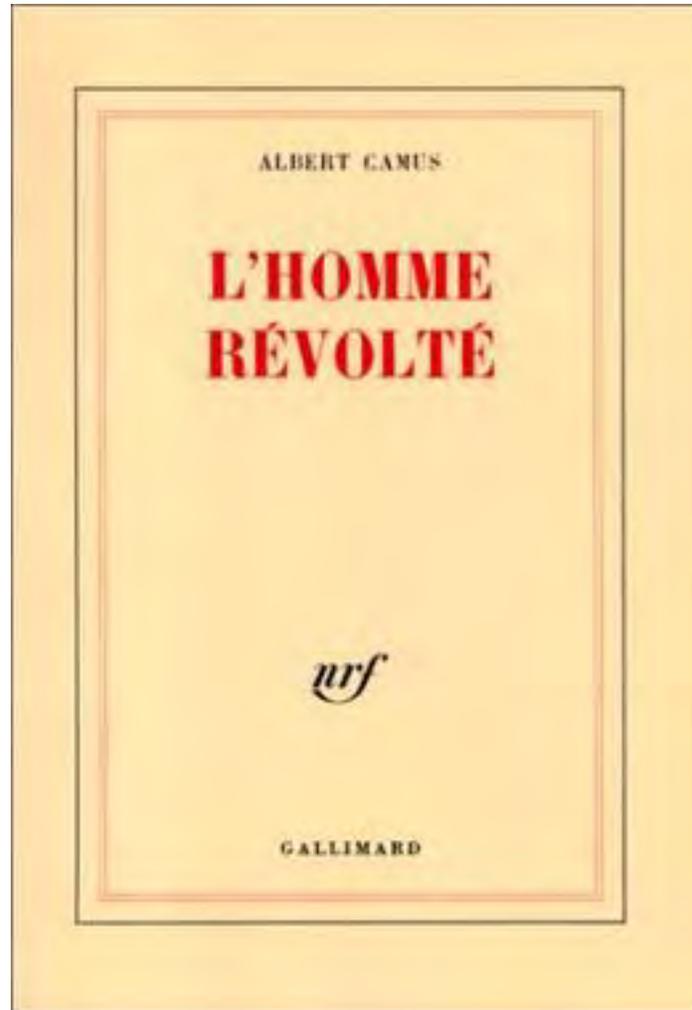
But the men, women and children I cared for in the hospitals or makeshift *dispensaries* of the diverse countries where I volunteered to work, were not spared: they had horrible wounds, and too many died despite our efforts.

‘*In war there are no winners nor losers; only victims*’ wrote Sun Tzu (544-496 BCE) in *The Art of War*. Wars are decided by old men, who send young men to die, for reasons that do not make any sense, and that history finds irrational and futile. During my youth, France fought wars: there was a contingent sent to side with the US (in

I CAN'T BREATHE!



application of a UN decision) during the Korean war (1950-1953), the Indochina war (1945-1954), the Algerian War (1954-1962). All these wars ended in defeat for the French governments, at human cost that was inept, intolerable, and inhumane. I fought these wars by demonstrating (and got hurt and maimed by the police and CRS – Compagnies Républicaines de Sécurité), but also by helping the Algerian civilians in collecting medications that were funneled by a network led by Francis Jeanson.



Credit: En.wikipedia.org

I have always been a *rebel*; interestingly, one of the major essays by Albert Camus (a book-length one), *L'Homme Révolté* is translated into English as *The Rebel*. The Encyclopædia Britannica Online summarized Camus views on rebellion:



[...] *"The true rebel is not the person who conforms to the orthodoxy of some revolutionary ideology but a person who could say "no" to injustice. He suggested that the true rebel would prefer the politics of reform, such as that of modern trade-union socialism, to the totalitarian politics of Marxism or similar movements. The systematic violence of ideology—the 'crimes de logique' that were committed in its name—appeared to Camus to be wholly unjustifiable. Hating cruelty, he believed that the rise of ideology in the modern world had added enormously to human suffering. Though he was willing to admit that the ultimate aim of most ideologies was to diminish human suffering, he argued that good ends did not authorize the use of evil means."*

Two recent essays on the Rebel were recently published. One, *The Case for the Rebel*, by Ashley Lamb-Sinclair, was published in *The Atlantic*; she claims that Disruptive students may not be the easiest to have in a class, but perhaps defiance should be encouraged. She is a high-school instructional coach. She is the 2016 Kentucky Teacher of the Year and the founder and CEO of Curio Learning.

