

# Spearing the Panopticon of an Icon: How French Philosophers' Writings Can Help #FreeBritney

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## Abstract

This essay approaches performing and recording artist Britney Spears's career trajectory, since 2008, through the writings of French philosopher Michel Foucault and his contemporaries. With an understanding of these philosophers' writings, particularly concerning the concept of the panopticon, fans of Spears will comprehend how these concepts influence Spears's life in the public eye across media, both conventional and social. As one of the most popular and scrutinized American celebrities alive, Spears herself has expressed a need for freedom and privacy under a panopticon made of power structures and across many genres. This panopticon's power structures consist of patriarchy, the entertainment industry, consumer culture, and conservatorship laws; the genres include music videos, documentaries, Spears's posts on *Instagram*, and court transcripts. The essay concludes with mention of (and suggestions for) those active in the #FreeBritney movement, as they tackle the aforementioned power structures and help secure Spears's needs.

Britney Jean Spears is one of the most beloved, famous, and troubled performance and recording artists of the millennium. Her dance moves have been imitated by an entire generation of children, and her career trajectory in the highly-demanding, mainstream music industry has been a model for an entire generation of pop stars to follow. Unfortunately for her well-being, Britney Spears's every move has been publicly documented for profit and for press ratings since she herself was a child, but especially during the late 2000s and early 2010s. It is this latter phenomenon which has contributed most to the troubling public and private circumstances which Spears has dealt with since, circumstances that have restricted her freedoms in ways beyond societal expectations.

This essay intends to showcase how the writings of French philosophers Michel Foucault (alongside his contemporaries Jean Baudrillard, Gilles Deleuze,

and Félix Guattari) can inform fans of Britney Spears as they make sense of ongoing situations involving the performance and recording artist. With the first part of this essay, I provide a comprehensive (but by no means exhaustive) explanation of the concept of the panopticon, which Foucault in particular wrote extensively on. The second part of this essay attempts to provide an explanation as to how a panopticon, in Spears's life, consists of powerful structures which have kept her in a protracted struggle for her livelihood. These structures include Spears's patriarchal family, the entertainment industry, and the law; each of these structures can be explored expansively in separate papers. Supplementing the writings of the aforementioned French philosophers, American media studies professor Christopher Smit provides interesting interpretations that examine each of these three structures. The third part of this essay provides a cursory showcasing of how the visual genre of some music videos Britney Spears has performed in feature Foucault's conception of a panopticon. With the last part of this paper, I relate the aforementioned written and visual genres to the fan-driven #FreeBritney movement, which is challenging the conservatorship Spears has been under since 2008. This movement, mobilizing both online and offline, can be interpreted as spearing the panopticon keeping Spears from possessing complete artistic and legal control of her life.

### Part I: A brief overview of the panopticon and Panopticism

Michel Foucault was a 20th century French philosopher, professor, and writer who wrote several works addressing issues of power, knowledge, and sexuality. Foucault's theories, throughout his works, connect these wide-ranging issues with analyses on how they act as forms of social control across institutions like government and the field of medicine. One particular form of social control that Foucault modeled in his theories is that of the panopticon: a building arranged in a way that every part of its interior can be viewed from one central point. Such a building can serve the functions of a hospital, a prison, an office or other space where bodies are gathered and confined. Although Foucault wrote extensively on the concept and implications of a panopticon, he was not the first to do so. Jeremy Bentham, an 18th and 19th century English philosopher and social reformer, is credited with developing this concept and proliferating its physical construction in prisons. Bentham's intentions for a prison panopticon were both economic, as he claimed their arrangement would be cheaper than conventional jails, and moral, as an illusion of constant surveillance would deter prisoners from lashing out or engaging in criminal activity.

