



Accomplice

The Imperialist Philosophy of HERE

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Imperialists past and present have perfected a formula to justify large-scale exploitation of others. Identify (or fabricate) some moral deficiency in the population you intend to overpower. Then, position yourself on moral high ground, from which you gain both the insight and the duty to intervene in your victims' lives. And you're done! You can rationalize any harmful outcomes of your influence as mere blemishes on an overall noble endeavor.

Theodore Roosevelt illustrated the formula at work in his 1901 "Big Stick" speech.¹ Three years prior, the United States had fought in the Spanish-American War. Among the many theaters of combat was the Philippines, where armed conflict between the Spanish and Filipinos seeking independence persisted since 1896. The revolutionaries declared their independence in 1898, but the U.S. ignored them and formally annexed the Philippines in its treaty with Spain. An uneasy peace on the islands soon gave way to an American campaign to wrestle control over the new nation. As vice president to William McKinley, Roosevelt had to justify his administration's efforts amidst worsening public opinion.²

Roosevelt begins with an attack on the moral capacities of the Filipino people:

In the Philippines we have brought peace, and we are at this moment giving them such freedom and self-government as they could never under any conceivable conditions have obtained had we turned them loose to sink into a welter of blood, and confusion, or to become the prey of some strong tyranny without or within.

He then positions the United States on the high ground of being a "civilized power," providing a "duty" to intervene.

Exactly as it is the duty of a civilized power scrupulously to respect the rights of all weaker civilized powers and gladly to help those who are struggling towards civilization, so it is its duty to put down savagery and barbarism.

He concludes by characterizing American influence as a good far outweighing any potential misdeeds:

¹ <https://www.startribune.com/sept-3-1901-roosevelt-big-stick-speech-at-state-fair/273586721/?refresh=true>.

² Schumacher, Frank. "'Marked Severities': The Debate over Torture during America's Conquest of the Philippines, 1899-1902." *Amerikastudien / American Studies* (51: 4, 2006).

As in such a work human instruments must be used, and as human instruments are imperfect, this means that at times there will be injustices, that at times, merchant, or soldier, or even missionary may do wrong.

Let us instantly condemn and rectify such wrong when it occurs, and if possible punish the wrong-doer. But, shame, thrice shame to us, if we are so foolish as to make such occasional wrong-doing an excuse for failing to perform a great and righteous task.

To be clear, Roosevelt's "great and righteous task" denotes an assault on the Filipino right to self-determination, in which torture was a routine procedure for American operatives, all done to indulge American exceptionalism and to secure American commercial and political interests in a world of competing colonial powers.³

I expect this kind of rhetoric from colonialists long dead. I expect it from the architects of today's parasitic economic interventions, perhaps in subtler language. But I do not expect it from the University of Notre Dame. Threads of imperialist philosophy, of imposing one's will onto others to their detriment under the guise of virtue, have been part and parcel of the University's HERE reopening campaign.

President Jenkins's May 26th *New York Times* op-ed, the seminal publication of Notre Dame's reopening philosophy, puts Roosevelt's formula to work.⁴ He begins by extolling the unique breadth of Catholic education to prepare a later claim to moral high ground.

Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases, is a distinguished immunologist and an advocate for public health. I have the privilege of sharing with him an education in Catholic schools laden with the study of classical texts, philosophy and theology.

Dr. Fauci credits such an education with giving him his impressive ability to explain complex medical facts to general audiences and present cogent arguments.

He then places himself on that high ground, implying that only students of this broad Catholic education can tackle moral quandaries:

For questions about moral value — how we ought to decide and act — science can inform our deliberations, but it cannot provide the answer.

After insisting that Notre Dame would be safe—without any data or evidence of a plan— President Jenkins acknowledges that reopening will place the campus community in greater danger than they would experience from home.

³ *Ibid.*; <https://history.state.gov/milestones/1899-1913/war>.

⁴ <https://www.nytimes.com/2020/05/26/opinion/notre-dame-university-coronavirus.html>.

Our decision to return to on-campus classes for the fall semester was guided by three principles that arise from our core university goals. First, we strive to protect the health of our students, faculty, staff and their loved ones. Second, we endeavor to offer an education of the whole person — body, mind and spirit — and we believe that residential life and personal interactions with faculty members and among students are critical to such an education. Finally, we seek to advance human understanding through research, scholarship and creative expression.

