

**LAW JOURNAL**  
**FOR SOCIAL JUSTICE**  
SANDRA DAY O’CONNOR COLLEGE OF LAW  
ARIZONA STATE UNIVERSITY

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**Volume 5** **Spring** **2015**

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## EDITOR INTRODUCTION

The 2015 Law Journal for Social Justice Symposium, “Contemporary Discrimination” focused on current concerns regarding civil rights and civil liberty. Discussions ranged from the political legislative process, resistance in enforcement of civil rights judgments, and sexual orientation employment discrimination. Panelists included politicians, scholars from diverse backgrounds, practicing attorneys and community organizers.

Drawing on broader considerations, this issue features articles analyzing an array of concerns in the criminal, civil and international tribunals. The first article, *You Have Your Whole Life in Front of You...Behind Bars*, written by Rachel Forman, begins this issue by discussing a need to ban life without parole sentences for juvenile non-homicide offenders. Inalvis M. Zubiaur, in *Death Row: Mentally Impaired Inmates and the Appeal Process*, continues the focus on sentencing by engaging concerns regarding capital punishment. Next, in *Injection and the Right of Access*, Timothy F. Brown argues for increased access to lethal injection procedures to understand its constitutionality. Shifting consideration to the civil sphere, Victor D. Lopez & Eugene T. Maccarrone raise issues about privacy, due process, public policy and the basic fairness of traffic enforcement by camera, in *Traffic Enforcement by Camera*. Beginning the focus on international concerns, *Fictitious Labeling*, by Efe Ukala, discusses “recommendations that may help curb constitutional issues resulting from deportation.” Brittany Fink, in *Increase Quota, Invite Opportunities, Improve Economy*, proposes amendments to the DREAM Act that extend the path to citizenship.” Katharine Villalobos then focuses on the sociology of immigration in *The Crucible*, using historical examples to discuss the War on Terror. *Falling Through the Cracks* by Marissa N. Goldberg changes the focus to international law and unique considerations of women in the drug trade industry. Finally, *Seeking Truth in the Balkans* by Erin K. Lovall and June E. Vutrano concludes the issue by discussing the role of international law in seeking justice following the wars in the Balkans. Together these articles analyze issues that raise important questions about fairness and civil rights in the domestic and international contexts.

Special thanks to the entire staff of the Law Journal for Social Justice, who helped create this edition.

Kristyne Schaaf-Olson  
2014-2015 Editor-in-Chief  
The Law Journal for Social Justice

# THE CRUCIBLE: OLD NOTIONS OF HYSTERIA IN MODERN AMERICA

By Katharine Villalobos\*

[I]t was simply impossible to discuss what was happening to us in contemporary terms. We were all going slightly crazy . . . the hysteria in Salem had a certain inner procedure or several which were duplicating once again . . . [a]nd that's how the play came to be.

-- Arthur Miller, on *The Crucible*<sup>1</sup>

## Introduction

Playwright Arthur Miller's connection to witch hunts goes far beyond writing a play about the Salem Witch Trials—he lived through one. True, Miller was not alive in 1692 when hysteria<sup>2</sup> over witchcraft led to nineteen men and women being hanged and one man being pressed to death.<sup>3</sup> However, for Miller, writing a play about the Salem Witch Trials was a creative expression of his experience during Senator Joseph McCarthy's hunt for communists during the Cold War of the early 1950s. Instead of accusations of bewitching, dancing, and flying on broomsticks, Senator McCarthy accused men and women of being members of the American Communist party.<sup>4</sup> These accused Americans were summoned to the House Un-American Activities Committee (HUAC) to make public confessions about their communist views and to offer the names of

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\* J.D., Emory University School of Law (2015); Executive Special Content Editor, *Emory International Law Review* (2014–2015); *Emory International Law Review* Red Pen Award for Best Editor (2014). The author is grateful to her husband, Ryan Andrews, for being her editor, unconditional supporter, and best friend. She thanks her parents for their support and encouragement, and Professor Martha Grace Duncan at Emory University School of Law for her guidance and feedback.

<sup>1</sup> Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE* xi, vii (Penguin Books 2003) (1953).

<sup>2</sup> It should be noted that here and throughout this paper, the word “hysteria” is being used as a layman's term, and not as a psychological term of art. Therefore, I am using the word “hysteria” as it is defined in the *Merriam-Webster Dictionary*: “a situation in which many people behave or react in an extreme or uncontrolled way because of fear, anger, etc.” *Hysteria*, MERRIAM-WEBSTER: DICTIONARY, <http://www.merriam-webster.com/dictionary/hysteria> (last visited June 22, 2015).

<sup>3</sup> See Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE*, *supra* note 1, at vii.

<sup>4</sup> *Id.* at x.

others.<sup>5</sup> Witnesses who were uncooperative often lost their jobs.<sup>6</sup> With reputations and careers at stake, many of Miller's friends and colleagues were among those who confessed their communist affiliations and named other communists.<sup>7</sup> On June 6, 1956, Miller himself was called before HUAC and refused to name communists.<sup>8</sup> Fear and hysteria were in the air. Anyone could be accused—but rather than shrinking in fear, Miller began to research a familiar stain in the nation's past.<sup>9</sup> He traveled to Salem to research the infamous Salem Witch Trials.<sup>10</sup> Noting the parallels between Senator McCarthy's hunt for American communists and the witch hunt in Salem, Miller wrote a play about the dangers of American fear and panic: *The Crucible*.

Although Miller was open about the influence that the McCarthy witch hunts had on the play, Miller nonetheless insisted that McCarthyism was not the theme of *The Crucible*.<sup>11</sup> Miller was less concerned with the court proceedings than he was with the fear and motivations behind them.<sup>12</sup> His focus, then, was not McCarthyism specifically, but rather on the phenomenon of hysteria. In his article *Hysteria and Ideology, in The Crucible*, Richard Hayes nicely summarizes what Miller achieves in writing this play:

With the Salem witchcraft trials of 1692 as a moral frame and point of departure, Mr. Miller has gone on to examine the permanent conditions of the climate of hysteria . . . as one of the few severely irrational eruptions American society has witnessed, it retains still its primitive power to compel the attention.<sup>13</sup>

Another scholar, Leonard Moss, wrote that Miller's "concern was mass hysteria: He wished to show . . . what its social and psychological consequences might be; and how it must be averted."<sup>14</sup> By broadening the theme to hysteria, as opposed to narrowing it to a specific historical event,

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<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at xii.

<sup>7</sup> *Id.*

<sup>8</sup> Andrew Glass, *Arthur Miller Testifies Before HUAC, June 21, 1956*, POLITICO (June 21, 2013, 5:03 AM), <http://www.politico.com/story/2013/06/this-day-in-politics-93127.html>.

<sup>9</sup> See Christopher Bigsby, *Introduction to ARTHUR MILLER, THE CRUCIBLE*, *supra* note 1, at xii.

<sup>10</sup> *Id.*

<sup>11</sup> SUSAN C. W. ABBOTSON, *CRITICAL COMPANION TO ARTHUR MILLER* 115 (2007).

<sup>12</sup> *Id.*

<sup>13</sup> Richard Hayes, *Hysteria and Ideology, in The Crucible, in TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE* 32, 32 (John H. Ferres ed., 1972).

<sup>14</sup> Leonard Moss, *A "Social Play"*, *in TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE* 37, 37–38 (John H. Ferres ed., 1972).

Miller allows his play the flexibility to be rejuvenated throughout the decades. *The Crucible* does not only serve to say “shame on you, McCarthy-ism,” but rather has the ability to prompt society to challenge the status quo. In both historical situations of the Salem Witch Trials and the McCarthy questionings, the hysteria eventually fizzled out and the American people recognized the absurdity of these witch-hunts. Indeed, it is easy for modern Americans to look back at the McCarthy Era and the Salem Witch Trials and wonder how people could have been so consumed by their fear of a singled-out group. But how far has America really come since these events? If Miller were a young playwright today, would he still be inspired to write *The Crucible*?

After analyzing the treatment of Muslims following the September 11, 2001 terrorist attacks, this paper will show that Miller would have no shortage of inspiration to write *The Crucible* today. Like the witch-hunt in *The Crucible* and the Communist hunt of the McCarthy Era, the War on Terror has succeeded in singling out a specific group of people with foreign beliefs—in this case, Muslims—and disregarding that group’s human rights in the name of national security. Of course, this paper’s intent is not to minimize, in any way, the horrors of the 9/11 attacks or of terrorism as a whole. Rather, this paper looks to the rash decisions that are brought forth when an entire population of people is stigmatized as a result of crimes committed by a small fraction of that population. By putting the same emphasis on fear that the accusers of *The Crucible* utilized when condemning witches, the United States government has managed to convince the public that it should waive its rights to privacy and ignore the due process rights of certain Muslims. Furthermore, the government has justified the harsh treatment and arbitrary detainment of hundreds of Muslims in the name of public safety. With these modern injustices in mind, this paper will look back to the characters in *The Crucible* to analyze the ever-occurring phenomenon of hysteria.

