THE VIOLATION OF HUMAN RIGHTS TOWARDS MOTHER AND CHILDREN IN AMERICA IN CLINT EASTWOOD’S FILM CHANGELING

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Abstract

This final project analyzed human rights violation towards mother and children. The object of of this study is Clint Eastwood’s film Changeling. The aim of this study is to explore: (1) Social condition of American society in 1920s (2) violation of human rights toward mother and children (3) efforts of against human right violation in America. There were several methods in this final project (1) data collection to collect the data from books, journals, magazines, and websites which related with the topic in this study; (2) qualitative descriptive which used to interpret the data found in Changeling film which was line with the topic of study in form of words, phrases, sentences and implicit meaning; (3) Structuralism and Sociological approach were used to analyzed the Changeling film to know the elements of the film. The results of this study are: (1) Social condition of American society in 1920s seem well and under control on the outside but rotten inside. At that time, America had an authoritarian government who was cruel to the society. (2) Mother and children got violations toward their rights as a human. Their rights to live freely, safely, securely were violated. They got violation from the society and even from government. (3) Efforts to against human right violation were shown from Christine, Briegleb, also press and society. Although Christine could not found her son, but she succeeded against violation toward her rights which did by LAPD.

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INTRODUCTION

Nowadays, human right is concerned by people all around the world. It is also an important component in livelihood for all human beings on this earth. Human rights have a long history in its struggle, and even also still fighting for its existence until today. The whole society is aware of the importance of human rights so that they also participated in human rights and fight for it. Starting from the regional, national to international, government and non-government, every layer of society is fight for human rights together although different way.

In regional level, for example, there are a few examples of public awareness about human rights. Such as, three regional human rights instruments principle which can be identified, the African Charter on Human and Peoples' Rights, the American Convention on Human Rights and the European Convention on Human Rights. In 1950, The European Convention on Human Rights has defined and guaranteed human rights and fundamental Freedoms in Europe. All 47 member states of the Council of Europe have signed the Convention under the jurisdiction of the European Court of Human Rights in Strasbourg. At the national level, human rights norms exist because they have through legislative enactment, judicial decision, or custom become part of a country's law. For example, the right against slavery exists in the United States because the 13th Amendment to the U.S. Constitution prohibits slavery and servitude.

According to the Universal Declaration of Human Rights or UDHR, human rights are rights inherent to all human beings, whatever our Nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible (the universal declaration of Human Right, no date). As quoted from Stanford Encyclopaedia of Philosophy (James Nickel, 2010), everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice (American Convention on Human Rights, Article 13.1).

On the other hand, human rights continue to stand by to share in the world recently. The implement of human rights also received full support and concern by the United Nations. This is what attracted me to take up this in my final project.

The existence of human rights has an important role in life, especially for women and children who are often get not well treated in the community. For example, they are as the object of human trafficking, slavery, underage workers, and prostitution etcetera.

Nowadays, the problems facing powerless women and children toward their rights that are caused many common reasons. These could be discrimination in various forms, including gender bias, unsafe environments or chronic poverty. The reason causes of preventable death and illness, for example, a violation of civil rights and political rights. A poor child's death is not simply caused by disease or a poorly functioning health system. A number of underlying reasons, including his or her mother's access to education, health care, credit, jobs, participation in public life and ultimately power over food and other resources are root causes of preventable death of children.

Concerning of this problem, United Nation also has laws and rules to save women and children's rights. “Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same
social protection” (Article 25 of the UDHR preamble).

Indonesia does not miss taking part in highlighting human rights issues. There are several cases of human rights violations in Indonesia which is highlighting public's attention. For instance in 2005 murder Munir Thalib, a well-known regarded human rights defender who was fatally poisoned on a Garuda Indonesia flight in 2005 remains unsolved. Evidence has pointed to the involvement of high-ranking intelligence officers in the attack. This case is a case of severe human rights violations in Indonesia which have not revealed the truth until now. There was also another case that arose recently, it was the case of a child who stole a cop’s sandals then the case went to trial and he was charged with five-year prison sentence.