She has found that sometimes the students who are uncooperative, undisciplined, and even rude tend to be strong leaders. In fact, in a recent study, children who were found to be defiant rule-breakers tended to grow up to be academic over-achievers and high-earning adults. Other students seem to gravitate toward these types of students. This is why people often speak admirably of the "class clown"—there is something intriguing about a rebel, even if the rebel's behavior is destructive.

"A few years ago, I taught a student who was awful in class. He was rude, disrespectful, disengaged, and spent every ounce of his energy trying to entertain his peers regardless of the frustration it caused me as the teacher. He didn't care about getting into trouble—detentions, suspensions, and daily visits to the principal's office were utterly ineffective in managing his behavior. I would love to say that through hard work, persistence, and a few heart-to-heart talks, he was suddenly a great student who made straight As, but that isn't what happened. He was a difficult student from the start to the end of the school year, and for the rest of his high-school career, as my colleagues often shared.

"But this former student recently found me on social media and wrote to explain that he had matured after high school, enrolled in college, and started acting in the plays produced by his college's drama department. He got his degree and now manages a drama camp for teens. This didn't surprise me: As the drama director back then, I saw a difference in him on stage versus sitting at a desk. He even had some pretty good days



in class if we did skits or readers' theater. He wasn't a bad kid; he was a performer. Yet I worried about his future—in fact, I wished desperately for him to switch schools—because he just couldn't seem to “get it together” and often made my job much more difficult.

“Now I see that he wasn't the problem at all—rather, it was the traditional expectations of school behavior and subsequent definition of success. The influence that traditional thinking had on me as an educator affected how I viewed him.

“Even though the class clown, the snarky kid in the back, and the D-student may create problems for teachers and the school, they often have skills that can't always be taught. They tend to be courageous, outspoken, persistent, and creative people—kids who may not make great students or become the kind of employees with a “really strong handshake,” but who instead become the kind of people who lead and forge new paths for others. As a teacher and a parent, I want to help create those kinds of people. I want to help mold people who don't just learn to show up on time but bring something positive and original to the table when they get there.”

I can relate to that. Let us not forget how and when our current system of education (starting in middle-school) was conceived and developed, with (minor) changes to the present.

Before the French Revolution of 1789, education was provided by the clergy and was minimal. Wealthy families (of the nobility, and the clergy) provided the small number of candidates for higher education. After more than a decade of closures, Napoleon - as 1st Consul- set up lycées in 1802 as the main secondary education establishments targeting baccalauréat examinations; the real work was done by the 2nd Consul Jean-Jacques-Régis de Cambacérès. These lycées taught French, Latin, Ancient Greek and sciences. A law of 1808 fixed the syllabus as "*ancient languages, history, rhetoric, logic, music and the elements of mathematical and physical sciences*". They were usually boarding schools under military-like discipline; this changed at the very end of the 19th century, when some students could return to their families in the evening.

In parallel to faculties of law, medicine, sciences, humanities in the universities, "*grandes écoles*" were established as specialized higher education institutions focusing on sciences and engineering.

When I entered the Lycée Henri IV in 1946, the system was essentially the one of **1802** and **1808**. And France was the envy of many other European countries! After 2 years I rebelled: I was nicknamed by most teachers *Mr. WHY?* since I questioned



assertions and decisions all the time. And I spent my Thursdays, Saturday afternoons and Sundays in detention. It offered me the opportunity to read avidly all the books of my parents' library, plus many others I borrowed from the French, History, Geography, English, German and Spanish classes. But that did not change my opinion about the 'system', 150-year old. Finally, the Provost, Mr. Roisin, decided when I was in 10th grade, to kick me out.