Part I will provide context for the rest of the paper by briefly summarizing *The Crucible* as well as America’s response to the 9/11 terror attacks. This will establish a common theme of paranoia<sup>15</sup> and fear of the unknown. Part II will compare the problems of evidence and lack of due process in *The Crucible* and the War on Terror. Part III will examine the importance of confession in *The Crucible*, along with the methods

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<sup>15</sup> In the context of this paper, the term “paranoia” is being used in the layman’s sense, not as a psychological term of art. The *Merriam-Webster Dictionary* defines paranoia as “a tendency on the part of an individual or group toward excessive or irrational suspiciousness and distrustfulness of others.” *Paranoia*, MERRIAM-WEBSTER: DICTIONARY, <http://www.merriam-webster.com/dictionary/paranoia> (last visited June 22, 2015).

used for questioning accused witches. This will lead to a comparison with modern interrogation tactics used on suspected terrorists. Part IV will explore what society is willing to sacrifice for the sake of being safe by looking to the events in Salem and post 9/11 America. Ultimately, this paper will conclude that over fifty years later, *The Crucible* is still providing us with a contemporary critique on society.

## I. MILLER'S PLAY ABOUT THE PAST AND PRESENT PREDICTS AMERICA'S FUTURE

When Miller wrote *The Crucible*, he was drawing from Salem's past to comment on the present. At the time, the present was the Cold War of the early 1950s. What Miller may not have foreseen was that *The Crucible* would serve as a commentary on American society throughout the following century. To illustrate this commentary, Section A offers a short summary of *The Crucible* and Section B presents a summary of America's reaction to the 9/11 terrorist attacks. Section C will establish the common themes between these two witch-hunts.

### A. The Crucible a Summary

In adapting the events of the Salem Witch Trials into a play, Miller did not necessarily remain true to history.<sup>16</sup> For instance, rather than characterizing all of the judges involved in the trials, Miller focuses only on Judge Hathorne and Judge Danforth.<sup>17</sup> For dramatic purposes, Miller raises Abigail's age from 11 to 17, and lowers John Proctor's age from 60 to 35.<sup>18</sup> This allows for another dramatic element of the play: the fictional affair between John Proctor and Abigail.<sup>19</sup> The play also adjusts the order of certain executions.<sup>20</sup> However, other important historical aspects, such as the form of execution endured by each character, are portrayed accurately in the play.<sup>21</sup> Because this paper solely seeks to compare Miller's critique on society in *The Crucible* with the modern War on Terror, this paper will not focus on the actual history of the Salem Witch Trials.

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<sup>16</sup> Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE*, *supra* note 1, at xiv.

<sup>17</sup> ARTHUR MILLER, *THE CRUCIBLE* 2 (Penguin Books 2003) (1953).

<sup>18</sup> Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE*, *supra* note 1, at xiv.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

*The Crucible*, set in 1692 Salem, Massachusetts, begins in the home of a holy man—by title, at least.<sup>22</sup> Reverend Samuel Parris is praying by his daughter’s bedside, desperately wondering how his ten-year-old could have taken ill so suddenly.<sup>23</sup> Miller establishes the guilt embedded into the consciousness of turn of the seventeenth century Salem by describing Parris as a man who “believed he was being persecuted wherever he went.”<sup>24</sup> He further foreshadows the hysteria to come by explaining that the people of Salem had a “predilection for minding other people’s business . . . and it undoubtedly created many of the suspicions which were to feed the coming madness.”<sup>25</sup> Ironically, Parris initially appears as a voice of logic and reason. He immediately appeals to a doctor to find a cure for his sick daughter, Betty.<sup>26</sup> However, when the doctor cannot explain Betty’s ailment through science, the doctor resorts to blaming “unnatural things” for the girl’s condition.<sup>27</sup> Frightened, Parris remembers that he had recently discovered Betty “dancing like heathen” with his seventeen year-old niece, Abigail, and the enslaved Barbadian woman, Tituba.<sup>28</sup> Abigail staunchly asserts that she and her cousin were dancing innocently and were not participating in witchcraft.<sup>29</sup> Here begins the springboard from which hysteria ensued and twenty people were killed.

Meanwhile, the audience of the play learns that Abigail has been having an affair with the man she worked for, John Proctor. Proctor’s wife is no fool; Elizabeth Proctor dismisses Abigail from the Proctor home once she becomes wise to the affair.<sup>30</sup> Elizabeth even avoids Abigail by failing to attend church, “for she will not sit so close to something soiled.”<sup>31</sup> Abigail denies that she is “soiled” and condemns Elizabeth as a liar.<sup>32</sup>

In no time, the possibility that Betty’s illness was caused by witchcraft transforms into the rumor that several children were murdered by witches.<sup>33</sup> In order to hide the fact that she really did partake in witchcraft, Abigail begins to accuse others of the crime.<sup>34</sup> Eventually, she

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<sup>22</sup> See MILLER, *supra* note 17, at 3.

<sup>23</sup> *Id.* at 3, 8.

<sup>24</sup> *Id.* at 3.

<sup>25</sup> *Id.* at 4.

<sup>26</sup> *Id.* at 8.

<sup>27</sup> *Id.* at 9.

<sup>28</sup> MILLER, *supra* note 17, at 9.

<sup>29</sup> *Id.* at 10.

<sup>30</sup> *Id.* at 11.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.* at 15.

<sup>34</sup> MILLER, *supra* note 17, at 20, 40.

accuses Elizabeth of being a witch.<sup>35</sup> This accomplishes a twofold goal for Abigail: preserving her own innocence while removing any obstacle from her relationship with Proctor.

Proctor, however, does not take this lightly. Even after an intense interrogation by Reverend John Hale, an expert on witchcraft,<sup>36</sup> Proctor resolves to save his wife from condemnation.<sup>37</sup> He introduces a familiar form of discovery evidence into the court when he presents a deposition of his servant girl, Mary Warren, in which she states that she, and the other girls who cried out over witchcraft, were lying.<sup>38</sup> This deposition is not only meant to save his own wife, but also the wives of old Giles Corey and of the formerly respected Francis Nurse. To his horror, Proctor's attempts to prove his wife's innocence are met with more accusations.<sup>39</sup> Any attempt that Proctor, Giles, or Francis make to defend their wives is perceived as "a clear attack upon the court!"<sup>40</sup> Even Reverend Hale, who originally interrogated the Proctors out of suspicion, sees the irrationality of the court and begs the judge to allow Proctor to return to court with an attorney.<sup>41</sup> This too is seen as a challenge to the court.<sup>42</sup>

In a desperate attempt to discredit Abigail's accusations, Proctor reveals his affair with Abigail to the court. But when his wife Elizabeth is later brought in for questioning, she unknowingly contradicts his testimony.<sup>43</sup> The trial is further agitated by the wild claims of Abigail, Mary Warren, and Susanna Walcott that evil spirits are appearing in the courtroom.<sup>44</sup> This hysterical scene leads to the condemnation of Proctor and Giles.

In the final act of the play, the audience finds a bearded and disheveled Proctor in jail. He is about to be executed, but he can avoid his death sentence if he confesses to practicing witchcraft.<sup>45</sup> Hale begs him to swallow his pride and confess. Proctor finally agrees to confess verbally to Judge Danforth and Reverend Parris—but the confession is not sufficient.<sup>46</sup> Parris insists that Proctor sign a confession to be made public

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<sup>35</sup> *Id.* at 69.

<sup>36</sup> *Id.* at 62-63.

<sup>37</sup> *Id.* at 76.

<sup>38</sup> *Id.* at 82.

<sup>39</sup> *Id.* at 84-85.

<sup>40</sup> MILLER, *supra* note 17, at 87.

<sup>41</sup> *Id.* at 92.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.* at 102-05.

<sup>44</sup> *Id.* at 107.

<sup>45</sup> *Id.* at 118.

<sup>46</sup> MILLER, *supra* note 17, at 128.

in Salem.<sup>47</sup> Proctor signs the confession, but just as quickly snatches it away and tears it.<sup>48</sup> When asked why he refuses to publically confess, Proctor exclaims:

Because it is my name! Because I cannot have another in my life! Because I lie and sign myself to lies! Because I am not worth the dust on the feet of them that hang! How may I live without my name? I have given you my soul; leave me my name!<sup>49</sup>

When Reverend Hale implores Elizabeth to change her husband's mind, she responds, "He will have his goodness now. God Forbid I take it from him!" Proctor is executed offstage and the play ends.<sup>50</sup>

### B. America's War on Terror

Fast forward to September 11, 2001. Two thousand seven hundred and fifty three innocent people are dead after terrorists flew two planes into the towers of the World Trade Center.<sup>51</sup> Thirty are dead after an attack on the Pentagon.<sup>52</sup> Forty people aboard Flight 93 give their lives resisting a terror attack that is meant to target the nation's capital.<sup>53</sup> America is sad, confused, and angry. Nine days later, President George W. Bush tells Congress, "every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists . . . . Whether we bring our enemies to justice or bring justice to our enemies, justice will be done."<sup>54</sup> Bush's public approval skyrocketed from less than sixty percent to almost ninety percent.<sup>55</sup> Congress voted to "grant President Bush authority to 'use all necessary and appropriate force'" against the terrorists.<sup>56</sup>

The Bush administration began instilling paranoia into the American people. Three months after 9/11, in his State of the Union Address, Bush

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<sup>47</sup> *Id.* at 131.

<sup>48</sup> *Id.*

<sup>49</sup> *Id.* at 133.

<sup>50</sup> *Id.*

<sup>51</sup> *9/11 by the Numbers, Death, Destruction, Charity, Salvation, Way, Money, Real Estate, Spouses, Babies, and Other September 11 Statistics*, NYMAG.COM, <http://nymag.com/news/articles/wtc/1year/numbers.htm> (last updated Sept. 2014).

<sup>52</sup> *Pentagon Victims*, WASH. POST, <http://projects.washingtonpost.com/911victims/pentagon/> (last visited June 22, 2014).