There is a reason why the film Changeling is selected to be the object of research in my final project. It is because Changeling is a film which based on the real story that was really happened in America in 1928. So, this film actually shows us how the American social life in the 1920s era. Violations of human rights themselves can be seen in this film by the treatment toward Christine Collins from some government officials. It shows us that in America was still no rule of human rights there indeed. Thus, this medium is a suitable one in studying this problem.

DISCUSSION

1.1 The Social Condition of American Society in 1920s in Eastwood’s Film Changeling

To know the violation of human rights toward mother and Children in America in 1920s we have to understand the social condition happened there at that time first. Eastwood’s film Changeling provide some proofs that can we analyze both from the physical appearance of the American society, and also the characters of the people.

4.1.1 Modernization in American Society

Based the setting of Changeling, America has entered the modernization era. It could be said as that, because the year of 1920s was in post world war era which belonging to modernization era.

Related to the setting of the film happened in America in the 1920’s, I will analyze the social condition of the United States in that era. The social condition of American society in this era can be seen by analyzing the architecture of the building, development of transportation and also a tool of communication. America in this era has been modernized look, since the houses and permanent buildings has been used. Transportation has been using motor vehicles such as cars and also buses. Communication tools has been developed in this era like radios and telephones.

(1) (In the Collins’ house 00:05:30 – 00:05:45 of part 1)

Walter : Did I miss Amos and Andy?
Christine: I'm afraid so, sport. Come on now, time for bed.

In this scene, Walter fell asleep on the floor, in front of the radio, which was playing the closing moments of Amos and Andy. Christine entered and turned off the radio.

By looking at these aspects, social life in America has been stable and growing. In addition, the social conditions of American society can also be analyzed from the variety of things that support the analysis of the social condition of America such as the economic, political, religious, and also education. Changeling film reflects the beginning of the growing of American economy. The progress of the economy has an impact on other fields. Like in government, education, social culture, religion and politics in America.
Impact of the industrialization can be seen in the film where many women worked outside, including Christine Collins, the main character of the film. Christine worked as a supervisor at Pacific Telephone Company. The government looks very authoritarian to the society because of their power. Moreover, in this era the function of religion was the opposition against government. Religion that was represented by the church concerned about the needs of the public. In the field of education, in this era people have realized the importance of education, especially for the middle and higher social class and above.

From those aspects related to social condition of American society in 1920s, it can be says that America is in modernization era. Decomposed in terms of infrastructure, where data is taken from the situation in the film, America in that era began to modern. The era of 1920s was post war I which was beginning of modernist era. Took a look from the building construction, American society had permanent building and focus of volume over mass, balance over symmetry and minimalism over ornamentation (Andate Sosenuto: 2005).

4.1.2 Positive Personalities

In this subchapter, I will analyze the main characters’ personalities in the film. The personalities I will analyze is the personal one which belong to some characterization. There are two characterizations I analyzed in the Changeling film, they are brave and Obedience.

Personalities of American people who have characters mention above were represented by Christine, Carol, Walter and also Sanford Clark. As the effect of modernism the people braved to against violation toward their rights. They were struggle for their rights of freedom and comfort to live. Obedient was character of Walter. Although his sense as child wanted to resist, finally he still understood his mother explanation and obeyed what his mother said. Helpful characters were represented by Briegleb, Hanh, society and press. They help Christine in struggling her rights, other mother’s and children’s rights.

From the analysis of the story above, it can be concluded that the physical appearance of America and its people personalities America seems well under control on the outside but rotten inside. Behind the development of the economy, American government still behaved authoritarian. It caused they violated people’s rights. However, as the impact of modernism, people were broadminded. They braved to against government on purpose to get their rights.

1.2 Problems Related to Human Rights Experienced by Mother and Children in Eastwood’s Film Changeling

Based on Changeling film, mother’s and children rights were violated as the result of modernization which did not follow by the modernization of American government. Authoritarian still became the characteristic of American government at the era of 1920s. Mother and children got violation towards their rights which were basic rights approved by people around the world. It is because those rights were approved to written in the Universal Declaration of Human Rights (UDHR), which one of the department of United Nation the Convention on the Rights of the Child (CRC) and the Convention Against the Elimination of All Forms of Discrimination Against Women (CEDAW).

