

The Key to Justice

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20 April 2025

“I'm for justice, no matter who it's for or against” is a famous quote once said by renowned activist, Malcolm X. Although people now may see it as redundant or cliché, the truth that it speaks should echo throughout all spaces in our lives. However, with the passage of time this sentiment has only faded into history. The world as it is now is facing a sharp increase in tension and negativity towards others. Simultaneously, new leadership has risen to power that only exacerbates the problem. This has led people to seek their own justice through civil disobedience. Though it is the people's right, it often escalates and leads to violence which only calls the attention of other parties, namely, the government. The intervention of government and law enforcement in incidents of civil disobedience oftentimes sparks even more contention and animosity. This animosity boils up and ultimately results in violence on all sides, both citizen and government. It is in this moment that the population is called to analyze the dynamic between two groups and whose actions really have a justification. After carefully juxtaposing the motivations of both groups, one can easily reach the conclusion that **when dealing with peaceful or violent protests, the government should not use violent nor intimidating tactics to deal with them because it violates civil rights, criminalizes individuals and contributes to systemic inequalities.**

See

As society shifts towards a period of contention, one of the many issues that has found itself under the spotlight is the use of intimidation by the government to combat civil

disobedience. The most commonly known and applicable example of this is police brutality in which a police officer uses excessive or deadly force on an individual whether it is warranted or not. However, police are not the only government organizations included in this issue and other government agencies such as the Federal Bureau of Investigation or the FBI, Central Intelligence Agency or CIA and even the United Nations. First it is important to recognize exactly what has divided our country so much and led to a need for civil disobedience to enact change.

As outlined in the article by Rachel Kleinfeld and Nicole Bibbins Sedaca for the Journal of Democracy, there are right now three main threats to democracy. The first is political polarization. Political polarization can be characterized as the shift in politics from being closer to the center to now being closer to the two extremes, left and right. This isn't only causing problems between opposing parties but also within the parties themselves. Kleinfeld and Sedaca make sure to mention that "Polarization must be harnessed by political and opinion leaders to have this effect" which is something that is becoming increasingly more common in the status quo (Kleinfeld and Bibbins Sedaca). This is referenced in their classification of the second cause of political violence which is "the exacerbation and exploitation of existing polarization by some political leaders to build voter loyalty and increase support" (Kleinfeld and Bibbins Sedaca). Lastly they identify "the intense disillusionment of some citizens with how the political system is working and with all the major-party options" as the third "dimension" of political violence (Kleinfeld and Bibbins Sedaca).

There are historical and contemporary examples of how this violence or disobedience manifests itself. This includes cases such as the Chicago DNC riots in 1968, the January 6th insurrection and the Black Lives Matter protests of 2020. Using the Chicago DNC riots as an empirical example, the use of excess police intimidation as a protest mitigation tactic was

displayed clearly. The late 60s were riddled with political turmoil, more specifically stemming from a rise in conservatism and participation in the Vietnam War. As a result, many protest groups and movements (mainly composed of college students) were born including Students for a Democratic Society and the Youth International Party also referred to as the “yippies”. As the Democratic National Convention approached, the leaders of these movements found themselves organizing a protest around Grant Park to advocate against the continuation of the Vietnam War. Although protestors were celebrating peacefully—mostly participating in counterculture activities like music, dancing or recreational drugs—the local Chicago police were still very aggressive in their response. This is mainly because the mayor had ordered to “shoot to kill arsonists and shoot to kill looters” (Chavis). Mayor Daley’s statement directly targeted protestors and instead of classifying them as protestors or activists he tried to turn their image into that of criminals to justify the use of tear gas and batons. Additionally, it is reported that the police took off their badges and flipped their name tags in order to avoid being identified to inflict as much damage as possible. One participant in the protests reports that the group was told that the police “[had] guns and use them” (Chavis) and “[could] smash [their] heads in and leave, or take [them] to the street and finish [them] off” (Chavis). Hundreds of protestors and even bystanders were injured and hospitalized and more were arrested. The way the Chicago police handled this situation and the words they used to describe it is a representation of the culture surrounding police in the United States. Not only did they feel comfortable acting violently, they also easily violated the protestors’ Fourth Amendment rights by searching and confiscating their belongings without a warrant. When a group of activists was accused of inciting the riots and conspiring against the government, a leader and founder of the Black Panther Party, Bobby G. Seale was dragged into the situation despite not being involved and put on trial (Lukasspecial). Not only was he being