That triggered me to spend the summer of 1951 learning the whole program of 11th grade and register for the 1st part of the *Baccalauréat* scheduled in September, as "élève libre", i.e. without any reference or support -I was a black sheep. But I succeeded, *with honors!* And early October, I went with the crowd of students to the gate of H IV, where Mr. Roisin stood like Cerberus, checking for the chaff. He pointed a finger at me 'Halpern, you are NOT ACCEPTED in 11th grade!'. To what I answered with my middle finger pointing to the sky 'FUCK YOU! I HAVE PASSED MY BAC AND AM GOING TO 12th GRADE!' He almost fainted and rushed to a phone to call my father (who was his physician), complaining of a *heart attack* (false alert). I shall skip the details of the following years: I have detailed most in previous essays.

Life went on, and medical school was another demonstration of the antiquated (1808!) system of education (classes in anatomy, chemistry, physics) during the 2 first years; we were seated in overcrowded auditoriums with no sound system, a blackboard and chalk. We never saw the **face** of the chair of Chemistry: he mumbled to the blackboard, scribbled formulas for 55 minutes, and left; but we had to pass the finals. We found a (starving) graduate student in Chemistry, and -for a fee- he helped us discover the marvels of chemistry and succeed with flying colors!

The clinical part was exciting, challenging, collegial, rewarding. And I became passionately in love with ALL the aspects of medicine. But not all the members of the medical profession: I was and remain a *rebel*.

The second Essay, titled **Unleash your Inner Rebel**, was published in *The Harvard Gazette* and is an interview of Harvard Business School Professor Francesca Gino.

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Credit: Rebeltalents.org

In today's relentlessly competitive business climate, the riskiest strategy of all may be to play it safe. Coming up with a smart idea or a great product may no longer be enough, because if you're not constantly moving forward, you're falling behind.

But along with the buzzwords like disruption and innovation that often define success in the digital age are others that make many people uncomfortable — like change, nonconformity, and trailblazer. And that just shouldn't be, says Francesca Gino, the Tandon Family Professor of Business Administration at Harvard Business School. After all, embracing discomfort, thinking unconventionally, and breaking established norms are what produced innovative film director Ava DuVernay and Apple CEO Steve Jobs, and unleashed pioneering companies such as Pixar and Google.

Gino draws on her experiences studying the behavior of business leaders and organizations in her new book, *Rebel Talent: Why It Pays to Break the Rules at Work and in Life*, to identify the common traits and practices among successful renegades that give them their creative and competitive edge.



Hereunder are excerpts of her conversation:

GAZETTE: *In the book, you talk about rebels as people who practice “positive deviance.” What do you mean by that, and where did your interest in this topic come from?*

GINO: *For many years, I studied people who cheat and behave dishonestly in organizations, as well as how organizations might prevent problematic rule breaking. As I was doing this research, I came across stories of people who were breaking rules in a way that created positive change in their organizations and in the world. This type of “positive deviance” involves rule-breaking that’s productive rather than destructive.*

I vividly remember the moment when I realized I wanted to write this book. I was browsing the shelves of the Harvard Coop bookstore and came across a book titled “Never Trust a Skinny Italian Chef.” As I flipped through the pages, I saw beautiful pictures of dishes that didn’t resemble any of the traditional meals I had while growing up in Italy. In Italy, a country that reveres tradition, recipes are passed on from generation to generation, and you just don’t mess with them. But the Italian chef Massimo Bottura, who wrote the book I was perusing, did exactly that. He studied traditional Italian recipes carefully, but then transformed them into innovative dishes. His three-Michelin-star restaurant, Osteria Francescana, was named the best restaurant in the world in 2016. Rather than breaking rules destructively, he did so constructively. I wanted to learn more about how he did it and how the rest of us can do the same.