Evaluating Bentham's writings two centuries later, Michel Foucault would go on to develop his theory of 'Panopticism' in his seminal work *Discipline and Punish: The Birth of the Prison*. In this book, Foucault defines the panopticon as "a machine for dissociating the see/being seen dyad [pair]: in the peripheric ring, one is totally seen, without ever seeing; in the central tower, one sees

everything without ever being seen” (Foucault and Sheridan 201-202). The effects of the panopticon, which would come to embody Panopticism, would be “to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power” (Foucault and Sheridan 201). This state of visibility, though illusory at times and arguably unnecessary for all inmates, results in “a power situation of which they are themselves the bearers” (Ibid). Under such supervision, therefore, “Power has its principle not so much in a person as in a certain concerted distribution of bodies”, even though “Any individual, taken almost at random, can operate the machine...” (Foucault and Sheridan 202).

## Part II: The panopticon’s power structures surveilling Britney Spears

Since having a series of public breakdowns in 2006 and 2007, Britney Spears has found herself in situations where the general public has observed her as a celebrity who is seemingly not a poor little rich girl, and not yet a fully matured woman. Although Britney Spears has never spent a night in a prison nor possesses a criminal record (besides her song “Criminal”), she has nevertheless been punished and disciplined for acting in certain ways. Consequently, Spears’s own artistry and standing in the world have been suppressed by an ambiguously shaped panopticon which millions of people, whether fans, critics, or indifferent media consumers, have contributed towards.

This panopticon that Britney Spears has found herself confined within consists of multiple societal pillars, which also serve as structures of managing power. Patriarchy, the entertainment industry, and court-enforced law and order are just three of these structures that obscure the true extent to which Spears has publicly performed (and privately suffered) under. Foucault’s definition of truth can help us uncover truths behind these three power structures, and illustrate how each of these structures pertain to Spears’s ongoing troubles. In a lecture given during 1977, Foucault defines truth as “produced only by multiple forms of constraint” (Foucault, *Power* 131). One form of constraint, as we have already noted, is that of the panopticon. Foucault goes on to characterize truth in relation to capitalism as “linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extend it” (Foucault, *Power* 133). A panopticon is typically constructed as to provide a circular view, with guards positioned centrally to monitor those who, in turn, provide prison labor and lack authoritative power.

Patriarchy is nothing new to performing and recording artists within the music industry. Overstepping father figures who abused their artistic children-turned-celebrities have loomed over male, female, and gender non-binary artists alike. Prior to Britney Spears’s father, Jamie, controlling her daughter’s branding and maintaining a significant hold on her conservatorship, there were men like Joe Jackson, for example, who worked his Jackson Five (especially Michael) to exhaustion, leading to later substance abuse. The matters of misogyny and sexual

predators in the music industry additionally fuel the prevalence of male figures controlling the careers of female artists with their business and/or production work.

The entertainment industry is another power structure of the Spears panopticon; it serves to influence the way that the general public perceives her. Within the culture of the United States, a culture predicated on consumption, maximal profit extraction, and the ever-increasing commodification of the self, one does not have to be a prisoner to feel that they are being constantly surveilled. Objectification also constitutes surveillance, from those individuals (again, often male) operating “the machine” of consumption. Christopher Smit, a media studies professor at Calvin College in Michigan, formulates in his book *The Exile of Britney Spears* that under capitalism, the bodies of performers, both in terms of their physical bodies and body/catalog of work, are “purchasable because of an innate system of dehumanizing marketing strategies” (Smit 121). One retrospectively dehumanizing marketing strategy men in the entertainment industry employed to sell tabloid magazines involved prodding Britney Spears about whether she would save her virginity until marriage or lose it to then-boyfriend and singer Justin Timberlake.

Besides the power structures of patriarchy and the entertainment industry at-large, Spears (and her fans) have faced the alienating effects of California’s conservatorship laws. A conservatorship, as defined by the Judicial Branch of California, involves “a court case where a judge appoints a responsible person or organization (called the ‘conservator’) to care for another adult (called the ‘conservatee’) who cannot care for himself or herself or manage his or her own finances” (Conservatorship).

