

Coercion

In *The Constitution of the United States: Contemporary Ratification*, William Brennan discusses coercion as the state's ability to enforce changes that reshape society. He writes, "The full coercive power of the State [which causes] the present society [to] change in a fundamental aspect" (Brennan 3). This coercion arises from policies and Supreme Court rulings that force citizens to follow new laws, even when they contradict previous societal norms. Robert Cover builds on Brennan's ideas in *Nomos and Narrative*, arguing that the state's imposition of legal interpretations "forbid the discovery of additional meanings" (Cover 13). This type of coercion suppresses citizen's autonomy, compelling them to comply without the ability to challenge or explore alternative interpretations. In this way, coercion restricts personal freedoms and forces individuals into conformity with norms imposed by the state.

Onora O'Neill offers Kant's perspective, explaining in *A Simplified Account of Kant's Ethics*, "If a rich or powerful person threatens a debtor with bankruptcy, unless he or she joins in some scheme, then the creditor's intention is to coerce" (O'Neill 3). Here, coercion disregards the debtor's autonomy, impelling them to act in opposition to their own ethical beliefs. Thus, coercion, whether in legal or ethical contexts, limits individual agency and freedom.

Maxim

In *A Simplified Account of Kant's Ethics*, Onora O'Neill reveals that a "maxim" "expresses a person's policy, or if they have no settled policy the principle underlying the particular intention or decision on which they act" (O'Neill 2). According to Kant, the morality of an action depends on two factors: the intention behind it and the awareness of one's maxims. An action is morally right if it stems from good intentions, such as helping others, while it is immoral if derived from deceit or harm.

For maxims to be just, individuals must be aware of one another's maxims. Without this awareness, one's maxims could be manipulated by others for their own goals, undermining personal integrity and autonomy. Furthermore, an individual's "wants are too numerous and diverse, and, of course, sometimes incompatible" with their own desires (O'Neill 3). Therefore, adopting someone else's maxims can be unjust, as it forfeits one's individuality. O'Neill also argues that certain maxims, particularly those based on malice or harm, are inherently unjust. For example, dictatorships enforce such maxims to suppress individual freedom and dignity, reducing people to mere tools rather than rational beings with their own principles. In this context, the concept of a "maxim" is invalidated, as individuals no longer act from free will but from imposed force.

Ought

The term "ought" refers to moral obligations and potential actions. In *The Principles of Morals and Legislation*, Jeremy Bentham defines "ought" in relation to the principle of utility stating that the correct, or action that ought to be taken is the one that produces the most happiness for

the greatest number of people. For Bentham, “ought” derives its meaning from its ability to increase happiness and guide moral decisions.

Peter Singer builds on this idea in *Famine, Affluence, and Morality*, arguing that individuals have a moral duty to prevent suffering whenever possible, even if it involves distant issues like famine. He uses the definition of “ought” as “the general verb to express duty or obligation”, and argues that individuals are compelled to offer assistance to others always, whether rescuing someone nearby or donating to aid in foreign countries (Singer 233).

Charles W. Mills criticizes the ideal world many philosophers propose in *"Ideal Theory" as Ideology*, as “ought is supposed to imply can: the ideal has to be achievable by humans” (Mills 171). According to him, the concept of “ought” assumes an achievable ideal society, but often reflects the interests of those in power, excluding marginalized groups. He suggests that “ought” fails to account for the realities faced by those disadvantaged by social structures. Thus, “ought” can be seen as invalid when it ignores systemic inequalities.

Punishment

Punishment is examined in various philosophical and cultural contexts. In *Second Treatise of Government*, John Locke defines punishment as “proportionate to [one’s] transgression” and serving two purposes: reparation for the victim and deterrence for others (Locke 2). Locke argues that in the state of nature, individuals have the right to punish those who violate others’ rights. However, this power can lead to abuse, so Locke believes a formal government is necessary to ensure fair punishment.

William Brennan, in *The Constitution of the United States: Contemporary Ratification* asserts, “A punishment must not be so severe as to be utterly and irreversibly degrading to the very essence of human dignity” (Brennan 15). Brennan furthermore finds capital punishment to violate this principle, as it reduces individuals to mere objects, devoid of intrinsic values.

Nwando Achebe in *The Female King of Colonial Nigeria: Ahebi Ugbabe*, contrasts pre-colonial Nigerian and British colonial punishments. She describes harsh traditional punishments, like livestock theft being “punished by death” and compares them to the British colonial approach, which included a year of strenuous labor and imprisonment (Achebe 121). Achebe’s work raises questions of who is at liberty to punish and how deciding what counts as punishment demonstrates authority.