GAZETTE: *You suggest anyone can be a rebel talent. But isn’t a key reason why people put up with the rebelliousness of a Steve Jobs or a Chef Bottura because of their extraordinary talent and track record of successful boundary-pushing? They’ve proven their iconoclastic ideas work.*

GINO: *You don’t have to be born a rebel. All of us can use our talents more often in the same way as the successful people you’ve mentioned. In studying rebels across all sorts of businesses, I tried to identify their secret recipe, and came up with five talents that they seem to share: **novelty, curiosity, perspective, diversity, and authenticity.***

We all have the potential to be rebels, but it’s not easy to break rules. Rebellious means leaving behind what’s comfortable, familiar, and known. It means fighting against what comes naturally to us as human beings — the status quo. Rather than taking traditions or existing procedures for granted, rebels like Chef Bottura question them to create something new. When Greg Dyke became the general director of the BBC in early



2000, for example, he found an organization that was very much troubled. Conventional managerial advice would encourage him to lay out a clear vision and then figure out how to delegate to execute it. Instead, he spent five months traveling to various BBC offices in the U.K., even the most remote ones, where he'd show up in the cafeteria and ask employees how he could be helpful and how they thought the BBC needed to change. Rather than giving orders and dictating answers to the problems he saw, he asked questions. By going against what others expected he would do, he gained everyone's respect. By the time he set a vision for how the organization should change, employees were eager to help him in the mission.

GAZETTE: *How do you know when it's appropriate to push outside of the boundaries and when not to?*

GINO: *For me, it's about getting into the habit of using the five talents more often. I've developed a test that people can use to find out which talents come more or less naturally to them. I also offer tips you can use to bring out other talents more often. But you're right. It's a matter of using your judgment when it comes to rule breaking. Organizations that have done this successfully make it clear when rules should be broken and when they should not. The leaders of Ariel Investments, a Chicago-based money management firm, encourage rebellion in all sorts of ways. They want people to be authentic, which includes feeling free to disagree with and challenge each other, but everyone in the firm knows which rules should not be broken. For example, before a letter goes out to a client, three people must review it to make sure that it's clear, because the company's reputation with its clients is so important. Clarity about rules such as this one helps people know when it's an appropriate time to break a rule and when it is not.*

GAZETTE: *Isn't it difficult to be rebellious at work when management typically rewards conformity to specific standards, and human resources often hires for, among other factors, "fit"?*

GINO: *When leaders and organizations encourage people to break rules, people trust that the company is giving them a chance to use their talents and make decisions, including when and when not to break rules. It's true that many leaders say they value rebellion and rule-breaking, but don't encourage it for fear it'll result in chaos. I have met many leaders who, in the end, push for conformity because of this fear. But I've also met leaders who have modeled rule-breaking and encouraged it in their organizations quite successfully.*



One of the companies that comes to mind is Intuit. Every year, the firm gives out awards for great innovations that employees have come up with. But there's also an award for the best failures: explorations that didn't turn out well, but that allowed the company to learn. The failure award even comes with a failure party. This sets up a system where people are comfortable breaking rules: They're comfortable exploring and being curious, as they know they won't be punished for experiments that didn't turn into innovative ideas. But as they explore, they're using their judgment.

*In identifying the **principles of rebel leadership**, I was inspired by the principles at work on pirate ships during the 16th century. Before a pirate ship left port, the crew would agree on a set of "articles" they would follow during the trip, which made up what they called a constitution. Pirate ships were very diverse organizations at a time when slavery still existed in the United States. What mattered most were your skills and contributions. The captain was elected by the crew, but the crew could remove the captain if he wasn't treating the crew well or was taking more than his share of the loot. The pirates largely did away with hierarchy and took steps to encourage their captain to be humble. Rebels treat others those around them as if they were on equal footing — no matter how hierarchical the organization is.*

One of the eight principles of rebel leadership — in essence the articles for modern-day rebels — is "Learn everything and then forget everything." This is language that Chef Bottura uses. Rather than disrespecting traditions and breaking rules simply for the sake of it, effective rebels study traditions and rules carefully. They have a deep understanding of "the basics." Before reinventing beloved Italian recipes, Bottura spent months studying them and asking a lot of questions about why things were done the way they were.

Another principle is "Foster happy accidents." The idea behind this is to put some thought into making sure that happy accidents happen, whether it's a new idea that comes from a mistake or a collaboration between people from different backgrounds. Bottura did this by hiring people from different countries to fill his kitchen so that they'd bring different ideas and perspectives to the table (including a Japanese and an Italian sous chef). Steve Jobs created happy accidents when he designed the headquarters of Pixar Animation Studios to have a large, open atrium equipped with a cafeteria, a gift shop, and screening rooms — places where people who do not usually work together could run into one another and strike up conversations.