The type of conservatorship that Spears has been placed under as a conservatee is known as a probate conservatorship. A probate conservatorship is usually implemented in cases where the conservatee is an elderly person with some sort of degenerative ailment, like memory loss. Probate conservatorships can also be separated into two areas: conservatorship over a person and conservatorship of an estate. From 2008-2019, Jamie Spears was legally declared the conservator over both his daughter’s person and her estate, valued at nearly \$60 million USD. According to Forbes, this figure is “shockingly low”, in part because “Spears has resisted her father’s control while also paying millions of dollars in legal fees...as well as child support to her ex-husband Kevin Federline” (Berg). Since 2019, Jodi Montgomery, a controversial figure among those involved with the #FreeBritney movement, has been the conservator over Spears’s person.

Any judge establishing a conservatorship and granting conservator powers must evaluate evidence from those who have medically examined a conservatee. While Foucault does not elaborate specifically on the legality nor morality of conservatorships, he describes such discourse as a “juridico-medical

transcription” that requires “if not punishment, at least confinement” of an “individual who, without having committed any infraction, represents a certain number of dangers due to psychologically or medically defined characteristics” (Foucault, *The Punitive* 178). Explaining the relationship between psycho-analysis and law in somewhat simpler terms, Deleuze and Guattari interpreted a paradox between “the moral authority of the doctor as Father and Judge, Family and Law”, writing that “the doctor dissipates the reality of the mental illness in the critical concept of madness” (Deleuze and Guattari 93). Multiple players beyond Spears’s legal defense team remain invested and/or involved with the ongoing probate conservatorship. If Britney Spears is to ultimately be re-granted control over her estate and her own legal agency under the eyes of the law, it will be done through these authority figures who wield control over Spears’s confidential medical records.

### Part III: Examples of Panopticism across Spears’s music videos & song lyrics

Throughout the videography of Britney Spears, there persist themes of Spears being watched – not only by fans viewing on screens, but with Spears acting among crowds or dancers, who simulate her interactions with the media. While this theme is more cleverly disguised in Spears’s earlier albums, some music videos from her albums *Circus*, *Femme Fatale*, and *Britney Jean* reveal how Spears made a career comeback by seemingly ascending through simulated acts of punishment. Spears and these actors make the male gaze transcend from fans’ eyes towards achieving Panopticism.



Figure 1. Britney Spears, in the center of multiple rings, near the end of the *Circus* music video. (Director: Francis Lawrence)

## Convergence Rhetoric

Britney Spears's 2008 album *Circus* brought about the single of the same name. This song juxtaposes various dichotomies, with Spears in the chorus declaring "All eyes on me in the center of a ring" like a circus ringleader [1]. Media studies professor Christopher Smit compares Spears to the showman P.T. Barnum, in that both have "taught us well the lessons of contrast" (Smit 26). At the song's start, Spears sings: "There's only two types of people in the world / The ones that entertain and the ones that observe / Well, baby, I'm a put-on-a-show kinda girl / Don't like the backseat, gotta be first" [1]. Analyzing lyrics like these, Smit assesses that Spears is enacting "a sort of call and response ritual, a reactionary and ironic performance" (Ibid). Indeed, when Spears first sings the chorus line "Everybody let go", she is ironically restrained by two male dancers. The male gaze of this music video is reinforced further by the second dichotomy, with shots of a more glamorized Spears brandishing a whip: "There's only two types of guys out there / Ones that can hang with me and ones that are scared" [1]. From here, Spears simulates auto-asphyxiation with her whip in front of top-hat wearing shadow figures, poses below a shower of sparks, and sways between two lions. The video ends with Spears in the center of three rings: one with acrobats spinning overhead, one with her surrounded by dancers, and the largest being an actual circus ring (see Figure 1).