In Changeling film, there were two violation towards rights. They were violation towards mother’s rights and also violation towards children’s rights. Towards Changeling film, I will analyze children rights violation happened in America in 1920s. Case of child problems discussed in this study are cases involved the characters of the Changeling film, they are Walter...
Collins, Sanford Clark, and Arthur Hutchins Junior, a boy who pretends as Walter.

Walter disappeared when his mother went to work. Although his mother had made a report to police department, but police officer said that they could not do anything until the child disappeared in twenty four hours. That is the police regulation. Children’s rights to get protection and safety neglected because of this regulation. Police who are delaying time to search Walter are violating Walter’s right to get protection and safety. Moreover, when Christine realizes that police bring the wrong ‘Walter’ to her then protests the police department and asks them to keep searching the real Walter. The LAPD refused her protest and did not want to continue the searching. If the police noticed Christine Collins’ request to keep searching, it was still possible for Walter to find alive.

Another kid who got violation toward his rights was Sanford Clark. Sanford admitted that he was held by his cousin Gordon Northcott. In addition he was also forced to assist Gordon in doing his crime. He was threatened to death if he did not assist Gordon to kidnap and kill children. All of these are violations towards Sanford's rights. Sanford should be able to live freely, determine his own lives and have a better future. However, Gordon pulled his liberty as a child and even his future. Since Sanford should be jailed for helping Gordon’s crime. (11) ( In the interrogation room 00:13:40 – 00:13:47 of part 2)

Ybarra : Sanford Clark is a kid, too. Fifteen. But he's going to jail. All murderers and their accomplices go to jail. Everyone knows that...

Pictured from some cases explained above, it is clear that children in America at the 1920’s era did not get their right completely. Government did not do their role as a protector for their society. It was proven by Los Angeles Police Department, as one of American government tools, who should be a society servant who could protect children’s right. On the contrary the police ignore it. Moreover they also did the violation towards children’s right.

Human rights violation towards mother in Changeling film particularly described happens to the main character of the film, Christine Collins. Besides, others women who experience violation are they who are in the psychopathic hospital entered by the police department command.

Before Walter Collins had missing, Christine Collins and Walter Collins live alone together in their homes. Christine Collins is a single mother who raised her child without a husband. She worked to finance her life and her son. Walter's biological father left her irresponsibly. As in the following citation:

(13) (In the school yard, 00:04:47 – 00:05:15)

Walter : Then why did he leave?
Christine: Well, the same day you were born, something else arrived. It came in the mail, in a box just slightly bigger than you. You know what was in that box? (he shakes head) Something called responsibility. Now, to some people, responsibility is fun, it's what you live your whole life for. Other people think it's the scariest thing in the world.

In the dialogue above Christine told Walter why his father did not stay with them. Christine used simple language which easily accepted for children. The definition of responsibilities in the box which Christine said means his responsibilities as Walter's father who responsible for Walter's live.

Besides, Christine also got rights violations from government agencies. They are police officers and the psychopathic hospital staffs. Christine realized that a boy who was returned to her by LAPD was not her son. So, she reported that mistake to the police officer who previously brought back the boy who pretended as Walter, but Captain Jones denied the statement which
Christine said. He was dismissive Christine’s maternal instinct which did not feel for that boy since that boy was not really her son. Her rights to get freedom, protection and comfort were taken away by police who even forcibly put her into a psychopathic hospital. She was sane recognized as insane by the police and thrown into psychopathic hospital on the orders of Captain JJ Jones. As seen from the quotation below:

(14) (In the Jones’ office, 00:45:36 – 00:45:50 of part 1)

Jones: You convey the prisoner to the Los Angeles County General Hospital Psychopathic Ward.

Christine: No...wait, you can’t --

Jones: Make the following entry in the booking department: Fightant states she has been deceived by police and others, and that they have given her a boy and tried to make her think it is her son when she says it is not.