*If we gave the first principle absolute priority, our decision about reopening would be easy. We would keep everyone away until an effective vaccine was universally available.*⁵

He releases this tension with reference to the difficulty of moral questions, which he, as a Catholic educator, is uniquely able to judge:

However, were we to take that course, we would risk failing to provide the next generation of leaders the education they need and to do the research and scholarship so valuable to our society. How ought these competing risks be weighed? No science, simply as science, can answer that question. It is a moral question in which principles to which we are committed are in tension.

President Jenkins identifies the moral deficiency that his reopening plan seeks to rectify: a lack of courage. His “education of young people” rhetoric resembles Roosevelt’s “great and righteous task.”

We are in our society regularly willing to take on ourselves or impose on others risks — even lethal risks — for the good of society. We send off young men and women to war to defend the security of our nation knowing that many will not return. We applaud medical professionals who risk their health to provide care to the sick and suffering. We each accept the risk of a fatal traffic accident when we get in our car.

The pivotal question for us individually and as a society is not whether we should take risks, but what risks are acceptable and why. Disagreements among us on that question are deep and vigorous, but I’d hope for wide agreement that the education of young people — the future leaders of our society — is worth risking a good deal.

Fr. Jenkins then claims that there is, in all situations, a courageous mean “between a rashness that is heedless of danger and a timidity that is paralyzed by it.” He does not explain how his plan is sufficiently safe to be “courageous” rather than “rash,” beyond vague promises of “assiduously planning” with “the best medical advice and scientific information available.” But he nevertheless concludes by linking his plan, and any casualties it may cause, with this golden mean of courage:

Perhaps what we most need now, alongside science, is that kind of courage and the practical wisdom it requires. Notre Dame’s recent announcement about reopening is

⁵ emphasis my own.

the attempt to find the courageous mean as we face the threat of the virus and seek to continue our mission of education and inquiry.

This letter, though sententious and bereft of scientific substance, is not itself imperialist. If the University earnestly believed that reopening was a moral necessity, merely arguing as such is not problematic. What makes the HERE campaign imperialist is that, as Roosevelt did with the Filipinos, Notre Dame used this language of virtue to harm others in pursuit of its own interests.

Holding in-person classes is not unacceptable *per se*. But COVID-19 cannot be taken lightly. It need not kill its victims to harm them, whether through a fortnight of symptoms that can cast students permanently behind in their academics, known and unknown physiological and psychological burdens, or the no less legitimate fear and fatigue that isolation brings about. In addition, the virus can spread from young college students to faculty, staff, and the outside community, where medical concerns grow further.

A good reopening plan must address these dangers in four ways. It must grant an option to work from home, without penalty, for all members of the campus community, including oft-forgotten staff. (All in-person plans require online learning infrastructure for quarantined and isolated students, so this demand is hardly unreasonable.) It must minimize the risks of viral infection for those who choose to return. It must not significantly endanger the surrounding community, who have no choice in the matter. Finally, it must accurately inform those who return to campus of the risks they will face, and it must alter policies when needed to ensure community safety. Unfortunately, Notre Dame's reopening plan has failed on every count.

Despite apparent flaws in the full-capacity reopening plan released this past summer, members of the campus community received no option to learn and work from home for either the fall or spring semesters.⁶ Though a medical accommodation form was available, many applicants saw their requests denied.⁷ Mere days before the start of the fall semester, students received only the inadequate alternative of a leave of absence, which would prevent them from graduating with their friends and would carry significant financial aid implications for many. Faculty, especially those without tenure, would face professional complications from failing to return. All that to say nothing about staff. The return to campus was not a shared recognition of moral imperatives. It was a forced march, in violation of the first criterion.

The results of the reopening justified these summer concerns. During the fall, one sixth of the undergraduate student body were confirmed to have COVID-19. Much of the transmission occurred in the highly-publicized August outbreak, but the month of November saw more new confirmed cases than all of August.⁸ The spring semester has offered little improvement. On February 28th, 2021, 25 days after classes began, the University reached 762 confirmed cases for the spring semester. Even in the disastrous fall, the school needed 50 days from the start of classes to register so many cases.

