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Section [#]
Topic #4

Cultural categorizations are dependent on definitions that are malleable given their society-based constructs. Luke Bergmann's ethnography, ***Getting Ghost: Two Young Lives and the Soul of an American City***, provides an excellent example of attempts to define the parameters of these social categories and examines both the dissident and repercussions of the current definitions. Through his anthropological research in inner-city Detroit, Bergmann meets Dude Freeman and Rodney Phelps, two teenagers inextricably intertwined in the drug trade and the implications of the current justice system. A cultural construct of particular interest in the lives of these young men, and correspondingly throughout Bergmann's ethnography, is how the legal system defines childhood and adulthood.

According to Bergmann, as practiced in the legal system, "adulthood stands as a proxy not for a fully developed accountable person possessed of all their faculties but for the capacity of intent." (Bergmann 2008:192) Applying this standard in context, an individual would be considered an adult if they meant to do what they did; as opposed to whether or not they are physically, emotionally, and mentally mature enough to understand their actions. Such a definition is rather impractical when sentencing these young individuals. Both Rodney and Dude were obviously cognizant of their actions, as the prosecutor in Dude's trial pointed out, "this [Dude's crime] was not a negligent situation. This was a deliberately created situation. This little man made a horrendous choice." (Bergmann 2008:191) However, as Bergmann points out, even young children willfully make bad decisions that are well thought out, yet it seems foolish to imply that an eight-year old should be tried as an adult due to their capacity for intent. Similarly, although Dude and Rodney meant to do what they did, their ability to understand their actions at

an adult level is highly debatable. This notion becomes increasingly more clear as Bergmann details his discussions with these teenagers concerning their own definitions of childhood and adulthood.

Dude was on trial for murdering Walker, an older man in his community. Although he hadn't intended to shoot him, he grabbed a gun with the intention of killing another young man that he had been fighting with. Unfortunately, the gun went off while Dude was struggling with another young man, killing Walker on the floor below. Although Dude had the capacity for intent (to kill the young man with whom he was fighting) he maintained that he had not intended shoot Walker and that his death was an accident. He said, "He [God] know I got a good heart, got good intentions. My intentions was not to shoot Walker, even though I shot through the floor." (Bergmann 2008:188) Later, Dude went on to acknowledge that he had made both bad mistakes and bad decisions. This dichotomy between acknowledging his bad decisions and his assertion that it was an accident highlights his inability to understand his actions at an adult level. As Bergamann points out, "There is no contradiction for him [Dude] in acting willfully and being not yet grown-up." (Bergmann 2008:193) This is a stark contrast to the legal system definition, where acting willfully or having the "capacity for intent" is the foundation for the classification of adulthood.

Dude provides further insight into his understanding of adulthood when he says, "I'm a fucking juvenile. I may be slinging like a man, but that don't mean that I'm an adult in terms of going to prison." (Bergmann 2008:193) This again contrasts the legal conception of adulthood. In one sentence Dude acknowledges his purposeful role in the drug trade. According to the courts, this declaration would be viewed as "capacity for intent" and therefore he would be considered an adult. However, to Dude his willingness to participate in the illegal drug trade

does not qualify him as an adult, and certainly not in the context of going to prison. These examples demonstrate disparities that arise when individuals are separated into cultural categories, such as juveniles and adults, which are based on socially-constructed definitions.

Dude's fears of being tried as an adult are not unfounded. The consequences of being sentenced as an adult can be far graver than those of a juvenile. These material consequences, as Bergmann describes them, include "the difference between nine months of treatment and schooling in low-security residential placement- with canoe trips on the weekends and off-campus visits with parents- or ten to fifteen years in a prison populated primarily by older men, surrounded by gleaming concertina wire, surveyed by gun-toting guards wearing reflective sunglasses." (Bergmann 2008: 154) The prospect of these seemingly opposed ramifications, which are decided based solely upon juvenile or adult status, is a cause of much concern for those awaiting sentencing. Throughout the ethnography, Bergmann describes the reactions of several teenagers at the juvenile detention facility who are sentenced as adults. These verdicts are devastating not only for those receiving the sentences, but can be the cause of much apprehension for the other adolescents pondering their future fates as well.

Another interesting aspect of the legal system's definition of childhood and adulthood is that the "designations of childhood, and all the legal benefits associated with such designation, [are] much more likely available to those with money." (Bergmann 2008: 183) Two African American boys, from affluent families, were taking a taxi to a party with some of their high school friends when one of the boys shot the taxi driver in the head and stole sixty dollars from his pocket. Both of these individuals were able to afford very expensive and notoriously successful lawyers. Consequently, one of the boys was convicted with manslaughter and sentenced to ten-years in prison while the other served a nine-month sentence in an open-campus

low-security juvenile facility. In contrast, another young man, from a housing project, was locked up on a first-degree murder charge and was unable to afford counsel. It was well known that this individual would most likely be serving his time in prison, "where, most staff people and other inmates speculated, he would quickly be subjected to physical, emotional, and sexual abuse." (Bergmann 2008:183) The effect of money on the type of sentencing and corresponding punishment for these young inmates is another example of the malleability of society-based definitions of childhood and adulthood and a glaring flaw in the current legal system.

This phenomenon, how society and culture affect how we define the world around us, is not only prevalent in the legal system but in nearly every other aspect of our lives. The film *Race: The Power of Illusion*, illustrates another example with an attempt to define what it means to be "white" within the social and cultural contexts of the time. In this film, the definition of what it meant to be white was dependent upon the Supreme Court's understanding of what it meant to be white, which changed in different cases. This is very similar to the current function of the legal system in determining whether an individual is a child or an adult. Each case is dependent on the judge's understanding and interpretation of an individual's actions, which is in no way definitive and, as previously discussed, can be influenced by extraneous factors such as money. Another example is the definition and implications of marriage. The current understanding of marriage, and the rules that are associated with it, are based upon social and cultural values. Therefore, much like the definitions of childhood and adulthood, it is very difficult to produce an unchangeable definition of marriage, free from dissenting viewpoints of the associated implications and the definition itself.

The problem with the legal system's characterizations of childhood and adulthood, and the corresponding repercussions based upon these social functions, is that they are rooted in

cultural definitions that are characterized by their changeable nature through time. In the lives of the young inmates that Bergmann describes, these constructs determine the quality and the quantity of years in which they can live normal lives. As Bergmann illustrates throughout his novel, with such high stakes for incarcerated youth, the current legal system constructs of childhood and adulthood hardly seem sufficient.