From the citation above we can see that the police can easily take the decision to put a sane person to the Hospital Psychopathic Ward. Carol who entered the psychopathic hospital earlier than Christine knew about it. She observed some women who entered that hospital with code 12 were patients who entered the hospital by police command. Actually, all code 12 for women patients. Then, she knew about the reason why the police could do it easily, and she told it to Christine as pictured in the quotation below:

(15) (In the dining area of Hospital Mental Ward, 00:57:46 – 00:57:

Christine: But they can’t do that --

Carol Dexter: Are you kidding? Hey, everybody knows women are fragile, right? They’re all emotions, no logic, nothin' goin' on upstairs. And sometimes, like when they say something that's a little, y'know, inconvenient...they just go fucking nuts, pardon my French. If we're insane, nobody has to listen to us. I mean, who are you going to believe, some crazy woman trying to destroy the integrity of the force, or a police officer? Then once they get us in here, we either learn to behave, and shut up, or – Or you don't go home...

As a mother, she always struggled to find her missing son. Although police ever brought a boy who was forced to admit as her son, but she believed that her biological son was still missing and he forced her to keep looking him. Her belief made Christine forced police to keep looking for him. However the police did not accepted her demand because they thought that her son has been found, so they ignored Christine’s maternal instincts. The police thought if Walter found, it would be only embarrassing the good name of the police department that mistakenly identified people, so they did not continue searching him. Previously, Police Department pretended that they were successfully found a lost child in front of the press with the purpose to get public sympathy. So, they worried that public would know the police was fault in identified person, it just harmed police agency. This is illustrated by the following citation:

(16) (In The Chief Davis’ office, 01:35:00 – 01:35:50)

Davis: The Mayor wants this to go away. want this to go away. The way you do that is to stop insisting that Walter Collins was not among those kids killed up at that goddamned ranch. Because if the boy you brought back isn't Walter Collins, and he's not dead up at that ranch, then where the hell is he? People will want to know why we haven't found him. Why we aren't we doing our job. (beat) But if, on the other hand, he is, or could be among those poor boys killed up in Wineville...then the inquiries stop. It's a momentary embarrassment that you'll have to live with...but better a short inconvenience than a lingering problem, wouldn't you say, Captain?

From the citation above, it can be seen that according to Chief Davis the important one was not the police officers’ fault in identifying, but the good reputation of police
department. He wanted his department’s reputation always good in the public opinion. So that he asked Captain Jones to pretend that Walter has died as one of Gordon’s victims.

Apart from Christine Collins, Violation towards human right also affected to other women, not only Christine Collins, who sent to the psychopathic hospital whose code 12. The code 12 was used by police and medical staff to patients who sent to the hospital by police’s recommendation. The 12-code patients were not only Christine Collins, but also many other women, it meant that the police department has taken much women’s freedom right for their own necessity. One of the psychopathic hospital patients was Dexter who spent long time in the hospital. We can see her explanation to Christine, as citation below:

(17) (In the Dining room of Mental Hospital Ward, 00:57:00 – 00:57:43)

Carol Dexter : What, you thought you were the only one? (points to a woman) The lady over there was married to a cop who kept beating her up. When she tried to tell somebody, they sent her here. And that one? The police beat the crap out of her brother, broke both his arms. When she complained to the papers, they picked her up and...

Christine : What about you?

Carol Dexter : I...work nights. (Chris doesn't get it) I mean, I work nights. Downtown. In some of the clubs. You know. This one client started hitting me, and he wouldn't stop. So I filed a complaint. Turns out he was a cop. Next thing I know, I'm here.

From the citation above, we know that the police could easily sent somebody, especially women to a mental hospital. When someone made a difficulty to the police or would be disgrace the police reputation, then she would be in the mental hospital. If they wanted to get out from the mental hospital, they had to agree with some contracts that police proposed.

1.3 The Efforts of Fighting Against the Human Rights Violation in the Eastwood’s Film Changeling

Changeling film portrayed human rights violation towards women and children. Moreover, there were efforts to fight human rights violation too. These efforts were done by Christine Collins and some people who were aware of the violations. Those efforts actually had a big result to the society. In this subchapter, I will analyze the efforts of fighting human rights violation and its result to Christine and society.