⁶ <https://ndsmcobserver.com/2020/07/not-convinced-reopening-will-work/>.

⁷ <https://ndsmcobserver.com/2020/07/no-loss-is-acceptable-loss/>.

⁸ <https://www.nytimes.com/2020/08/18/us/notre-dame-coronavirus.html>.

In addition, questions remain about the impact of Notre Dame's reopening on South Bend. A Stanford study found that, of the 30 institutions whose in-person semesters were analyzed, Notre Dame had particularly strong superspreading-like effects in St. Joseph County.⁹ (Valid criticisms exist of the choice and quality of the metrics used in the paper.¹⁰) If Notre Dame did increase South Bend's COVID-19 incidence, the school would fit a general association that has been found between reopened colleges and higher rates of community transmission.¹¹ While these data do not establish a causal link between Notre Dame's campus and the surrounding South Bend community—far from it—they reflect the scientific community's best estimates in the absence of the contact tracing evidence needed to exonerate the school.

The University's policies and communications, however, have belittled the dangers facing the community at every turn. The administration considers viral transmission as a matter of virtue: if the community would just behave, the virus would go away! The spread of COVID-19 on campus makes clear what was known before classes started: reopening safely is nigh impossible even if most students, most of the time, adhere to protocols. Regardless, the University used this moralistic rhetoric to imply it had met all reasonable standards for community safety, allowing campus leaders to insinuate that the resulting outbreaks were the result not of defunct planning but of unforeseeable vice.

Provost Miranda and President Jenkins began depicting the University's reopening as a moral "challenge" in July.¹² As students returned for the fall semester, banners claiming "we are motivated by love and not by fear" flew from campus light poles.¹³ Though the community knew that containment of the virus required more than just "love"—namely, a substantive plan for surveillance testing, which was absent from University policy—there were no productive avenues to influence the administration beyond desperate petitions.¹⁴ After the inevitable August outbreak had begun, President Jenkins's address to the community characterized the virus as a "formidable foe," and made a call for "us as the Fighting Irish to join together and contain it," with no permanent modifications to the school's plan beyond rudimentary surveillance testing.¹⁵ ("Joining together" was an infelicitous choice of metaphor.) When the inadequacies of the plan became apparent again in November, administration could only strengthen exit testing requirements and emphasize its "zero tolerance" policy for students' reprobate gatherings.¹⁶ Absent from this rhetoric is

⁹ Lu, Hannah, Cortney Weintz, Joseph Pace, Dhiraj Indana, Kevin Linka, and Ellen Kuhl. "Are College Campuses Superspreaders? A Data-Driven Modeling Study." *Computer Methods in Biomechanics and Biomedical Engineering*, 2021.

¹⁰ <https://ndsmcobserver.com/2021/02/experts-say-university-protocols-lessen-potential-for-covid-19-outbreak/>.

¹¹ <https://www.insidehighered.com/news/2021/01/13/college-openings-led-increase-community-cases-research-says>.

¹² *Live Chat with Marie Lynn Miranda*, 2020, begin watching at roughly 38:00; Jenkins, "Fr. Jenkins' Message to Campus Ahead of Reopening," 2020.

¹³ <https://publicseminar.org/essays/dont-let-campus-become-plague-dystopias/>.

¹⁴ O'Donnell et al., "Petition for Widespread Testing at Notre Dame," 2020.

¹⁵ <https://here.nd.edu/news/notre-dame-enacts-two-weeks-of-remote-instruction/>.

¹⁶ <https://here.nd.edu/news/fr-jenkins-message-to-students-on-off-campus-gatherings-and-exit-testing/>.

any recognition that the virus, as a biochemical machine, was always going to spread amidst the disappointing but inevitable behavior of an age group known for its immaturity.