<sup>53</sup> *Flight 93 National Memorial*, NAT. PARK SERVICE, <http://www.nps.gov/flni/index.htm> (last updated June 17, 2015).

<sup>54</sup> EUGENE SECUNDA & TERENCE P. MORAN, *SELLING THE WAR TO AMERICA* 146 (2007).

<sup>55</sup> *Id.* at 147.

<sup>56</sup> *Id.*



stated that the war on terror was “only the beginning” and told the American people that Iran, Iraq, and North Korea “constitute an axis of evil.”<sup>57</sup> Bush gave Americans more reason to be fearful when he warned that Saddam Hussein could attack at any moment with chemical or biological warfare.<sup>58</sup> This would become the justification for invading Iraq in addition to invading Afghanistan.<sup>59</sup>

Fear of terrorism also sparked an influx of immigration enforcement. Justice Department Inspector General Glenn A. Fine issued a report in early 2003, which indicates that 762 undocumented immigrants were arrested following 9/11.<sup>60</sup> However, few of these immigrants actually had clear associations to terrorism.<sup>61</sup> Most of these immigrants were of Middle Eastern decent.<sup>62</sup> The initial cause for their arrest was their immigration status, but this would lead to questions about their ties to terrorism.<sup>63</sup> According to the report, detainees at the Metropolitan Detention Center in Brooklyn, New York experienced physical and verbal abuse from correctional officers.<sup>64</sup> Detainees were also subjected to harsh conditions such as having their cells kept illuminated twenty-four hours a day.<sup>65</sup>

In addition, hundreds of prisoners were captured and taken to the United States military base in Guantánamo Bay, Cuba. Guantánamo housed nearly 700 prisoners by the summer of 2003, including more than one child under the age of sixteen.<sup>66</sup> The United States refused to release the identity of the prisoners for national security reasons.<sup>67</sup> For the first few months of incarceration, these prisoners were met with extremely harsh conditions. The cells were made of wire mesh and measured at

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<sup>57</sup> *Id.* at 148.

<sup>58</sup> *Id.*

<sup>59</sup> See Scott Ritter, *For Bush – and Obama – a Gut Check*, THE GUARDIAN (Dec. 2, 2008 4:30 PM), <http://www.theguardian.com/commentisfree/cifamerica/2008/dec/02/george-bush-iraq-wmd>.

<sup>60</sup> ROBERT RAPLEY, *WITCH HUNTS: FROM SALEM TO GUANTÁNAMO BAY* 228 (2007). In this book, Rapley spends each chapter detailing witch-hunts from the seventeenth century leading up to the present day War on Terror. By analyzing several witch hunts throughout history, Rapley argues that there are certain commonalities to all “witch hunts.” My article differs in that it specifically compares the Salem Witch Trials as depicted in a creative form of expression—in this case, *The Crucible*—with the War on Terror.

<sup>61</sup> *Id.* at 228.

<sup>62</sup> *Id.* at 230.

<sup>63</sup> *Id.*

<sup>64</sup> *Id.*

<sup>65</sup> RAPLEY, *supra* note 60, at 230.

<sup>66</sup> *Id.* at 234.

<sup>67</sup> *Id.*

about six and a half by eight feet in size.<sup>68</sup> A wooden roof covered the cells, but the sides remained open to the elements of Cuba's tropical weather.<sup>69</sup> They were taken outside once a week for a one-minute shower.<sup>70</sup> Conditions later improved when new cells were built, but remained harsh as the cells were still cramped and prisoners' opportunities to exercise were limited.<sup>71</sup>

Lack of due process became a huge concern. These prisoners had no access to attorneys and the vast majority had not even been charged with a crime.<sup>72</sup> By 2006, only four men had been charged with a crime.<sup>73</sup> As of 2013, 166 detainees remained in Guantánamo Bay.<sup>74</sup> Of them, 56 have been approved for release since 2009, yet remain imprisoned.<sup>75</sup> When asked about this, Pentagon spokesman Todd Breasseale replied,

The internal deliberation process is just that—internal—and we simply do not discuss the myriad considerations the secretary of defense may or may not contemplate. We are committed to transferring those we can transfer, once we have the requisite security and humane treatment assurances from the receiving country.<sup>76</sup>

This vague response means little to men like Shaker Aamer, who has been detained for eleven years in Guantánamo without being charged with a crime.<sup>77</sup> He is one of those who have been cleared to leave since 2009.<sup>78</sup>

It is worth considering whether American fear of terrorism is a legitimate justification for the use of military force and imprisoning potentially innocent men. Arthur Miller's play, *The Crucible*, will help us consider this.

### C. The War on Terror Through Miller's Eyes

Throughout *The Crucible*, the courts are faced with crimes from the invisible world: spiritual acts with demonic influence. While

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<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

<sup>71</sup> RAPLEY, *supra* note 60, at 234.

<sup>72</sup> *Id.* at 235.

<sup>73</sup> *Id.*

<sup>74</sup> Phil Hirschorn, *11 Years in Guantánamo Without Trials or Charges*, CBS NEWS (May 31, 2013, 6:35 PM), <http://www.cbsnews.com/news/11-years-in-Guantánamo-without-trial-or-charges/>.

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

<sup>77</sup> *Id.*

<sup>78</sup> *Id.*

contemporary courtrooms are no longer considering demonic dancing as a murder weapon, one legal writer asked, “what if the invisible world is still there, not necessarily inhabited by the Devil, but by more modern demons?”<sup>79</sup> Perhaps the fear of witchcraft in Miller’s play could shed light on Americans’ fear of Islamic faith and culture.

From the outset of the play, John Proctor represents the counterpart to Salem’s culture of blind fear. In his article *Hysteria and Ideology in The Crucible*, Richard Hayes describes Proctor as “so patently the enemy of hysteria that his very existence is a challenge to the fanatic temperament.”<sup>80</sup> Miller makes this evident throughout the play as Proctor challenges the other characters’ tendency to focus on opportunities to be fearful rather than opportunities to trust. This is most evident in the townspeople’s fixation on Satan as opposed to God. The voices of reason in the play try to direct the community’s attention to the latter. When Reverend Parris criticizes Proctor for failing to come to church, Proctor replies, “I have trouble enough without I come five mile to hear him preach only hellfire and bloody damnation . . . you hardly ever mention God anymore.”<sup>81</sup> Another voice of reason in the play, Rebecca Nurse, also suggests that it is more reasonable to look to God than focusing on evil spirits when Ruth exclaims that the doctor is baffled by Betty’s illness.<sup>82</sup> “If so he is,” Rebecca replies, “then let us go to God for the cause of it. There is prodigious danger in the seeking of loose spirits . . . Let us rather blame ourselves.”<sup>83</sup> In elevating Proctor and Rebecca as forces of good in the play,<sup>84</sup> Miller emphasizes the evil that arises when decisions are motivated solely by fear of the unknown.

For the people of Salem, witchcraft is a scary and foreign practice. In the play, Abigail engages in witchcraft led by Titubua, a woman enslaved by Reverend Parris. While Tituba’s role in the play is small, the significance of her origin is key to the people’s perception of magic. Her dark skin and Barbadian decent<sup>85</sup> associate her with the tropics—a humid

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<sup>79</sup> Peter Charles Hoffer, *Invisible Worlds and Criminal Trials The Cases of John Proctor and O.J. Simpson*, 41 AM. J. LEGAL HIST. 287, 291 (1997).

<sup>80</sup> Richard Hayes, *Hysteria and Ideology, in The Crucible, in TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE*, *supra* note 13, at 32, 33.

<sup>81</sup> MILLER, *supra* note 17, at 27.

<sup>82</sup> *Id.* at 26.

<sup>83</sup> *Id.*

<sup>84</sup> ABBOTSON, *supra* note 11, at 115. In her book, Abbotson explains that: “*The Crucible* exposes the extent to which many people use troubled times, such as the trials, to pursue selfish ends. In contrast to these types, Miller elevates and celebrates people of individual conscience, such as the Nurses, the Coreys, and the Proctors, who refuse to do this.” *Id.*

<sup>85</sup> As stated, this paper only seeks to analyze the characters in *The Crucible*, not the actual historical occurrence of the Salem Witch Trials. However, it bears noting that the

and sticky place by the ocean where people wear less clothing and worship pagan gods. She comes from a sinful place. As a slave, she is not viewed as a person. Yet, Tituba is believed to have the power to communicate with the dead.<sup>86</sup> This lack of personage combined with her unique spiritual powers puts Tituba into an unknown, mystic category of being that the people of Salem do not understand. Any association to this unknown category is met with condemnation.