accused with no basis besides just being the leader of an activist group, he was also the only black man put on trial and was treated extremely differently than the other defendants. The judge continuously denied his right to represent himself and after fighting for that right, the judge held Seale in 16 counts of contempt which sentenced him to 4 years in prison and subsequently ordered him to be bound and gagged—something which the other defendants did not experience even though they acted just as “disobedient” as him (Library of Congress). Seale’s charges were dropped only because the image of him bound and gagged was beginning to sway the jury to the defendants’ side. Not only did the government target and intimidate these activists and the protestors, they had a significantly more violent response to the one man of color “involved” in the situation which only shows the systemic inequalities government intimidation tends to contribute to. Not only this but an analysis and account of the riots called the “Walker Report” found that similar to the Kerner Commission Report (a report on the causes of race riots ordered to be investigated by President Lyndon B. Johnson), the violence was being caused by inequality and could be solved in a simple yet complex way—education and employment (Chavis). The similarities between the two documents illustrate a clear systemic inequality gap that is being widened by the government by continuing to treat activists and marginalized people as “separate but equal”. This case also represents how the government criminalizes protestors whether it is by classifying them as arsonists and looters or taking them all the way to federal court for conspiracy.

Unfortunately, this isn’t the only time one of these incidents occurred within the same timeframe. In 1970, only two years later, students continued to protest the war but this time it was regarding President Nixon’s escalation of it. These protests included those at Kent State University and were, by a majority, peaceful protests. Still, the National Guard was ordered to

disperse the protestors with the excuse that small riots were ensuing. Although students were all unarmed and presenting no danger the National Guardsmen did not hesitate to open-fire on the group of students killing 4 (two of which were not involved in the protest at all) and wounding 9 (Kelly). Again, another example of government officials showing that they are negligent and violent, not responding appropriately to civil disobedience.

Although people may be tempted to argue that these examples are too outdated to apply to the current day, there are also examples of these sorts of incidence occurring in this last decade. Taking a look at the two latter examples mentioned before since they both occurred during a similar time frame and are also more current, the causational relationship between the principles outlined by Kleinfeld and Bibbins Sedaca is clear. In the case of the January 6th insurrection it was really a combination of the first two principles. Supporters of the protest believed that they needed to stand on the extreme right side of the political spectrum and participated in extremist groups such as the Proud Boys, Oath Keepers and Three-Percenter whilst also being encouraged to engage by strong political figures on the right such as politician Donald J. Trump saying to “be there” (Trump) on January 6th for protests and describing how it “will be wild!” (Trump). Using the example of the Black Lives Matter protests, the exigence was more of that third principle, this third principle being the disappointment of individuals and loss of faith in their current government. Donald Trump’s presidency was already a means of concern and for most people he “provided the kerosene” to the beginnings of a racial justice movement especially since people were upset with how COVID-19 disproportionately affected Black populations as a result of negligence from the government and Presidential Administration and also in combination with the increase in police brutality, specifically with George Floyd’s murder (Altman). The murder of George Floyd contributed to this turmoil significantly as he didn’t

commit any crimes at all. Although he was accused of using a counterfeit bill when he wasn't and was compliant with the officers according to body cam footage, the police insisted that he was resisting arrest and a specific officer, Derek Chauvin, held him in a type of chokehold until he passed away (BBC). The murder of this innocent man, justifiably so, caused outrage and was the final nail in the coffin for a community that had consistently been facing discrimination. Because of this history people were, as Klenifield and Sedaca say, disillusioned and felt they had to take matters into their own hands for justice to be reached, which sparked the protests.