Winter break and the spring semester have hardly revised this flawed model. The University did implement mandatory weekly surveillance testing for all students. However, instead of instituting additional preparations, Provost Miranda and other campus leaders wrote a CDC report on how Notre Dame suppressed its August case spike.¹⁷ The report provides advice on containing COVID-19 to other institutions, while ignoring all campus data after mid-October, where the failure of ND's ostensibly effective measures led to the massive November outbreak. Vice President of Student Affairs Erin Hoffmann Harding released the draconian Campus Compact, a codification of disciplinary measures even harsher than those facing delinquent students in the fall.¹⁸ Students have since raised due process concerns about the unreasonable timeframe within which the accused can defend themselves, the lack of a right to appeal, and other related issues.¹⁹ Perhaps most troubling is that these measures fail to address the fundamental problem of maintaining the campus population at maximum density. Once the semester started and dozens of new cases emerged on campus every day, the same University that suspended in-person learning two semesters ago, when the CDC reported a seven-day moving average of 162 new daily COVID-19 cases *in the entire United States*, could only implement temporary and minor changes during to its protocols.²⁰

Readers may question whether this behavior merits the comparison to American imperialist policy. Does a bungled reopening represent an evil commensurate to the harms of the Philippine-American War? And if Notre Dame is imperialist in its policy, what are its ulterior motives?

I agree that the moral harms of the two events analyzed are incommensurate. However, the existence of worse offenses cannot absolve any deed of criticism. This is especially true when the philosophy and rhetoric of the smaller deed resembles that of the worse one so closely: manifest destiny and the rhetoric of civilization differ little from Notre Dame's moralistic exceptionalism.

The second charge reflects an all too common theme in discussions of equity, fairness, and imperialism: an emphasis on intent over impact. Notre Dame's leaders likely believed that their community was upstanding enough to warrant leaving responsibility to the students, just as American colonizers in 1898 believed that American citizens were

¹⁷ Fox, Mark D, David C Bailey, Michael D Seamon, and Marie Lynn Miranda. "Response to a COVID-19 Outbreak on a University Campus - Indiana, August 2020." Centers for Disease Control and Prevention, January 28, 2021.

¹⁸ <https://here.nd.edu/news/vp-of-student-affairs-hoffmann-harding-vp-of-campus-safety-seamon-spring-2021-updates/>.

¹⁹ <https://ndsmcobserver.com/2021/02/campus-compact-raises-significant-due-process-concerns/>.

²⁰ "CDC COVID Data Tracker," see daily case data for March 11th, 2020, the date President Jenkins suspended in-person learning for the spring; Hoffmann Harding and Seamon, "VP of Student Affairs Hoffmann Harding, VP of Campus Safety Seamon: Campus Modifications in Response to Case Rates." 2021. Of course, actual transmission of the virus in March 2020 was much more extensive than these numbers show. However, the fact remains that students were in far more danger from the virus in spring 2021 than they were in spring 2020.

exceptional enough to warrant manifest destiny. Campus leaders are at least partially sincere in their virtuous language as well; there is a decidedly Catholic element in the administration's emphases on penance for protocol violations and on appeals to the free will of individuals being sufficient to keep the campus safe. Even if the school's motives were so honest, however, one cannot use its good intentions to invalidate those on campus and in the community who were harmed.

And we cannot ignore the financial incentives for reopening. Over the summer of 2020, the University announced a loss of \$44 million in revenue in fiscal year (FY) 2020, projected \$100 million of additional revenue losses in FY 2021, and expected "continuing impacts on our budget for the foreseeable future."²¹ These figures were stark enough while presuming a full-density reopening. Any other reopening plan would jeopardize two massive sources of revenue: room and board and intercollegiate athletics.

Notre Dame made \$101 million from student residential, dining, and laundry revenues in FY 2019. In FY 2020, however, prorated refunds for the two months lost to COVID-19 dropped these revenues to \$77 million.²² If the University had kept students home for the 2020-2021 academic year, it would have lost an additional \$100 million in revenue. As many room and board expenses, such as building upkeep, are somewhat independent of the number of students on campus, the result would likely be millions in losses passed to the bottom line.

Athletics represent an even more lucrative contributor to Notre Dame's budget: the University made \$156 million from intercollegiate athletics in FY 2019.²³ Of course, most sports revenue comes from football, and Athletic Director Jack Swarbrick made clear that football would only run if students returned to campus:²⁴

[The College Football Playoff Management committee's] overriding message to the Vice President? If our students are not on campus, we're not going to play football.

"We're never in a position to look at these issues purely through an athletic lens," Swarbrick told ESPN.com after the meeting. "There is no athletic calculus to engage in if our campuses aren't reopened."