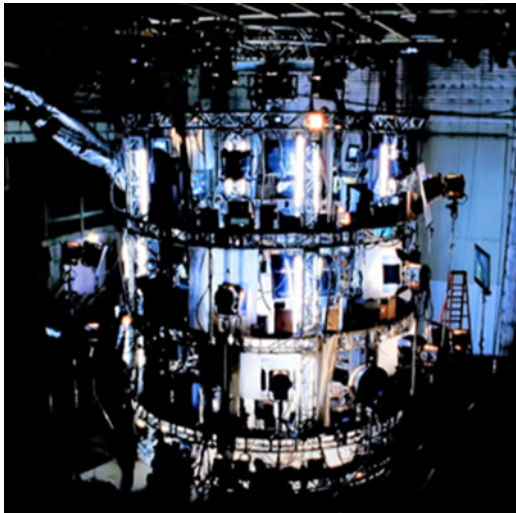


Figure 2. A circular structure, constructed like an inverted panopticon, as seen in the *Hold It Against Me* music video. (Director: Jonas Åkerlund)

The 2011 album *Femme Fatale* brought about the lead single "Hold It Against Me". While its lyrics suggest Spears is shying away from approaching an attractive man, its music video embodies multiple traits of Foucault's Panopticism and the notion of desire as product. It does so by incorporating camera footage juxtaposed with shots of cameras, a wreath of microphones, performance stages, and most tellingly – an inverted panopticon (see Figure 2). While Spears asks



“If I said I want your body now, would you hold it against me?” [2], a bevy of previous music videos play around her singing on a vertically moving platform within (see Figure 3). Some scenes also parallel the setup in the *Circus* music video, where Spears is centered among a circle of dancers and lighting rigs.



Figure 3. A birds-eye view of Britney Spears as the guard of her own inverted panopticon, as seen in the “Hold It Against Me” music video. (Director: Jonas Åkerlund)

While continuing to perform in the music video, Spears is depicted struggling with where to place her latent desire, even fighting with a doppelgänger. Spears wants a man who feels like Paradise, to produce a relationship with; but Spears also claims she needs a vacation, a rewarding acquisition for someone who has performed as hard as she has. As an artist and in this context, Deleuze and Guattari would label Spears “the master of objects” whose “work of art is itself a desiring-machine” (Deleuze and Guattari 32). The man Spears desires, though, is never made clear; instead, the music video ends with a question mark.

The following album, 2013’s *Britney Jean*, was released with the lead single “Work Bitch”. The album’s release also coincided with the start of a four-year residency show in Las Vegas, titled “Britney: Piece of Me”, alluding to Spears’s 2007 song where she addresses paparazzi and those judging her public mental breakdowns. However, the music video for “Work Bitch” contains a spectacle even larger and dancers more sexualized than in previous videos.

Rather than one setting, viewers are rapidly presented with three opening settings: Spears and her dancers in front of a swimming pool, Spears with her branded perfume beside a boudoir (a parallel to the opening scene of *Circus*), and Spears with her dancers on a square platform in the desert. As Spears induces aspirations of material wealth in the lyrics, questioning if listeners want items like luxury cars or a “party in France” [3], she answers for them by exclaiming “You better work, bitch!” [3], thus perpetuating the near-myth of meritocracy in capitalist society.



Figure 4. A still from the music video for “Work Bitch”, simultaneously depicting Britney Spears exerting dominance over an actress and product placement for multiple hyper-real destinations. (Director: Ben Mor)

Unlike the previously explained music videos, the aspect ratio for “Work Bitch” constantly shifts; this presents a visual contrast between scenes showing empty landscapes and the man-made mega-playground of Las Vegas. These nighttime scenes feature Spears, scantily-clad male actors, and female dancers in BDSM outfits – all in front of the Planet Hollywood Resort, where Spears performed her Britney: Piece of Me residency show (see Figure 4). Such juxtaposition doubles as product placement, and further contrasts with the individual product placement scenes in “Hold It Against Me”. Jean Baudrillard would state that “imaginary stations” like Las Vegas are “a town whose mystery is precisely that it is nothing more than a network of endless, unreal circulation...” (Baudrillard). Furthermore, in another metaphorical scene, Spears is shown standing on a pillar, dancing over circularly swimming sharks.