The next layer of civil disobedience is taking a look at how the government deals with it. Continuing to use this example of January 6th, it was identified that those charged were “overwhelmingly white” and made up about 92% of the group (Ricciardelli). Although 81.3% of men charged and 12.7% of women charged were convicted as felons, currently newly elected President Trump has “granted clemency to roughly 1,500 defendants who had been convicted of crimes on Jan. 6, 2021” (Quinn et al.). To give an overview of why demographics of protestors matter, we can compare these numbers to those of protest statistics of the Black Lives Matter movement following the murder of George Floyd. Courthouse News Service reported that the “population numbers [of Portland] [show] Black people are 1.73 times as likely (nearly twice as likely) to be arrested at Portland's protests than white people” (Brown). Just in Manhattan, New York “courts convicted Black people of felonies and misdemeanors at a rate 21 times greater than that of white people over the past two decades” (New York Civil Liberties Union). The data shows that not only is there a disparity between the demographics that are being arrested but also a disparity between the amount of those people that are convicted of the crime they're accused of.

The fact that protestors are even taken into custody presents yet another problem: what ARE their first amendment rights? When organizing and attending a protest you have the right to protest in “traditional public forums” which include streets, sidewalks and parks (ACLU) and also the right to protest on private properties where permission has been granted. Additionally “When you are lawfully present in any public space, you have the right to photograph anything in plain view, including federal buildings and the police” (ACLU) however this does not apply to private spaces where the owner can regulate those factors. The American Civil Liberties Union also makes sure to clarify that permits are only necessary when blocking roads, traffic or parks. In the case that you are detained in a protest, it is your right to inquire whether or not you are at liberty to leave, it is your right to know why you are being arrested, it is your right to remain silent and ask for a lawyer, it is your right to make a phone call, and it is also your right to refuse to give up any personal items or have them confiscated until they receive a warrant (ACLU). Unfortunately, these rights are often violated by government officials. An observable case of this happening is the story of Fred Hampton. His main form of protest was through community outreach and programming such as free sickle cell screenings, food, childcare, etc. despite his efforts being peaceful, he was a leader of the Black Panther Party and was seen as a “Black Messiah” which made him out to be a threat (Vox). This is because of the focus of the Black Panther Party on self defense and arming oneself to protect oneself from future threats. Although he didn’t do anything illegal he was continuously surveilled by the FBI until they had an informant infiltrate the group in order to execute him. They violated his 4th amendment rights and infiltrated his home without his knowledge gathering personal and private information without justification. He also did not pose a threat whatsoever and was killed as he slept (Vox).

His murder only reinforced the fact that the government tends to target people of color, continuing the longstanding inequity in the justice system.

Judge

Ultimately, The government should not use violent methods/intimidating tactics to deal with peaceful or violent protests. Breaking down the topic to an even more local scale, it is clear that government intimidation is not the correct solution to political violence/civil disobedience. In California, there is, in general, the “highest rate of officer involved shootings in the nation” (Vecchiarelli). It is important to recognize that this issue exists in our own spaces because it helps us realize that there is a reason we should care. We should be asking ourselves: if we know these injustices are happening in our own communities, Why aren’t we stopping them? The broader context reveals that systemic issues are a huge cause of violence and intimidation from the government. This is because, as discussed in the “See” section of the paper, most of the activists targeted by violence are those protesting for causes that advocate for the rights of marginalized groups and not only that but specifically targeting people of color within those activist groups. Knowing this, no one should be a bystander as ethical issues like these concern the morality of the entire world, not just the guilty party. Extending that means that it is not the fault of any individual on the receiving end. That fact gives absolutely no excuse or justification for the government/law enforcement to exercise such strategies. For example, in the same article Sarah Vecchiarelli mentions how in 2006 Sheriff Donny Youngblood believed that “it is better to shoot to kill, at least financially” (Vecchiarelli) . The single sentence reveals so much about what the current justice system values, money. With monetary value and financial gain being at the forefront of police work, there is no way that equity will be considered and much less a concern. This is because it will cost the government more money to fairly compensate an individual for