Though the unpublished costs of COVID-19 health protocols have undoubtedly been high, Notre Dame, already strapped for cash, stood to lose hundreds of millions in revenues if students did not return. These concerns, and the reputational costs of changing course after advertising reopening as a matter of virtue, have proven too great for the University to ignore.

When I entered Notre Dame as a freshman in 2018, I was convinced that the University would keep me safe. I never dreamed that my school—my second home—would

²¹ https://www.southbendtribune.com/news/education/university-of-notre-dame-braces-for-estimated-100-million-loss-because-of-coronavirus-pandemic/article_a29fba5e-b238-11ea-863b-9f89b08ea7a2.html.

²² <https://treasury.nd.edu/annual-reports/financial-statements/>.

²³ Ibid.

²⁴ <https://www.si.com/college/tmg/tony-barnhart/fbs-football>.

adopt the rhetoric of the past to justify needless harm. After the failures of the fall, I transferred to Case Western Reserve University, where I've been much happier and much safer. I just hope that, to quote President Jenkins's apology after his maskless performance at the Rose Garden, Notre Dame's current conduct is a momentary error in judgment.²⁵ Because if it reflects the true character of the University, history will be little more flattering to it than it has become to the imperialist villains of the past.

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²⁵ <https://www.chicagotribune.com/coronavirus/ct-nw-notre-dame-president-mask-apology-20200929-fa6ts6puindarjqwlfzwbkj7e-story.html>.

Bibliography

Barnhart, Tony. "FBS Commissioners Told Vice-President Pence on Wednesday That Unless the Students Return to Campus, There Would Be No Football in the Fall." TMG Sports. Sports Illustrated, April 17, 2020. <https://www.si.com/college/tmg/tony-barnhart/fbs-football>.

Botting, Eileen Hunt. "Don't Let Campuses Become Plague Dystopias." Public Seminar, July 30, 2020. <https://publicseminar.org/essays/dont-let-campus-become-plague-dystopias/>.
Burke, Lilah. College openings led to increase in community cases, research says, January 13, 2021. <https://www.insidehighered.com/news/2021/01/13/college-openings-led-increase-community-cases-research-says>.

"CDC COVID Data Tracker." Centers for Disease Control and Prevention. Centers for Disease Control and Prevention. Accessed February 28, 2021. https://covid.cdc.gov/covid-data-tracker/#trends_dailytrendscases.

Dugan, Michael. "Campus Compact Raises Significant Due Process Concerns // The Observer." The Observer, February 12, 2021. <https://ndsmcobserver.com/2021/02/campus-compact-raises-significant-due-process-concerns/>.

Financial Statements. Office of Treasury Services, University of Notre Dame. Accessed February 21, 2021. <https://treasury.nd.edu/annual-reports/financial-statements/>.

Fox, Mark D, David C Bailey, Michael D Seamon, and Marie Lynn Miranda. "Response to a COVID-19 Outbreak on a University Campus - Indiana, August 2020." Centers for Disease Control and Prevention, January 28, 2021.

<https://www.cdc.gov/mmwr/volumes/70/wr/mm7004a3.htm#suggestedcitation>.

Hoch, Miguel. "No Loss Is 'Acceptable Loss' // The Observer." The Observer, July 30, 2020. <https://ndsmcobserver.com/2020/07/no-loss-is-acceptable-loss/>.

Hoffmann Harding, Erin, and Mike Seamon. "VP of Student Affairs Hoffmann Harding, VP of Campus Safety Seamon: Campus Modifications in Response to Case Rates." HERE. University of Notre Dame, February 17, 2021. <https://here.nd.edu/news/vp-of-student-affairs-hoffmann-harding-vp-of-campus-safety-seamon-campus-modifications-in-response-to-case-rates/>.

Hoffmann Harding, Erin, and Mike Seamon. "VP of Student Affairs Hoffmann Harding, VP of Campus Safety Seamon: Spring 2021 Updates." HERE. University of Notre Dame, January 21, 2021. <https://here.nd.edu/news/vp-of-student-affairs-hoffmann-harding-vp-of-campus-safety-seamon-spring-2021-updates/>.