To avoid being associated with it herself, Abigail accuses others of practicing Tituba's witchcraft.<sup>87</sup> Specifically, she accuses Elizabeth Proctor of keeping "poppets" and stabbing one with a needle to inflict harm on Abigail.<sup>88</sup> There is no dissociating oneself from these practices once accused; Mary Warren confessed that she gave Elizabeth the poppet that was found in her possession only to be asked, "Child, are you certain this be your natural memory? May it be, perhaps, that someone conjures

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real Tituba was not recorded as being of Barbadian decent, and she was accused of fortune telling—not voodoo magic. She was identified in court as an Indian woman, but because she was enslaved, historians are limited in determining her background. Throughout the evolution of Salem tales, Tituba has been categorized in texts as a "Negro," "half-breed," "colored," or "half-Indian, half-Negro." Alyssa Barillari, *Important Persons in Salem Court Records: Tituba*, SALEM WITCH TRIALS DOCUMENTARY ARCHIVE & TRANSCRIPTIONS PROJECT, <http://salem.lib.virginia.edu/people?group.num=all&mbio.num=mb29> (last visited June 22, 2015). The University of Virginia has a website dedicated to archiving the history of the Salem Witch Trials, and provides a brief summary of what is known about Tituba's background:

What we do know from the historical documents is that Tituba was in fact a slave in the Parris home at the time of Betty and Abigail's initial sufferings. Tradition holds that she was married to another slave, John Indian, and the couple was purchased by Reverend Parris during time he spent in Barbados. Tradition, however, does not a history make. Tituba and John Indian did reside with the Parris; Samuel Parris had a plantation in Barbados, and he owned two slaves after he returned to Boston, and she could have come from Barbados. However, the story that Tituba struck the "fatal spark" and ignited simmering tensions in Salem Village by enthraling the local teenage girls with her stories of African or Caribbean voodoo and magic spells must be recognized for what it is—a story. It was not her "voodoo spells and stories" which, in fact, caused the girls' initial hysterics but their practice of forbidden fortune telling.

Nowhere in the court records or contemporary accounts is Tituba said to have taught the practice of fortune telling to the girls in Rev Parris' house. The fortune telling technique that the girls' used, as reported by one of them to the Rev. John Hale, was an egg white in a glass of water. This was a commonly known device in New England at the time, and it was condemned by the Puritans as a demonic practice. *Id.*

<sup>86</sup> MILLER, *supra* note 17, at 15.

<sup>87</sup> *Id.* at 70.

<sup>88</sup> *Id.*

you even now to say this?”<sup>89</sup> The fear of witchcraft is a fear that will not be silenced by things like lack of evidence.

Once witchcraft was raised as a possibility for the murder of children, it became sensible to blame all wrong on it. Giles Corey illustrates this as he reasons, “It suggests to the mind what the trouble be among us all these years. *To all*: Think on it. Wherefore is everybody suing everybody else? . . . I have been six time in court this year.”<sup>90</sup> To which Proctor humorously replies, “Is it the Devil’s fault that a man cannot say you good morning without you clap him for defamation?”<sup>91</sup> Reverend Parris exhibits similar paranoia when he accuses Proctor of having his own followers: “There is a party in this church. I am not blind; there is a faction and a party.”<sup>92</sup> Proctor again replies with humor: “Against you? . . . Why, then I must find it and join it.”<sup>93</sup>

The juxtaposition between Proctor’s humor and the others’ paranoia over witchcraft emphasizes the abstract nature of the townspeople’s terror. Because of Proctor’s actions, the audience watching *The Crucible* knows that the idea that witchcraft is to blame for all of Salem’s hardships is silly. As one author said, “It is imaginative terror Mr. Miller is here invoking: not solid gallows and the rope appall him, but the closed and suffocating world of the fanatic, against which intellect and will are powerless.”<sup>94</sup>

A similar atmosphere of paranoia has been generated against Muslims in the United States. The War on Terror, or as some scholars have described it, “a war against an abstract noun,”<sup>95</sup> has cast Muslims as America’s scapegoats. Like the witchcraft that Tituba brings into Salem, Islam is a practice that comes from a foreign place with a perceived potential to inflict immense suffering. Of course, while the 9/11 attacks were done in the name of Islam, it should be noted that these destructive practices are only encouraged in extreme fundamentalist Islamic circles such as Al-Qa’ida, the vast majority of Muslims do not engage nor believe in these violent practices.<sup>96</sup> However, many Muslims outside of Al-Qa’ida—whether an uncharged detainee at Guantánamo Bay or a Muslim

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<sup>89</sup> *Id.* at 72.

<sup>90</sup> *Id.* at 29.

<sup>91</sup> MILLER, *supra* note 17, at 29.

<sup>92</sup> *Id.*

<sup>93</sup> *Id.*

<sup>94</sup> Richard Hayes, *Hysteria and Ideology*, in *The Crucible*, in TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE, *supra* note 13, at 32.

<sup>95</sup> David Fisher & Brian Wicker, *Introduction: A Clash of Civilizations?*, in JUST WAR ON TERROR? 1, 3 (David Fisher & Brian Wicker eds., 2010).

<sup>96</sup> Ahmad Achtar, *Challenging Al-Qa’ida’s Justification of Terror*, in JUST WAR ON TERROR? 25, 25 (David Fisher & Brian Wicker eds., 2010).

New Yorker being spied on by the NYPD—have nonetheless been deemed threats to national security.<sup>97</sup>

President Bush's portrayal of the War on Terror as a battle between the Christian West and the evil Middle East make the situation alarmingly similar to that in *The Crucible*. Ethicist Peter Singer analyzed President Bush's morality, and found that Bush talked about evil in 319 speeches between the time he assumed office in 2000 and June 16, 2003.<sup>98</sup> Singer notes that Bush used the word evil as a noun 914 times, as opposed to the 182 times he used it as an adjective.<sup>99</sup> For example, about a month after 9/11, Bush stated, "We are at the beginning of what I view as a very long struggle against evil. We're not fighting a nation; we're not fighting a religion; we're fighting evil."<sup>100</sup> In another speech, Bush contrasts this notion of evil by borrowing a description from the New Testament book of John: "America is the hope for all of mankind . . . . That hope still lights our way. And the light shines in the darkness. And the darkness will not overcome it."<sup>101</sup> Here, Bush is associating America with Jesus Christ. In doing this, Bush assures Americans that they are fighting on God's side to overcome the evil in the Middle East.<sup>102</sup>

In both *The Crucible* and the War on Terror, the stage was set for public fear. As the next portions of this paper will show, the results of that fear have led to a diminution of human rights for foreigners as well as Americans.

## II. STRATEGIC MECHANISMS

There are two primary strategic mechanisms used by the characters in *The Crucible* to avoid hanging: the preemptive mechanism of accusing others of a crime before being personally accused, and the post-accusation mechanism of presenting evidence of their innocence. The preemptive mechanism is effective, whereas the post-accusation method of providing evidence fails. In terms of eyewitness testimony, the court in *The Crucible* encounters a he-said-she-said problem of one person's word against the other. Even so, the judges are not alarmed by the accusers' lack of

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<sup>97</sup> See RAPLEY, *supra* note 60, at 234; Farhana Khera, *Muslims in America, It's Time to Demand Justice*, CNN, <http://www.cnn.com/2012/06/06/opinion/khera-muslims-nypd/> (last updated June 6, 2012).

<sup>98</sup> Richard Lock-Pullan, *Challenging the Political Theology of America's 'War on Terror'*, in *JUST WAR ON TERROR?* 37, 39 (David Fisher & Brian Wicker eds., 2010).

<sup>99</sup> *Id.* at 39–40.

<sup>100</sup> *Id.* at 40.

<sup>101</sup> *Id.* at 42.

<sup>102</sup> *Id.* at 43.

evidence. Legal protocol is pushed aside to accomplish the greater good of punishing evil and protecting the good.

Modern terror suspects encounter similar problems. The majority of prisoners in Guantánamo Bay remain unaware of their crime or evidence against them for reasons of national security, thus throwing due process out the window.<sup>103</sup> Any sympathy shown to suspects can be interpreted as guilt.<sup>104</sup> Like the prisoners in *The Crucible*, terror suspects sit in their cells as a precaution against potential attacks.

Section A. of this part of the paper will explore the idea of preemptive accusations in *The Crucible* and in America's War on Terror. Section B will critique both *The Crucible's* and the current United States Government's disregard for evidence and due process when condemning individuals. Ultimately, the analysis will show that Arthur Miller's concerns about American society still hold true today.

### A. Preemptive Defense: Accuse to Preserve Innocence

In his introduction to Arthur Miller's *The Crucible*, Christopher Bigsby explains the phenomenon of blaming others to preserve one's own innocence:

What lay behind the procedures of both witch trial and political hearing was a familiar American need to assert a recoverable innocence even if the only guarantee of such innocence lay in the displacement of guilt onto others.<sup>105</sup>

With this in mind, a resounding theme throughout *The Crucible* is betrayal.<sup>106</sup> A chain of accusations occurs from the beginning of the play. First, Reverend Parris accuses Abigail of conjuring spirits after he sees her dancing with Betty in the forest.<sup>107</sup> Abigail begins defending herself by denying the accusation, but to no avail; Parris knows what he saw.<sup>108</sup> When Abigail is asked again if she conjured spirits, she shifts to a new strategy. "Not I sir," Abigail replies, "Tituba and Ruth [Putnam]."<sup>109</sup> Parris is still skeptical, but is encouraged by Thomas Putnam to believe Abigail. Furthermore, Putnam encourages Parris to follow Abigail's strategy by reporting the witchcraft: "Wait for no one to charge you—declare it

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<sup>103</sup> See *The Guantánamo Trials*, HUMAN RIGHTS WATCH, <http://www.hrw.org/features/Guantánamo> (last visited June 22, 2015).

<sup>104</sup> RAPLEY, *supra* note 60, at 232.

<sup>105</sup> Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE*, *supra* note 1, at xi.

<sup>106</sup> *Id.*

<sup>107</sup> MILLER, *supra* note 17, at 9.

<sup>108</sup> *Id.* at 10.