GAZETTE: *You say "rebels realize that stereotypes are blinding and that fighting the tendency to stereotype produces a clearer picture of reality — and a competitive*



advantage.” *How are rebels able to stop themselves and see around stereotypes if confirmation bias is essentially unconscious?*

GINO: *Rebels are well aware of how stereotypes may influence their actions. They actively fight against them and against conventional social roles. Rebels put themselves among people who think differently or who might have a different perspective. This allows them to leverage their differences and, in a sense, train their minds to avoid holding stereotypical views in the future.*

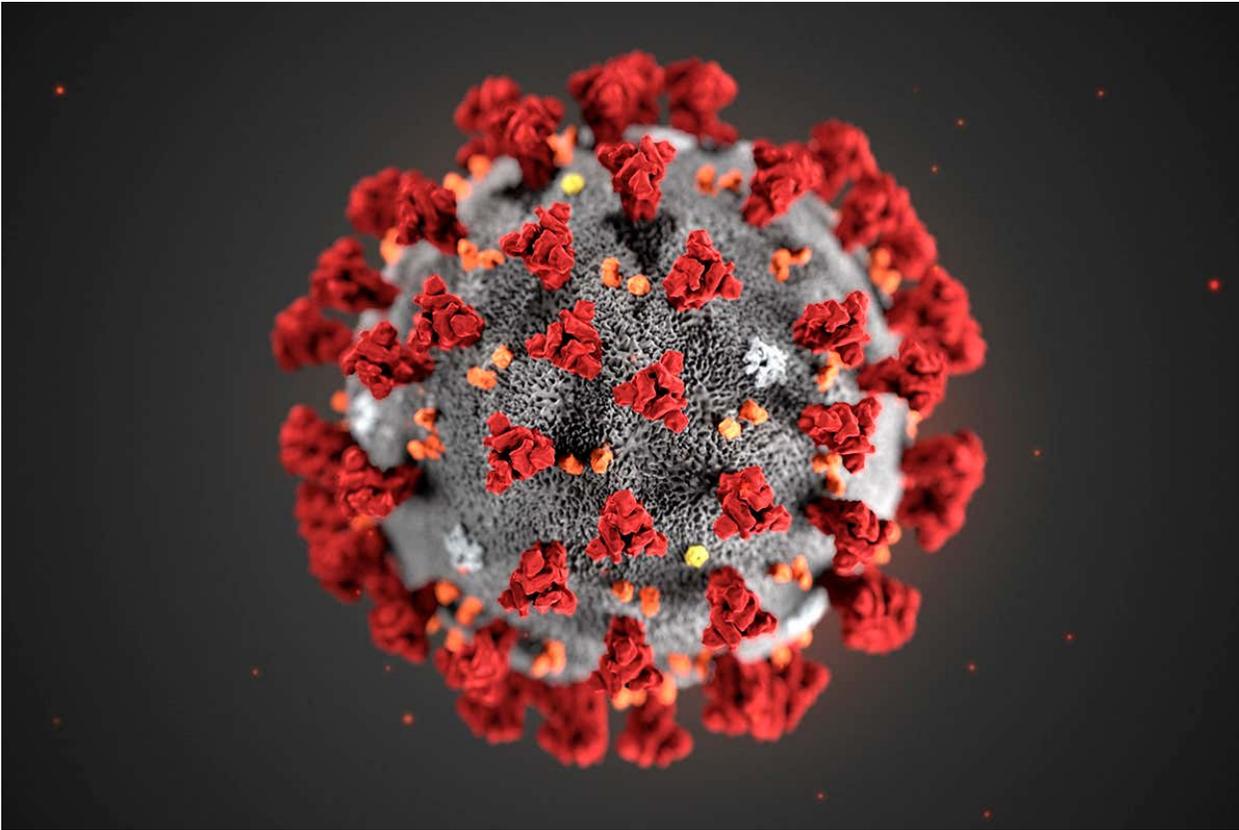
At Osteria Francescana, the various components of a dish need to be plated with the precision of a surgeon. One of the restaurant’s cooks is a person who’s almost blind. Common stereotypes would lead us to believe that this person would be unable to do the job properly. And yet he was helped by the team, had a lot of passion, and was able to do his job quite remarkably. Rebels don’t accept stereotypes: They fight them, and they look at the world a little bit differently.