Christine Collins reported to the police that his son, Walter Collins, had been missing since March 10, 1928. A few months later the police took a boy who was identified as Walter Collins. However, Christine realized that boy was not her son. Realized that her son was still missing, she insisted police department to keep searching her son. Nevertheless, police did not want to do that.

Eventhough, police department ignored her request to continue looking for her son. However, it did not discourage Christine to continue pushing them. They, finally continued the searching. Christine tried to prove that the child who brought by the police to her was not Walter, his son. She went to Walter's dentist, and Walter's teacher to get any evidence and testimony reinforcement. And both of them gave the same sound with Christine, that the child was not Walter Collins.

Though her efforts to find his son did not work, but Christine’s had efforts adverse impact on the citizens of Los Angeles at that time. Especially for patients with code 12, who could be free with the help of Christine Collins. Then, her bravery to successfully claim police department make the LAPD rule changed. That was what the court’s decision.
Reverend Briegleb was a pastor who cared much about the social condition happened around his society, especially the violation which did by LAPD under the leading of Chief Davis which corrupt, brutal and even violate people rights. Therefore, Briegleb always concerned the action of the LAPD.

Briegleb tried to make public concern realized about the arbitrariness of the police with his speeches at St. Paul's Presbyterian Church. In addition, he also did it in the KGF radio. Beside, in the Changeling film, Briegleb concerned much about the case of Christine Collins from the beginning. He helped Christine when Walter disappeared until fought against the LAPD. When Christine thrown into mental hospital as instructed by Captain Jones, Biegleb also took the initiative to find Christine. He went to the police office and brought his friends. When he met to Captain Jones at his office to ask about Christine, there was to a protest for justice for Christine outside the building. It was due to the influence of Briegleb who brought them to have bravery to voice their mettle against police arbitrariness. Briegleb also helped Christine found a lawyer when she made a lawsuit for the violation he got from the police. Her demand was ultimately granted by the court and she got satisfactory results. Captain Jones was suspended permanently from his duty on LAPD. Chief Davis was fired as the head of LAPD, and the last punish was a review of policy delivery people to the mental hospital by the police.

The struggle against human rights violations committed by Cristine cannot be separated from the role of community and press. Both public and press helped the realization of human rights in Los Angeles at that time. It was inevitable that press have contributed in spreading the issue, including case of Christine in the film Changeling. When Christine had problems to ask police to keep searching Walter, she brought this issue to press so that the cops finally realized her problem. Press and society helped Christine in struggling her efforts. By their helps rights for mother and children were struggled and finally succeed to catch.

CONCLUSION

After conducting this study and going through the full investigation and interpretation, I could infer some conclusions based on the whole result of this study. Here, I draw some points as the conclusion of the discussion.

Firstly, American social condition were developed well in the year 1920s. It can be seen from infrastructure, telecommunications, and transportation as well as depicted in the Changeling film. However, the political situation which in post-World War II made the atmosphere still had a conservative or authoritative government. In the Changeling film, corrupt government and arbitrarily police did not do their job as a law enforcement and public protection. Instead they made their wishes as the rules to be followed. As the effect of modernism, American people have positive personalities such as brave, obedient, and also helpful personalities. It can be concluded that social condition in America in 1920s seemed well under control on the outside but rotten inside. However, as the impact of modernism, people were broadminded. They braved to against government on purpose to get their rights.

Secondly, the Changeling film described about the human rights violation happened in America in the 1920s. This violation was happened towards women and also children. In that era, women and children rights were still ignored by government especially police officers. Children’s right to live freely and peacefully was violated by society, and their right to get protection was violated by LAPD. Moreover, mother’s rights to get freedom,

protection and comfort life were violated by LAPD.

Thirdly, some people who were still aware and care to fight for women and children rights from the ruler's oppression. Christine's efforts to get her son back, and also to fight her own rights and '12-code' patients' rights. Briegleb's efforts to help christine's struggle. The last was efforts from press and society which helped to against human rights violation towards mother and children in America in 1920s. Although it needed a hard struggle but finally they made it happened.

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