<sup>109</sup> *Id.* at 15.

yourself.”<sup>110</sup> Putnam goes on to tell Parris, “Let you strike out against the Devil, and the village will bless you for it!”<sup>111</sup>

At this point, Abigail realizes that her only hope for escaping conviction is to continue to put the blame on others. When Mary Warren, one of the girls present at the conjuring, tells Abigail that they must confess, Abigail threatens, “I will come to you in the black of some terrible night and I will bring a pointy reckoning that will shudder you.”<sup>112</sup> The chain of accusation continues with Tituba and Ruth, who name others in the community. Tituba is rewarded for naming others when she is told that God will bless her for her confession.<sup>113</sup> Her accusations protect her from the noose.

John Proctor challenges the mentality that the accuser is inherently innocent when his wife, Elizabeth, is accused of witchcraft. As Reverend Hale explains that Abigail has accused Elizabeth, Proctor asks “Why do you never wonder if Parris be innocent, or Abigail? Is the accuser always holy now?”<sup>114</sup> Reverend Hale’s only reply is that “the court is just,” meaning that Elizabeth will surely be acquitted if she is truly innocent.<sup>115</sup> But Hale is wrong—true innocence does not save Elizabeth. As Abigail learned early on in the play, it is not enough to deny participation in witchcraft. One must accuse another in order to appear truly innocent.

The reasoning that lies behind the idea that the accuser is innocent is tied to the notion that to accuse is to acknowledge the existence of a crime. In this view, one who fails to acknowledge the existence of a crime cannot understand justice. In 1692 Salem, where the court’s justice and God’s justice are one in the same, denying the existence of witchcraft is to deny the existence of God.<sup>116</sup> Elizabeth Proctor makes this mistake when she is first interrogated by Reverend Hale. “If you think that I am [a witch],” Elizabeth says, “then I say there are none.”<sup>117</sup> Reverend Hale interprets this statement as Elizabeth doubting the Gospel.<sup>118</sup> Elizabeth cannot prove that she believes the existence of witches by calling Abigail a liar—that would only serve to lessen the possibility of witches existing. No, she must accuse another of witchcraft to establish her Christian faith. Because she cannot do this, Elizabeth is condemned to hanging.

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<sup>110</sup> *Id.*

<sup>111</sup> *Id.* at 16.

<sup>112</sup> *Id.* at 19.

<sup>113</sup> MILLER, *supra* note 17, at 43.

<sup>114</sup> *Id.* at 73.

<sup>115</sup> *Id.*

<sup>116</sup> See Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE*, *supra* note 1, at xi.

<sup>117</sup> MILLER, *supra* note 17, at 66.

<sup>118</sup> *Id.*



Muslims have similarly found themselves under scrutiny from the United States government for their association with Islam. By embracing Islam rather than condemning it, Muslims become prime targets as suspected threats to national security. Captain James Yee, a former Muslim chaplain at Guantánamo Bay, is a prime example. As a West Point graduate who joined the military, Yee, like the honest Elizabeth Proctor, appeared to be a model citizen.<sup>119</sup> Before rejoining the military to become a Muslim chaplain, Yee left the military for four years to study Arabic and Islam.<sup>120</sup> While working at Guantánamo, Yee agreed to escort the six-year-old daughter of a chaplain's assistant on a flight from Guantánamo Bay to Jacksonville, Florida.<sup>121</sup> At the time, he was writing a paper on the impact of the then-new Syrian president, Bashar Assad, and was carrying months of research with him.<sup>122</sup>

Meanwhile, an investigator from Guantánamo told customs agents in Jacksonville that Yee could be transporting classified documents and materials.<sup>123</sup> Yee was stopped at the airport and interrogated by FBI agents.<sup>124</sup> His bag was searched thoroughly multiple times.<sup>125</sup> Yee asked if the searches had to do with his Islamic faith and the fact that it was the day before the 9/11 anniversary, to which the officer replied, "You could say that."<sup>126</sup> Ironically, when the FBI asked Yee about his work in Guantánamo and about the identity of the prisoners, Yee refused to answer because the information was classified.<sup>127</sup> His interrogation ultimately led to his being arrested, blindfolded, and subjected to seventy-six days of solitary confinement in a navy brig.<sup>128</sup> He was eventually accused of espionage and mishandling information.<sup>129</sup>

Eight months later, Yee's charges were dropped.<sup>130</sup> One author believes that Yee's only crime was sympathizing with prisoners.<sup>131</sup> Yee's

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<sup>119</sup> RAPLEY, *supra* note 60, at 232.

<sup>120</sup> *Id.*

<sup>121</sup> JAMES YEE, FOR GOD AND COUNTRY (2005), in Michelle Norris, *Muslim Army Chaplain Recalls Guantánamo Ordeal*, NPR BOOKS (Oct. 5, 2005, 12:00 AM), <http://www.npr.org/templates/story/story.php?storyId=4946292>.

<sup>122</sup> *Id.*

<sup>123</sup> Erik S. Lesser, *The Ordeal of Chaplain Yee*, USA TODAY (May, 16, 2004, 9:55 PM), [http://usatoday30.usatoday.com/news/nation/2004-05-16-yee-cover\\_x.htm](http://usatoday30.usatoday.com/news/nation/2004-05-16-yee-cover_x.htm).

<sup>124</sup> JAMES YEE, FOR GOD AND COUNTRY, in *Muslim Army Chaplain Recalls Guantánamo Ordeal*, *supra* note 121.

<sup>125</sup> *Id.*

<sup>126</sup> *Id.*

<sup>127</sup> *Id.*

<sup>128</sup> Lesser, *supra* note 123.

<sup>129</sup> *Id.*

<sup>130</sup> *Id.*

<sup>131</sup> RAPLEY, *supra* note 60, at 232.

attorneys believe that his association with other Muslims in the camp led to his suspicion, as Yee and other Muslim workers would convene together in an empty office for prayer or just to eat.<sup>132</sup> In any case, through the lens of Arthur Miller's *The Crucible*, Yee was just another victim who failed to acknowledge evil by accusing another.

### B. Lack of Due Process

Although the rules of evidence that American courts use today were not in existence in 1692,<sup>133</sup> there is still cause to question the lack of evidence in *The Crucible*. John Proctor does just that in Act Two of the play. When Mary Warren reveals the details of her day in court, Proctor is skeptical of the court's idea of proof.<sup>134</sup> That day, a woman named Mrs. Osburn was tried for witchcraft.<sup>135</sup> When Judge Hathorne accuses Mrs. Osburn of mumbling a spell, she replies that she was only saying the Ten Commandments.<sup>136</sup> "Recite for us your commandments!" Judge Hathorne then demands.<sup>137</sup> Unfortunately for Mrs. Osburn, she could not remember any of the Commandments, and she was therefore condemned.<sup>138</sup> Mary Warren sees great reason in this: "why, they must [condemn her] when she condemned herself."<sup>139</sup> Proctor is perplexed and exclaims, "But the proof! The proof!" But Mary Warren impatiently replies, "I told you the proof. It's hard proof, hard as a rock, the judges said."<sup>140</sup> Proctor is concerned to the point that he forbids Mary Warren from returning to court.<sup>141</sup> She adamantly refuses and asserts that she will go to court every day to pursue this "weighty work."<sup>142</sup> Proctor sees the hypocrisy in this and retorts, "What work you do! It's strange work for a Christian girl to hang old women!"<sup>143</sup>

Eventually, Proctor is able to convince Mary Warren to confess to the falsities of the accusations in a deposition.<sup>144</sup> He presents this deposition as evidence during the trial of Martha Corey.<sup>145</sup> However, he is rejected

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<sup>132</sup> Lesser, *supra* note 123.

<sup>133</sup> Hoffer, *supra* note 79, at 293.

<sup>134</sup> See MILLER, *supra* note 17, at 55.

<sup>135</sup> *Id.*

<sup>136</sup> *Id.*

<sup>137</sup> *Id.*

<sup>138</sup> *Id.*

<sup>139</sup> *Id.*

<sup>140</sup> MILLER, *supra* note 17, at 55.

<sup>141</sup> *Id.* at 56.

<sup>142</sup> *Id.*

<sup>143</sup> *Id.*

<sup>144</sup> *Id.* at 82.

<sup>145</sup> *Id.*

based on what the court considers better evidence. As soon as Proctor tries to submit the deposition as evidence, Parris and Mr. Cheever accuse him of sympathizing with the Devil.<sup>146</sup> His character is challenged based on his failure to attend church and even worse—he has plowed on a Sunday.<sup>147</sup> Mr. Cheever concludes that this is evidence of Proctor's lack of credibility.<sup>148</sup>

Reverend Hale, seeing the injustice, tells Judge Danforth, “your Honor, I cannot think you may judge the man on such evidence.”<sup>149</sup> But the judge is convinced by the young ladies' performance in court: “I have seen marvels in this court. I have seen people choked before my eyes by spirits . . . I have until this moment not the slightest reason to suspect that the children may be deceiving me.”<sup>150</sup> Proctor tries to fight this with logic. “Who tells us Rebecca Nurse murdered seven babies by sending out her spirit on them? It is the children only, and this one [Mary Warren] will swear she lied to you.”<sup>151</sup> Pointing out that Mary Warren's confession should carry just as much weight as the other children's accusations only invites more accusations. He is accused of trying to overthrow the court.<sup>152</sup>

From the audience's point of view, Proctor appears to be the voice of reason. Why is it, then, that the judges in the play cannot see Proctor's reasoning? Only Reverend Hale has the sense to ask, “is every defense an attack upon the court?”<sup>153</sup> Reverend Hale then begs Judge Danforth to allow Proctor to return to court with an attorney.<sup>154</sup> Judge Danforth finds this unnecessary. He presents the convoluted reasoning that “witchcraft is *ipso facto*, on its face and by its nature, an invisible crime.” Therefore, Judge Danforth reasons, the only witnesses are the witch and her victims, and only the victims' testimony can be relied upon.<sup>155</sup> The judge concludes, “what is left for a lawyer to bring out? I think I have made my point.”<sup>156</sup> In his essay, *Society vs. The Individual in Arthur Miller's The Crucible*, Jean-Marie Bonnet goes so far to say that language is a lost cause for the accused:

In the court-scenes, language has reached a point when it is  
of no help to anyone; all means of communication (and

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<sup>146</sup> MILLER, *supra* note 17, at 84.