GAZETTE: *What do you hope people take away from this idea of rebel talent?*

GINO: *Rebelling means being willing to take risks that can be uncomfortable. I hope readers will become more comfortable being uncomfortable. I hope they’ll use their personal talents more often, whether at work or in life. If you’re like me, after trying the rebel life, you won’t want to go back. When we rebel, we find more enjoyment in work, play, and interactions with others. My book offers tips on how to break the rules in productive ways, a skill that many people lack. If you told me in a couple of months, “I’m using your guidelines for living like a rebel — as a result, I find myself smiling more often and getting more satisfaction out of my job,” that would make me happy. It would mean that the message of the book is changing people’s lives for the better, in big and small ways.*

But my rebellion is meaningless these days. We are experiencing a pandemic of a coronavirus creating a myriad of symptoms in those who are exposed: COVID-19.

I CAN'T BREATHE!



Credit: New Scientist

I shall not attempt to summarize the related events of the last seven months; there are excellent reviews and constant, daily updates in the best and most trustable newspapers e.g. The Washington Post, The New York Times.

Currently the race for a safe, effective, long-lasting, well-tolerated, affordable (ideally free) vaccine available in millions of doses, with the chain for delivery (syringes, coolers, medical equipment, personnel) is just starting. And it's an ugly, hypocritical fight that may ruin the goal.

We have witnessed the success of governments run by women: New Zealand, Taiwan, in controlling their epidemic; we have also seen -and suffered from- the inept vagaries of Jair Bolsonaro, Boris Johnson or Donald J. Trump. We also grieve and mourn the hundreds of healthcare workers who fell while caring for victims of Cov-SARS-2 virus. Currently there is no medication that kills or protect against this virus. If you read -as I do- the dozens of specialized daily updates, it brings (some) hope, and (much) despair.



Restrictions always have been tough to follow. In the 1660s, as London succumbed to the bubonic plague, people flouted quarantines and social distancing, meeting at businesses and holding big daytime funerals, noted diarist Samuel Pepys with frustration. One-night Pepys, lonely and standing before a window outside a bar, stared longingly at the jolly, sociable people inside. Reluctantly, he turned away, deciding he didn't want to die for a drink.

“Throughout human and literary history what makes pandemics alike is not mere commonality of germs and viruses but that our initial responses were always the same,” writes Nobel prize-winning novelist Orhan Pamuk, completing a novel set around a 1901 pandemic. *“The initial response to the outbreak of a pandemic has always been denial. National and local governments have always been late to respond and have distorted facts and manipulated figures to deny the existence of the outbreak.”*

Given all that we know about the coronavirus —and don't know— what should a person do?

Maybe we should follow the epidemiologists, the people who understand the most about deadly diseases. Most of 511 epidemiologists interviewed by the *New York Times* expect to be wearing face-masks outside for at least another year, and nearly two thirds of them say they won't attend concerts, sporting events, or religious services during that time.

In that sense, today's fluctuating attempts to fight COVID-19 are nothing new. But researchers studying the coronavirus say it is not a second wave that is striking nearly two dozen states these days with rising infections—but more of a continuation of a long first wave of a startlingly infectious enemy. Stubbornly rising cases in North Carolina and Arizona alarm them; particularly as participation in facemask wearing and social distancing wanes in some places. But researchers also understand that the highly decentralized U.S. approach means some states simply will be more aggressive than others at trying to limit infections and deaths.

“As we go through this next six, nine, 12, 15 months of this, how do we keep putting energy into COVID when people are just so tired of it?” says **Alexis Madrigal**, who tracks coronavirus data with the COVID Tracking Project at *The Atlantic*.

Stay safe, and vigilant.



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