the rest of their life than compensate their family once for their death (Vecchiarelli). As of 2025, the National Police Funding Database has found that about \$2,340,780, 094.00 have been spent on compensating victims of police brutality while the families of people killed by police brutality receive comparatively smaller sums and settlements rather than long term payments like George Floyd's family receiving \$27 million and Breonna Taylor's family receiving \$12 million (Ardrey). A life can never be compensated for with money but these cases show that police are more likely to shoot to kill as they are only required to provide one time settlements rather than providing lifelong compensation for victims that are still alive. Not only is this an appalling display of disrespect for the individual but also for their loved ones. This case study displays exactly how government violence/intimidation does not actually result in justice but rather in a scapegoat.

The pro side of this argument that the government should use violent/ intimidating tactics when dealing with peaceful or violent protest fails to be compelling as it lacks a fundamental understanding of the government's intentions and operates under the assumption that any action is well intended and met with a good consequence. Although the UN attempts to frame law enforcement as peacekeeping and a characteristic that is "fundamental to international peace and security and political stability; to achieve economic and social progress and development; and to protect people's rights and fundamental freedoms" (United Nations) it is an idealistic and unrealistic perspective. It is important to acknowledge that at its core that really is the goal and purpose of a government; however, the way it actually functions and operates in reality is completely different. It has been observed in recent years how "peacekeeping" only disproportionately affects underprivileged individuals and targets them in order to keep certain communities in less developed areas with less access to everyday resources. This does not

protect economic and social progress as the United Nations claims but rather only widens the gap between those who possess stability and those who don't.

When delving into Church documents, it is easily observable how the Church also pushes for a culture of non-violence, similar to the con-side of this argument. In Ken Butigan's summary of a papal document by Pope Francis, he states that "Pope Francis declares that nonviolence is essential to the survival of the earth and its inhabitants". This is true as the Church values life above all else, to which violence is a threat to. Pope Francis himself acknowledges that "everything is connected" and "no one is saved alone" (Butigan). Both are statements that reflect a responsibility to protect one another. This supports the idea that governments should not resort to intimidation tactics as it does the opposite of protecting people and rather puts them in danger and harmful situations. That concept is key to understanding why violence is so bad as it violates the social contract put in place by a government and its people. Possessing the context that the United States is so heavily built on enlightenment ideals, this social contract is essential to preserving the integrity of the country and also building trust between a government and its people; a government that is supposed to be built by the people and in the interest of good for the people. The violation of this social contract sets precedent for the USCCB's perspective on violence and reform.

The United States Conference of Catholic Bishops also mentions this idea in their document "Confronting a Culture of Violence: A Catholic Framework for Action". They first create an outline for how we are exposed to violence in our daily lives in culture and media etc. This includes our government and law enforcement and how they encourage it. They then put forth a solution and say that we must do everything we can in each and every one of our spaces and communities to prevent violence. With this, the USCCB pushes for the government to also

do better. They create a framework not only for action but also accountability. It is a call to let go of violence in our governmental/law enforcement spaces in order to inspire a culture of peace and stop violence before it happens rather than intervening after it is already taking place. These documents reinforce how what we see is what we know, and that the violence we witness being done during protests or by law enforcement informs the way we choose to be violent or nonviolent. The Church is essentially saying that reframing government strategies and the world's violent culture is what everyone needs in order to prevent it from leaking into their lives. Giving the people the right to take charge in their own communities and change the country on a legislative level restores the social contract that has been so violated by the government's increase in intervention. It gives citizens the reassurance that their influence and experiences really do matter in the grand scheme of making the world a better place. Additionally, the USCCB acknowledges that "violence especially ravages poor communities" (United States Conference of Catholic Bishops) which further shows that there are systemic inequalities pushing certain people more than others into zones of violence. Furthermore the USCCB also mentions that there are "racial and economic lines" (United States Conference of Catholic Bishops) that must be crossed before solving the issue of violence in the United States. Their statement on this echoes true throughout the entire paper, time and time again it has been demonstrated by the government that they continuously target people of color and marginalized individuals. This means that there is no way intimidating strategies employed to regulate protests can ever be truly fair as long as the system stays the way it is. As the Church says, these barriers must be broken in order to even consider using these types of tactics. In order to really encourage that culture of peace and multilateralism, there first must be a fairness and respect between a government and its people regardless of race or class.