<sup>147</sup> *Id.*

<sup>148</sup> *Id.*

<sup>149</sup> *Id.*

<sup>150</sup> *Id.*

<sup>151</sup> *Id.* at 85.

<sup>152</sup> MILLER, *supra* note 17, at 85.

<sup>153</sup> *Id.* at 87.

<sup>154</sup> *Id.* at 92.

<sup>155</sup> *Id.* at 93.

<sup>156</sup> *Id.*

understanding) between the individual and society through this medium, are blocked. The authorities suggest the answers, or distort and discard all evidence by the mere reply: “this is contempt of court.”<sup>157</sup>

Readers and scholars alike share frustration in the judges’ refusal to grant the accused a fair chance to defend themselves. At times the courtroom seems to be housing a circus rather than a judicial proceeding. Yet, the hysteria over witchcraft continues to be fueled by public opinion to the point that innocent people are sentenced to death.

One possibility for the judges’ willful blindness is that they will go to any length to justify the side that is supposed to win. In other words, because the trial has been portrayed as a battle of good versus evil, the judges will only hear “evidence” that advances the aims of Reverend Parris, a good Christian minister. This same reasoning may be used in analyzing the unjust treatment of Muslims in America’s War on Terror. Because President Bush framed the war as a battle of good versus evil, the government is willing to overlook the problem of incarcerating individuals without charging them of a crime.

In the case of Guantánamo Bay prisoners, the Supreme Court has played the role of John Proctor and Reverend Hale, expressing its concern over problems of due process. In *Rasul v. Bush*, the Supreme Court held that federal district courts had jurisdiction to hear Guantánamo prisoners’ “habeas corpus challenges to the legality of their detention at the Guantánamo Bay Naval Base.”<sup>158</sup> Congress attempted to overturn this ruling when it passed the Detainee Treatment Act of 2005, but the Supreme Court held that this did not apply to pending cases of Guantánamo prisoners.<sup>159</sup> The Supreme Court ruled that the detainees do have a constitutional right to their habeas corpus privilege in *Boumediene v. Bush*.<sup>160</sup> In the United States district court case of *In re Guantánamo Bay Detainee Continued Access to Counsel*, the Court explained that “[t]his Court and the Supreme Court also held that Guantánamo detainees have a concomitant right to the assistance of counsel.”<sup>161</sup>

Despite these decisions, like Judge Danforth in *The Crucible*, the United States government turns a blind eye. Notwithstanding President

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<sup>157</sup> Jean-Marie Bonnet, *Society vs. The Individual in Arthur Miller’s The Crucible*, in *THE CRITICAL RESPONSE TO ARTHUR MILLER* 232, 235 (Steven R. Centola & Michelle Cirulli eds., 2006).

<sup>158</sup> *Rasul v. Bush*, 542 U.S. 466, 484 (2004).

<sup>159</sup> *Hamdan v. Rumsfeld*, 548 U.S. 557, 575–78 (2006).

<sup>160</sup> *Boumediene v. Bush*, 553 U.S. 723, 732 (2008).

<sup>161</sup> *In re Guantánamo Bay Detainee Continued Access to Counsel*, 892 F. Supp. 2d 8 (D.D.C. 2012) (citing *Hamdi v. Rumsfeld*, 542 U.S. 507, 539 (2004) and *Al Odah v. United States*, 346 F.Supp.2d 1, 5 (D.D.C. 2004)).

Obama's campaign promise to shut down Guantánamo Bay, the Obama administration continued to restrict prisoner's access to counsel in 2012 by implementing a new rule which provides that prisoners who are not challenging their detention are not ensured access to their attorneys.<sup>162</sup> Moreover, attorneys need approval from the authorities to access their own files if they contain classified information—even though this information is already kept in a “secure facility.”<sup>163</sup>

The justifications of these due process restrictions began with President Bush. Although the Geneva Convention ensures the right to a trial for prisoners of war,<sup>164</sup> the United States government cleverly found a loophole: because these men are not technically prisoners of war, but enemy combatants, they are not entitled to the protection of the Geneva Convention.<sup>165</sup> Thanks to these restrictions, prisoners like Ahmed Bin Saleh Bel Bacha spend years in detention without a trial.<sup>166</sup> Bin Saleh Bel Bacha was imprisoned for twelve years.<sup>167</sup>

The similarities between the due process withheld from the prisoners at Guantánamo Bay and the accused in *The Crucible* show that Miller's play continues to predict human behavior decades after it first appeared on stage.

### III. INTERROGATION WITH THE SOLE GOAL OF CONFESSION

Throughout *The Crucible*, Miller constantly reminds the audience of the importance of confession in 1692 Salem. As shown in the final scene of the play, failure to confess ultimately leads to death.<sup>168</sup> The authorities in Salem pursue confession through intense interrogation. One scholar describes the play as one that illustrates a “classically hysterical situation: the strange moral alchemy by which the accused becomes inviolable; the disrepute which overtakes the testimony of simple intelligence; the insistence on public penance; the willingness to absolve if guilt is

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<sup>162</sup> *The Right to Counsel at Guantánamo Bay*, N.Y. TIMES (Aug. 16, 2012), <http://www.nytimes.com/2012/08/17/opinion/the-right-to-counsel-at-guantanamo-bay.html>.

<sup>163</sup> *Id.*

<sup>164</sup> Geneva Convention Relative to the Treatment of Prisoners of War, art. 103, Aug. 12, 1949, 6 U.S.T. 3316, 75 U.N.T.S. 135.

<sup>165</sup> RAPLEY, *supra* note 60, at 235–37.

<sup>166</sup> Charles Savage, *Military Repatriates Algerian Detainee From Guantánamo Bay*, N.Y. TIMES (Mar. 13, 2014), <http://www.nytimes.com/2014/03/14/us/politics/algerian-detainee-guantanamo-bay.html>.

<sup>167</sup> *Id.*

<sup>168</sup> MILLER, *supra* note 17, at 132–34.

confessed.”<sup>169</sup> Miller took cues from his own experiences in emphasizing the importance of confession in *The Crucible*. In his introduction to his collected plays, Miller shares a horror story from the McCarthy era:

I knew of one man who had been summoned to the office of a network executive and, on explaining that he had no Left connections at all, despite the then current attacks upon him, was told that this was precisely the trouble; “You have nothing to give them,” he was told, meaning he had no confession to make, so he was fired from his job and for more than a year could not recover the will to leave his house.<sup>170</sup>

Over fifty years later, prisoners at Guantánamo face similar circumstances as they are subject to torture and intense questioning in order to aid national security.<sup>171</sup> By first looking to the interrogation methods used in *The Crucible*, Part III of this paper seeks to uncover the faulty reasoning behind utilizing torture as a means for confession in Guantánamo Bay.

During the witch hunt of Miller’s time—McCarthy’s Communist witch hunt—people not only confessed and revealed the names of others for fear of losing their jobs, but also, as Christopher Bigsby explains in his introduction to *The Crucible*, “because they genuinely felt guilty about the naïveté of their earlier commitments.”<sup>172</sup> This feeling of guilt toward the United States brought with it the desire to confess and be redeemed that is so often found in a religious context.<sup>173</sup> It is no wonder, then, that Miller made sure to emphasize the idea of redemption through confession in his play.

Abigail is a master at subtly drawing confession out of an innocent bystander. In his essay, *A “Social Play”*, Leonard Moss describes Abigail’s manipulation as a diabolical method whereby she “first completely demoralize[s] [her] victim, then subtly implant[s] in him the terms of a confession that will release him from suspicion and at the same time achieve [her] own devious end.”<sup>174</sup> Abigail’s methods can be seen in action in the scene where she blames Tituba for Betty’s ailment. “She

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<sup>169</sup> Richard Hayes, *Hysteria and Ideology*, in *The Crucible*, in TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE, *supra* note 13, at 32, 32.

<sup>170</sup> ARTHUR MILLER, ARTHUR MILLER’S COLLECTED PLAYS 40 (1957).

<sup>171</sup> See generally CENTER FOR CONST. RIGHTS, REPORT ON TORTURE AND CRUEL, INHUMAN, AND DEGRADING TREATMENT OF PRISONERS AT GUANTÁNAMO BAY, CUBA (2006).

<sup>172</sup> Christopher Bigsby, *Introduction* to ARTHUR MILLER, THE CRUCIBLE, *supra* note 1, at xii.

<sup>173</sup> *Id.* at x.

<sup>174</sup> Leonard Moss, *A “Social Play”*, in TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE, *supra* note 14, at 37, 39.

made me do it . . . . She makes me drink blood!”<sup>175</sup> Abigail shouts. But Tituba replies, “You beg *me* to conjure! She beg *me* to make charm—”.<sup>176</sup> Here, Abigail sets a trap for Tituba where a direct response would necessarily cause Tituba to confess to engaging in witchcraft. Instead of saying “she did it,” Abigail says, “she *made me* do it.”<sup>177</sup> If she were to accuse Tituba of drinking blood, a direct response from Tituba would be to say, “I didn’t drink blood, you did.” Instead, Abigail accuses Tituba of influencing her, which predictably causes Tituba to say the truth—that Abigail begged her to conjure.<sup>178</sup> In admitting this truth, Tituba confesses to practicing witchcraft, thereby destroying any credibility she could have had.<sup>179</sup> Abigail immediately gains the upper hand and is one step closer to clearing her name.

