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Chicano Studies 113

Symbols, Gaslighting, and Transitional Justice

I created my digital collage, Transitional Justice, while listening to the George Floyd trial. The defense kept informing us we shouldn't trust our own eyes. This is called Gaslighting. "A form of intimidation or psychological abuse, where false information is presented to the victim, making them doubt their own memory, perception, and, quite often, their sanity". I questioned where the acceptance of gaslighting came from within our judicial system. In my mind, I kept seeing our blindfolded Lady of Justice.

My first thought was justice was not really blind, just blindfolded. My second thought was, why would anyone rob another of their sight as a way to establish impartiality? There had to be another purpose for this blindfold. I thought of our shared western history.

The United States of America's Justice system can be traced back to the Hammurabi Code, 1750 BCE, which is based on codifying social laws, and judgments of guilt and punishments, as a way to maintain social order. This is the foundation of how we maintain order in our society. This was a patriarchal "eye for an eye", hierarchical, judicial system.

Since then, we have had a number of teachers over the last few thousand years seeking to help us gain a different way of perceiving justice and maintaining law and order. Buddha and Jesus taught about justice based upon personal responsibility, respect, forgiveness, and compassion.

Another teacher, Nelson Mandela, taught me that we can understand justice in a new light. We can change our systems. He showed me justice through the eyes of compassion. His

use of a transitional justice system, and the Truth and Reconciliation Commission, did not lead to the end of South Africa. It helped South Africa make a transition from Apartheid to a more inclusive society. Small steps, but pivotal ones. This lets us know that justice based on compassion and forgiveness can maintain social order, even in difficult times.

Transitional Justice is based on answering this question: “How do people forgive each other enough to reach a point where they can live together without the reoccurrence of violence or war”?

One way to begin is to examine the symbols we use to express equal justice under the law in the United States of America. We communicate and establish our nation based on our symbols. We have flags, crests, statues, emblems... all contributing to how we perceive ourselves as a nation of people.

I am a Legally Blind, multi-ethnic, woman artist. I nearly ‘choke’ everytime I have to explain what it means to be legally blind (retinitis pigmentosa) to anyone. The government has given me a label I am not comfortable with. Legally blind means I am blind enough to be considered disabled, and not able to viably function on my own in society. Being legally blind doesn’t mean I turn a blind eye to our broken justice system. My life focuses on the power and responsibility I have as an artist to make symbols that change our perceptions in a positive way.

So why did we take the image of Themis, the Goddess of Justice, known for her clear-sightedness”, and put a blindfold over her eyes? The blindfold was placed on Lady Justice during the “Age of Reason” (Appendix A), the development of the international slave trade, and the rise of colonial imperialism in the 16th century.

What does this symbol really say to me? It says that Justice will turn a blind eye at the command of a patriarchal society. This is a form of gaslighting. No one voluntarily gives up their

vision as a way to improve their judgement. What does it mean when our cosmovision accepts the blindfold as necessary because we can't trust a woman's perception of reality? Yet, we have been accepting this notion for centuries. This is a truly blind bias. We are entrained to perceive justice this way. This symbol makes us all legally blind.

The second, and equally troubling issue with this symbol is, why is Justice always white in our country? As a person of mixed heritage, I hurt when I look at her. I don't see myself in her. I see a white woman who will turn a blind eye to justice if her white patriarchal controllers demand it. I feel disenfranchised, helpless, and afraid when I look at this monument. Whose justice does she represent? We have a history of unequal justice in this country. The statue is like a dog whistle call. I am reminded of how justice turns a blind eye, everytime I see this image.

When we have a symbol that is inherently flawed we need to replace the symbol. I find my power to do so, in my art. I use my art, not to oppose anyone, but to set new directions. I am not here to get rid of our judicial system, but to restore it to health by creating new symbols that are inclusive.

I have added to our symbol of justice rather than destroy it. I have placed Themis on a chessboard. In her blindness she has taken many punches on her chin. But the move is ultimately hers to make. What direction will she take us in the name of compassion.

Like Athena, these new, young, goddesses of Justice are born out of the head of the Divine. Themis gives birth to them with sight. They express the new, growing, multi-ethnic lens of our social justice system. They are seeing new directions for us as a society. They bring their sense of compassion and understanding to the complex nature of living in a culturally diverse country. They are seeking transitional justice as a way to move forward undivided. I am excited that Transitional Justice exists and is being practiced in our world.

Appendix A

Symbol of Lady Justice: Where did the lady with the blindfold, sword, and scales come from?

“Resnik and Curtis recite that medieval and Renaissance people did not view blindfolds favorably. Up into the 1600s sight was considered a virtue, and thus a blindfold carried a very negative connotation. Resnik/Curtis recite that a medieval/Renaissance term for a blindfold was a “hoodwink” – a noun – which today means to trick or deceive someone with an accompanying very negative connotation”.

<https://washingtonbankruptcy.com/symbol-of-lady-justice-where-did-the-lady-with-the-blindfold-sword-and-scales-come-from/>