Hughes, Andrew. "Notre Dame President Apologizes for Not Wearing Mask during White House Announcement of Amy Coney Barrett's Supreme Court Nomination." chicagotribune.com. Chicago Tribune, September 29, 2020.

<https://www.chicagotribune.com/coronavirus/ct-nw-notre-dame-president-mask-apology-20200929-fa6ts6puindariqwlfxzwbkj7e-story.html>.

Jenkins, John I. “Fr. Jenkins' Message to Campus Ahead of Reopening.” HERE. University of Notre Dame, July 29, 2020. <https://here.nd.edu/news/fr-jenkins-message-to-campus-ahead-of-reopening/>.

Jenkins, John I. “Fr. Jenkins' Message to Students on off-Campus Gatherings and Exit Testing.” HERE. University of Notre Dame, November 8, 2020. <https://here.nd.edu/news/fr-jenkins-message-to-students-on-off-campus-gatherings-and-exit-testing/>.

Jenkins, John I. “We're Reopening Notre Dame. It's Worth the Risk.” The New York Times. The New York Times, May 26, 2020. <https://www.nytimes.com/2020/05/26/opinion/notre-dame-university-coronavirus.html>.

Kirkman, Allie. “University of Notre Dame Braces for Estimated \$100 Million Loss Because of Coronavirus Pandemic.” South Bend Tribune, June 20, 2020. https://www.southbendtribune.com/news/education/university-of-notre-dame-braces-for-estimated-100-million-loss-because-of-coronavirus-pandemic/article_a29fba5e-b238-11ea-863b-9f89b08ea7a2.html.

Live Chat with Marie Lynn Miranda. YouTube, 2020.
<https://www.youtube.com/watch?t=2224&v=Y9IAHFuEnql&feature=youtu.be>.

Lu, Hannah, Cortney Weintz, Joseph Pace, Dhiraj Indana, Kevin Linka, and Ellen Kuhl. “Are College Campuses Superspreaders? A Data-Driven Modeling Study.” *Computer Methods in Biomechanics and Biomedical Engineering*, 2021, 1–11.
<https://doi.org/10.1080/10255842.2020.1869221>.

Notre Dame News. “Notre Dame Enacts Two Weeks of Remote Instruction.” HERE. University of Notre Dame, August 18, 2020. <https://here.nd.edu/news/notre-dame-enacts-two-weeks-of-remote-instruction/>.

O'Donnell, Joseph, Andres Walliser-Wejebe, and Alexander Kuptel. “Petition for Widespread Testing at Notre Dame.” Google Docs. Google, 2020.
<https://docs.google.com/document/d/1n4pitUtEj6ek2WKLhAizVUNN9eT04xbLEAZBmf3fZ7Q/edit?usp=sharing>.

O'Donnell, Joseph. “Why I'm Not Convinced Reopening Will Work // The Observer.” *The Observer*, July 6, 2020. <https://ndsmcobserver.com/2020/07/not-convinced-reopening-will-work/>.

Robles, Frances. “Notre Dame and Michigan State Shifting Online as Campus Outbreaks Grow.” *The New York Times*. The New York Times, August 18, 2020.
<https://www.nytimes.com/2020/08/18/us/notre-dame-coronavirus.html>.

Schumacher, Frank. "‘Marked Severities’: The Debate over Torture during America's Conquest of the Philippines, 1899-1902." *Amerikastudien / American Studies* 51, no. 4 (2006): 475–98. <https://www.jstor.org/stable/41158259>.

"The Philippine-American War, 1899–1902." Milestones in the History of Foreign Relations. U.S. Department of State, Office of the Historian. Accessed February 16, 2021. <https://history.state.gov/milestones/1899-1913/war>.

Volmert, Isabella. "Experts Say University Protocols Lessen Potential for COVID-19 Outbreak // The Observer." The Observer, February 5, 2021. <https://ndsmcobserver.com/2021/02/experts-say-university-protocols-lessen-potential-for-covid-19-outbreak/>.

Welter, Ben. "Sept. 3, 1901: Roosevelt 'Big Stick' Speech at State Fair." Star Tribune. Star Tribune, September 2, 2014. <https://www.startribune.com/sept-3-1901-roosevelt-big-stick-speech-at-state-fair/273586721/?refresh=true>.