The interrogations continue in Act Two of *The Crucible* with Elizabeth and Proctor’s dual examinations. Reverend Hale, the interrogator, at first appears in a nonthreatening manner by stating that he is not at the Proctors’ house on account of court business.<sup>180</sup> Despite this, Hale quickly shifts into interrogation mode and begins asking Proctor questions about his spiritual life.<sup>181</sup> He asks why Proctor has rarely attended church, and why only two of the Proctors’ three children are baptized.<sup>182</sup> Then, the damning question: Hale asks Proctor to recite the Ten Commandments.<sup>183</sup> In *The Crucible*, failure to recite the Ten Commandments is a fair justification for discrediting the accused. Proctor remembers all of the Commandments but one: the command to refrain from committing adultery.<sup>184</sup> Upon learning which commandment he had forgotten, Miller describes Proctor as speaking “*as though a secret arrow had pained his heart.*”<sup>185</sup>

In this scene, Proctor realizes that he has done wrong against God and his wife by having a relationship with Abigail. Yet, notwithstanding his guilt in one area of his life, Proctor maintains the innocence of his household to Reverend Hale. Proctor is not broken down by the interrogation because he realizes that Reverend Hale’s method of questioning seeks confession at all costs, rather than truth. Indeed, Proctor

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<sup>175</sup> MILLER, *supra* note 17, at 40–41.

<sup>176</sup> *Id.* at 41.

<sup>177</sup> *Id.* at 40.

<sup>178</sup> *See id.* at 41.

<sup>179</sup> *See id.*

<sup>180</sup> *Id.* at 60.

<sup>181</sup> *Id.* at 61–64.

<sup>182</sup> *Id.* at 62.

<sup>183</sup> *Id.* at 63.

<sup>184</sup> MILLER, *supra* note 17, at 63–64.

<sup>185</sup> *Id.* at 64.

directly points this out to Reverend Hale. The Reverend confidently asserts his method of interrogation as sound when he explains that he has examined Tituba and others, all of whom confessed to working with the Devil.<sup>186</sup> “And why not,” Proctor replies, “if they must hang for denyin’ it? There are them that will swear to anything before they’ll hang; have you never thought of that?”<sup>187</sup>

In revealing Reverend Hale’s faulty logic, Proctor calls attention to a problem still faced by suspected terrorists. Detainees are interrogated for the purpose of obtaining a confession or useful information. Given the extreme circumstances surrounding their interrogation, it is reasonable to consider that a detainee would volunteer false information to stop the harsh treatment. For instance, before being brought to Guantánamo Bay, prisoner Al Dossari claims that he was shocked with electricity and had hot liquid poured on him during interrogation.<sup>188</sup> Other prisoners at Guantánamo have also reported abuse during interrogation. Interrogators subject prisoners to psychological abuse by depriving prisoners of sleep, keeping cells lit twenty-four hours a day, and exposing prisoners to extreme hot and cold temperatures.<sup>189</sup> In a summary of his observations of Guantánamo, one FBI agent wrote:

On a couple of occasions, I entered interview rooms to find a detainee chained hand and foot in a fetal position to the floor, with no chair, food, or water. Most times they had urinated or defecated on themselves, and had been left there for 18, 24 hours or more. On one occasion[sic] . . . the temperature was so cold in the room, that the barefooted detainee was shaking with cold. When I asked the MP’s what was going on, I was told that interrogators from the day prior had ordered this treatment.<sup>190</sup>

Reports of physical abuse are also common at Guantánamo.<sup>191</sup> In one case, “pro-democracy” English teacher Sami Al-Laithi claims that physical abuse in the prison led to his being confined to a wheelchair.<sup>192</sup> A military spokesperson stated that Al-Laithi’s disability is a result of a degenerative disease, but Al-Laithi attributes it to having his back “stomped on” and

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<sup>186</sup> *Id.* at 65.

<sup>187</sup> *Id.*

<sup>188</sup> CTR. FOR CONST. RIGHTS, *supra* note 171, at 28.

<sup>189</sup> *Id.* at 16.

<sup>190</sup> *Id.* at 16. Original document can be found at FOIA Document 5053, [http://www.aclu.org/torturefoia/released/FBI\\_5053\\_5054.pdf](http://www.aclu.org/torturefoia/released/FBI_5053_5054.pdf) (last visited March 15, 2015).

<sup>191</sup> CTR. FOR CONST. RIGHTS, *supra* note 171, at 20.

<sup>192</sup> *Id.* at 20.



being thrown onto the floor.<sup>193</sup> Al-Laithi has since been released and declared to no longer be an enemy combatant.<sup>194</sup>

Guantánamo prisoners have also complained of religious abuse. Prisoners claim that both guards and interrogators often show blatant disrespect for the Qur'an by throwing the Islamic holy book on the ground, stepping on it, and in one situation, even placing underwear on top of it.<sup>195</sup> Other forms of religious abuse include shaving the beards and heads of Muslim prisoners, which in the view of a Muslim is a denial of religious expression.<sup>196</sup> Prisoners have also been punished by being sent to the "Romeo block," where they have their pants removed; this punishment is extremely significant, as Muslim men cannot pray unless they are covered from the waist down.<sup>197</sup>

While the forms of punishment seen onstage in *The Crucible* differ from those used on Guantánamo prisoners, the principles of interrogation remain the same. Miller's characters incorporate intimidation into their questioning by imposing the fear of God onto the accused. In doing this, the accused are manipulated by their faith in Christianity. After all, if they confess to the falsehood that they toyed with the Devil, they are committing the twofold sin of lying and denouncing Christ. However, if they fail to confess, they are still accused of being liars and blasphemers. The interrogators at Guantánamo Bay also utilize the religious beliefs of the prisoners to obtain a confession. Rather than uplifting their religious beliefs as a means of guilt, the interrogators in Guantánamo torture prisoners by defiling the Islamic faith. In both the play and real life, religion is used as a tool for psychological torture.

Although the play does not outright show instances of torture, the appearances of John and Elizabeth Proctor in jail indicate inhumane conditions. After spending time in prison, Elizabeth is described as being shackled, having dirty clothes, and her face "pale and gaunt."<sup>198</sup> Considering that Elizabeth is pregnant,<sup>199</sup> it is alarming that she appears malnourished and filthy. John Proctor is also shackled in jail.<sup>200</sup> He is described as "another man, bearded, filthy, his eyes misty as though webs had overgrown them."<sup>201</sup>

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<sup>193</sup> *Id.* at 20 (citing Carol D. Leonnig, *Guantánamo Detainee Says Beating Injured Spine*, WASH. POST, Aug. 13, 2005, at A18).

<sup>194</sup> *Id.*

<sup>195</sup> *Id.* at 25.

<sup>196</sup> *Id.* at 26.

<sup>197</sup> *Id.*

<sup>198</sup> MILLER, *supra* note 17, at 121.

<sup>199</sup> *Id.*

<sup>200</sup> *Id.* at 123.

<sup>201</sup> *Id.*

At this point, Proctor actually considers breaking down and confessing.<sup>202</sup> He can no longer endure the psychological and physical agony of awaiting death in prison. He reasons that he is a bad man for committing adultery, so why not save his life with an additional lie and confess? But his wife replies, “yet you’ve not confessed till now. That speaks goodness in you.”<sup>203</sup> Despite being subjected to terrible conditions, the Proctors still see honor in refusing to confess to a falsehood. Keeping in mind that Miller was inspired by the Communist witch-hunt that he witnessed, it follows that he emphasized the importance of maintaining true innocence because he saw this in his own time. Is it possible that there are many who have recently been detained in the name of national security who fail to confess for the same reason? Perhaps with more judicial oversight, this question would be easier to answer.

#### IV. THE RESULTS OF HYSTERIA: FORFEITURE OF RIGHTS

There is no question that the people of Salem forfeited their rights the minute they chose to be governed by their fear of witchcraft. Suddenly, the lives of adults were dependent on the wild tales of a few young girls. Likewise, the hysteria surrounding the War on Terror following the 9/11 attacks have resulted in the sacrifice of many rights in order to stay safe from terrorism. This part of the paper examines whether there is legitimacy to the claim that sacrificing these rights actually keeps the country safer, and looks to the similarities between the hysteria in *The Crucible* and the War on Terror.

As discussed in earlier portions of this paper, the United States justifies its inhumane treatment of suspected terrorists and its failure to provide suspects proper due process with the imminent threat of a terror attack. This begs the question, how imminent is this threat? True, the results of the 9/11 attacks were awful, to say the least. But is a terror attack as imminent as the government portrays it to be? Statistics say otherwise. Since the terror attacks in 2001, the percentage of homicides that can be attributed to Muslim extremists in the United States is one-fiftieth of one percent.<sup>204</sup> Yet, the government has taken gross steps to violate the privacy and person of American citizens in the name of fighting terrorism.

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<sup>202</sup> *Id.* at 125.

<sup>203</sup> *Id.* at 126.

<sup>204</sup> John Mueller & Mark G. Stewart, *Witches, Communists, and Terrorists: Evaluating the Risks and Tallying the Costs* (2011), <http://politicalscience.osu.edu/faculty/jmueller/ABAFIN.PDF>.