Slaves/Slavery

In *Prigg v. Pennsylvania*, Justice Joseph Story reinforces the idea that slaves are property and “citizens of the slaveholding states [are secured] the complete right and title of ownership in their slaves” in every state, on behalf of the U.S. Constitution’s Fugitive Slave Clause (Story). He emphasizes that this interpretation was crucial for the survival of the United States, as it upheld the rights of slaveowners across state lines, preventing slaves from being recognized as persons with rights. Story also distinguishes between state and federal responsibilities, asserting that

while states were not required to enforce the Fugitive Slave Act, the federal government was obligated to secure the return of slaves as property.

Centuries later, Panashe Chigumadzi in “With what are you apologizing?” critiques the historical foundations of slavery, asserting that “slavery is the material womb of the modern world” (Chigumadzi). She traces the birth of capitalism back to the transatlantic slave trade, arguing that the slave labor used by colonial powers laid the groundwork for today’s global economy. Chigumadzi highlights how enslaved people’s minds were deemed irrational, which justified their treatment as property rather than people by colonizers. She also critiques modern reparations debates, suggesting that acknowledging the full cost of slavery would challenge the economic foundations of Western powers that shape modern society (Chigumadzi).

Capitalism

In his book, *Discourse on Colonialism*, author Aime Cesaire argues Hitler is critical to understanding capitalism. Cesaire finds that Hitler presents a more recent and renowned demonstration of capitalism and its limitations. Cesaire specifically finds that capitalism “is incapable of establishing a concept of the rights of all men, just as it has proved incapable of establishing a system of individual ethics” (Cesaire 37). Rather, capitalism is rooted in one’s desire to impose authority and control, making it innately selfish. Hitler exemplifies this, as his intentions were to impose German superiority and inferiority of Jewish, disabled, and homosexual people. To a similar effect, Cesaire finds that Europe is still concerned with deeming one group superior to others, and this perception of precedence embodies capitalism today. Sylvia Tamale also reflects on modern capitalism and its origins in her book, *Decolonization and Afro-Feminism*. She finds that “the process of capitalist exploitation cannot be separated from racial and gender hierarchization”, as the act of placing individuals in such categories is the normative standard of colonists (Tamale 6-7). This process of organization was then used to determine who was to be oppressed and exploited, which are inherent to capitalism.

Transfer

In *Anarchy, State, and Utopia*, Robert Nozick discusses the concept of transfer of holdings as central to his theory of justice. Nozick argues that justice occurs when individuals are entitled to their wealth or property, which are known as holdings. Exchanging these possessions is what Nozick means by transfers and they are just when they are “voluntary exchange[s] and gift[s]” (Nozick 151). He distinguishes these legitimate transfers from fraudulent ones, where deception is involved. To him, a transfer is just only if all parties are aware and agree to the exchange, making fraud a violation of justice.

Diana Taylor offers a broader interpretation of transfer in *The Archive and the Repertoire*. She defines transfer as the process that “transmit[s] social knowledge, memory, and a sense of identity” (Taylor 3). For Taylor, transfer is not just about material goods, but about persevering and passing down cultural knowledge. One example she discusses is how Indigenous people in colonial Mexico used Catholic feasts as a cover for their traditional practices. This “paradoxical

transfer” allowed Indigenous customs to survive under the guise of Catholicism, showing how performance can preserve and adopt cultural practices (Shagun 86). Taylor argues that active participation in these performances is key to the transfer of cultural identity onto future generations.

Violence

In *Discourse on Colonialism*, Aime Cesaire critiques the violence of colonization through stark and powerful language. He condemns colonial figures like Marius Moutet and Paule Coste-Floret who “disembowel [Madagascans] for you. Fine work! Not a drop of blood will be wasted” (Cesaire 48). Cesaire’s tone exposes the cold indifference of colonial powers to the suffering they inflicted, revealing how violence was a result of and measure to ensure colonization.

In *Death and the Maiden*, Ariel Dorfman explores violence, particularly, sexual assault, and its denial. Roberto, accused of assaulting Paulina, claims, “I’m incapable of violence – violence of any sort sickens me” (Dorfman 44). His denial of the violence he committed against Paulina reflects how society often downplays forms of harm, such as sexual violence. The play highlights the need for reconciliation with all forms of violence, which Chile’s Truth and Reconciliation Commission dismissed and ignored.

Marita Sturken, in *Cultural Memory in the Wake of Violence*, argues that memorials, like the 9/11 museum, can perpetuate violence by ignoring important historical contexts. By framing traumatic events as isolated incidents and neglecting extensive global implications, such memorials “can be used to justify conflicts” and “disallows counternarratives” from other countries (Sturken 65). In this way, violence is not only committed through actions but also through the erasure of histories and perspectives.