Act

Although not easy at first glance, there are many ways one can participate in combating government intimidation and police violence and additionally organizing protests that adhere to the law. For example, one method commonly promoted is pulling funding from policing and reallocating the funds towards social work, violence intervention, and regulation of criminal weapons markets (Brady United). This allows for government institutions/police to focus on more law enforcement specific threats whilst also providing an increase in funding for much needed societal reform programs that address the root issues of crime and discrimination.

Additionally it can also be said that working to amend laws and enact restrictions on things such as lethal force can be an effective way to reduce incidences of political violence and police brutality. It creates the opportunity for the workforce to better train recruits for their future career and be able to recognize bias and correctly identify others' rights (Brady United). Brady United mentions two other ways of preventing government intimidation which are increasing the availability of public records of arrests and criminal processes and implementing policies that hold police accountable for crimes or "misconducts". These methods would all be extremely beneficial in practice however the hardest part would be really bringing them into reality.

Unfortunately, the government has invested billions of dollars into military and law enforcement and doesn't seem to have any incentive to take it out. Looking at the issue from the perspective of the current world, because of the increase in conservative beliefs and right wing polarization people are much less likely to fight for anything that could potentially negatively affect law enforcement. It would also be increasingly difficult to pass the kind of legislation that regulates law enforcement as most of the congress/legislative branch is also on the right side of

the political spectrum. In a perfect world, this kind of government reform would pass and turn around the reputation and culture of law enforcement forever.

Going back to the see section of this paper, the biggest solution to all of this is also preventing political polarization. This means educating the population about how to make their own choices and form their own opinions. Not only will this make a more informed public that is better equipped for decision making, it will also help create a space for more respectful dialogue where people are less likely to resort to violence in order to get their point across. Although this solution is simpler on the surface it also requires that education becomes more accessible, especially higher education. Higher education further develops an individual's critical thinking skills and ability to form educated opinions. Critical thinking is essential to solving this problem as it helps people see problems multidimensionally, through various different lenses, preventing polarization from occurring in the first place. The problem with this is that college enrollment is dropping up to 8.43% from its highest in 2010 (Hanson). Moreover, black and hispanic people still make up only 13.2% and 21.5% of enrolled students respectively. This disparity means that it is first necessary also to provide resources that break generational boundaries for people of color and give them equal educational opportunities whether it is by improving local schools or making higher education cheaper. On an individual level what can be done to help these solutions come to fruition is participation in protests, involvement in policy making, completing volunteer work for justice organizations and pursuing a higher education yourself. However, it is all of these solutions that must be implemented for the problem to really be eradicated.

When really taking the care to dissect the complex dynamics of a government, its people and their culture there is one factor that stands out in preserving the rights and freedoms of the people. That is outlined as the people's right to respectfully disagree and criticize the society they

live in while the government honors that ability and doesn't attempt to scare people into submission. It is the violation of that characteristic that differentiates democracy from autocracy. Throughout the United States' development as a country it has been proven that employing violent and intimidating tactics only suppresses autonomy, divides the population and encourages violent behavior for future generations. These rights must be protected in order to really take on the problem of inequality in our world and make it a more accepting and welcoming place. It is by respecting individuals that the government can truly create a community on a national and even global level. It reduces the polarization that the population currently faces and encourages critical thinking. The ability to use one's voice freely and effectively is the key to true justice.

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