One of the first reactions to the attacks of 9/11 was the passage of the Patriot Act.<sup>205</sup> According to the Department of Justice, the Act removed “legal barriers” that kept law enforcement, the CIA, and national defense communities from coordinating their efforts to protect the country.<sup>206</sup> Critics, however, felt this presented a checks and balances problem.<sup>207</sup> The Act also broadened the government’s ability to impose surveillance on the American people.<sup>208</sup> Senator Russ Feingold, who was a member of the Constitution Subcommittee of the Senate Judiciary Committee, spoke out when he saw the potential for the Act’s constitutional violations: “There have been periods in our nation’s history when civil liberties have taken a back seat to what appeared at the time to be legitimate exigencies of war.”<sup>209</sup> Feingold went on to cite several of these historical instances, including the “blacklisting of supposed communist sympathizers during the McCarthy era.”<sup>210</sup>

Under the authority of the Patriot Act, the Obama administration is collecting records of phone calls and digital communications made within, to, or from the United States.<sup>211</sup> Even Jim Sensenbrenner, who authored the Act, argues that this invasion of privacy exceeds even what the Patriot Act allows.<sup>212</sup> Moreover, Federal District Judge Richard Leon found in *Klayman v. Obama* that this practice of collecting bulk metadata is likely a violation of the U.S. Constitution’s fourth amendment.<sup>213</sup> Judge Leon reasoned:

Given the limited record before me . . . most notably, the utter lack of evidence that a terrorist attack has ever been prevented because searching the NSA database was faster than other investigative tactics—I have serious doubts about the efficacy of the metadata collection program as a means of conducting time-sensitive investigations in cases involving imminent threats of terrorism . . . Thus, plaintiffs

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<sup>205</sup> RAPLEY, *supra* note 60, at 207.

<sup>206</sup> DEPARTMENT OF JUSTICE, THE USA PATRIOT ACT: PRESERVING LIFE AND LIBERTY, [http://www.justice.gov/archive/ll/what\\_is\\_the\\_patriot\\_act.pdf](http://www.justice.gov/archive/ll/what_is_the_patriot_act.pdf) (last visited Mar. 15, 2015).

<sup>207</sup> RAPLEY, *supra* note 60, at 207.

<sup>208</sup> *See Reform the Patriot Act*, ACLU, <https://www.aclu.org/reform-patriot-act> (last visited Mar. 15, 2015).

<sup>209</sup> RAPLEY, *supra* note 60, at 209.

<sup>210</sup> *Id.*

<sup>211</sup> Jim Sensenbrenner, *This abuse of the Patriot Act Must End*, THE GUARDIAN (June 9, 2013, 7:00 AM), <http://www.theguardian.com/commentisfree/2013/jun/09/abuse-patriot-act-must-end>.

<sup>212</sup> *Id.*

<sup>213</sup> *Klayman v. Obama*, 957 F. Supp. 2d 1, 40–41 (D.D.C. 2013).

have a substantial likelihood of showing their privacy interests outweigh the government's interest . . . .<sup>214</sup>

Considering these challenges to the government's privacy violations for the sake of fighting terror, Senator Feingold's initial reference to the McCarthy era appears more relevant than ever.

Even more alarming is the Obama administration's use of drone attacks. In 2011, an American citizen with terrorist ties was assassinated in Yemen by a drone strike without a trial.<sup>215</sup> The administration is currently debating whether to assassinate yet another American citizen in Pakistan.<sup>216</sup> Since 2009, three additional American citizens have been killed overseas by drone strikes that were not targeted specifically at them.<sup>217</sup> The fact that Americans are being executed without trial has incited outrage from both republicans and democrats.<sup>218</sup>

The more these rights violations are justified by terrorism, the more these cases begin to sound like those in *The Crucible*. In the play, the people of Salem trade in their rights to privacy and a proper trial to remain safe from murderous witchcraft. The hysteria surrounding the town breeds the idea that anyone could be a witch, therefore everyone should be subject to intense scrutiny. Reverend Hale confirms this as he informs the Proctors that even Rebecca Nurse, an old woman with a spotless reputation for being upright and good, was mentioned at the trial.<sup>219</sup> When the Proctors express their disbelief that such a faithful woman could murder children, Hale replies, "This is a strange time, Mister. No man may longer doubt the powers of the dark are gathered in monstrous attack upon this village."<sup>220</sup> Hale exhibits the same question-nothing-reasoning at trial, as he points out that although it is hurtful to accuse someone who appears so righteous, "we dare not quail to follow wherever the accusing finger points!"<sup>221</sup> With this mentality, the people of Salem submit to the accusations of the children. Suspected witches are interrogated in their own homes and asked personal questions about their spiritual lives.

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<sup>214</sup> *Id.*

<sup>215</sup> Peter Bergen, *Target an American with drones?*, CNN, <http://www.cnn.com/2014/02/11/opinion/bergen-target-american-with-drones/> (last updated Feb. 11, 2014, 5:35 PM).

<sup>216</sup> *See id.*

<sup>217</sup> Kimberly Dozier, *Drone Attack Controversy: Obama Administration Wrestling With Whether To Target U.S. Terror Suspect*, HUFF POST, [http://www.huffingtonpost.com/2014/02/10/drone-attack-controversy\\_n\\_4758546.html](http://www.huffingtonpost.com/2014/02/10/drone-attack-controversy_n_4758546.html) (last updated Feb. 10, 2014, 10:59 am).

<sup>218</sup> Bergen, *supra* note 215.

<sup>219</sup> MILLER, *supra* note 17, at 61.

<sup>220</sup> *Id.*

<sup>221</sup> *Id.* at 68.

Innocent men and women are summoned to court to have their fate decided by screaming little girls and a fearful community. Finally, men and women are killed as a result of this fear.

Of course, it can be argued that the fear of witchcraft and the fear of terrorism are not comparable. Miller was confronted with a similar argument that McCarthy's witch hunt during the Cold War was not analogous to the Salem Witch Trials portrayed in *The Crucible*.<sup>222</sup> The crux of the argument is that witches are a fantasy, while there is real evidence that communists existed before and during the McCarthy era.<sup>223</sup> Miller called this argument "a snobbish objection and not at all warranted by the facts."<sup>224</sup> Based on his research of the Salem Witch Trials, Miller was sure that people were in fact trying to communicate with the Devil and worshipping the Devil.<sup>225</sup> Moreover, the existence of witchcraft was accepted as a fact by "virtually every secular and religious authority" of that time.<sup>226</sup> In other words, as far as the people of Salem were concerned, witches were undoubtedly murdering children. In this respect, their fear was no different from the fear of communism during the war, nor is it different from the fear of terrorism today.

The parallels between people's susceptibility to fear in Miller's play and in modern America are undeniable. One author wrote, "The folk who do the final damage are not the lunatic fringe but the gullible pillars of society."<sup>227</sup> Reading this sentence out of context, it can easily apply to either the concern for witchcraft in *The Crucible* or the concern for terrorism in America today. In both cases, the public has lent its overwhelming support toward the needless sacrifice of their own rights in order to fight an abstract cause.

## CONCLUSION

After traveling back in time with Arthur Miller in *The Crucible*, there is no doubt that the playwright's concerns with the injustices that result from American fear are well founded. An analysis of the rights denied to suspected terrorists by the United States following the 9/11 attacks indicates that Miller not only successfully commented on the Communist

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<sup>222</sup> *Id.* at 32-33.

<sup>223</sup> *Id.* at 33.

<sup>224</sup> *Id.*

<sup>225</sup> MILLER, *supra* note 17, at 33.

<sup>226</sup> Christopher Bigsby, *Introduction* to ARTHUR MILLER, *THE CRUCIBLE*, *supra* note 1, at xi.

<sup>227</sup> Walter Kerr, *A Problem Playwright*, in *TWENTIETH CENTURY INTERPRETATIONS OF THE CRUCIBLE* 35, 36 (John H. Ferres ed., 1972). Here, Kerr is in fact referring to society in *The Crucible*.

witch hunt of his time, but also on the War on Terror witch hunt that America faces today.

By comparing the theocracy in Salem to the framing of the War on Terror, I have attempted to demonstrate that the issues in *The Crucible* are mirrored in society over fifty years after it was first performed. Presented as a war of good versus evil from the outset, the War on Terror draws on both the emotion and spirituality of the American people to gain support. In both the play and the War on Terror, people are compelled to choose sides based on their faith in the God of the Bible. The public is manipulated by the desire to please God and fight on the right side, and thus participates in the hysteria against a singled-out group.

As a result of this fear, suspects are treated without regard for human rights. In *The Crucible*, this meant being summoned to court and condemned to death without evidence. For modern terrorist suspects, this means being incarcerated, tortured, or killed without being charged of a crime or having the opportunity to go to trial. Even American citizens who are not suspected terrorists are subject to having their constitutional rights violated. All Americans are under the close eyes of the government, which grants itself the right to spy on citizens' private phone calls and digital messages. After all, as Reverend Hale said, anyone—even those who do not appear suspect—can be up to no good.

All in all, *The Crucible* serves as a prime example of how creative expression can unite generations. Miller's play reflects very negative aspects of human behavior, and thus acts as a warning to future societies. At the same time, the play illustrates true redemption through John Proctor, and in that way sets an honorable example for the audience. With *The Crucible*, Miller has immortalized a timeless cautionary tale. Ultimately, it is up to society to understand the lesson.