Figure 5. Britney Spears restraining her dancers, further indicating a dysfunctional power dynamic that Spears does not have control over in her private life. (Director: Ben Mor)



Following her request for listeners to “Go call the police / Go call the governor” [3], the already dehumanized dancers get interspersed with shots of cyborg mannequins. Suddenly, during the song’s outro, the white platform becomes an inverted pyramid that Spears stands on top of (see Figure 5). Her dancers, unable to “work it out” [3], then become visually associated with shots of the mannequins exploding. Tying back to the notion of an artist as master of objects, an artist similarly “puts before us shattered, burned, broken-down objects” (Deleuze and Guattari 32). This explosion also represents the breaking down of Spears’s psyche, as “breaking down is part of the very functioning of desiring machines” (32).

As can be seen throughout these music videos, song lyrics, and more, it is not just Britney Spears against the music in the zone this panopticon covers. Rather, there remain institutional networks to contest and contend with on Spears’s radar.

#### Part IV: Freeing Britney from conservatorship

While being filmed by MTV for the 2008 documentary *Britney: For the Record*, Spears (without directly mentioning the then-new conservatorship she was placed under) compared herself to a prisoner during a candid moment. Spears remarked that “I’ve had that nature in me that wanted to rebel out. I never wanted to become one of those prisoner people; I always wanted to feel free, and go in my car, and not let people make me feel like I had to stay at my home...” (Griffin). Unfortunately, in the 13 years since that documentary’s release, Spears has largely been confined to her home, and to therapy sessions not set up on her own terms, when not performing.

Britney Spears has been left alone so little since the probate conservatorship was instituted in 2008 that even in her absence from the public spotlight, she remains fully objectified. However, since 2019, when changes were made to the conservatorship, the #FreeBritney movement has made headlines on behalf of Britney Spears, bringing increasingly concerning details about Spears’s situation to light, and compelling many working in (or for) the entertainment industry to re-examine their public judgments of Spears. An emerging cottage industry of documentaries probing into Spears’s situation has even arisen, with each film’s crew making revenue off of her image.

During a court hearing in June 2021, tension among all parties in the conservatorship culminated with Britney Spears’s testimony to Judge Brenda Penny of the Superior Court of California. At this hearing, Spears revealed that when she decided not to do a second Las Vegas residency that her father pushed for, doctors consequently placed her on lithium medications and forced her to participate in therapy sessions, while not getting to choose the doctors nor the frequency she sees them. Going off these remarks, Spears’s own home took on the form of a hospital and psychiatric ward, a site for extra-judicial punishment. Spears herself stated “I feel like I live in a rehab program. This is my home” (Superior Court of California). Spears also revealed that doctors inserted an

I.U.D., going against her wishes to someday get pregnant again and have more children while she can. Britney Spears even alleged that her mom, Lynne, was reinforcing the patriarchal nature of the conservatorship. She alleged that Lynne used the COVID-19 pandemic to lie to her daughter about the lack of self-care services like nail salons: “I saw the maids in my home each week with their nails done different each time. [Lynne] made me feel like my dad does, very similar, her behavior, and my dad, but just a different dynamic” (Ibid).

[figure 6]

Figure 6. A screenshot from one of Spears’s *Instagram* posts addressing the conservatorship, featuring a lengthy caption by social media standards.

Since this hearing, Britney Spears has acknowledged, at the risk of further and future disciplinary actions, both the conservatorship and the #FreeBritney movement. In the caption of an *Instagram* post dated July 17, 2021 (see Figure 6), Britney explicitly acknowledged that “This conservatorship killed my dreams...so all I have is hope, and hope is the only thing in this world that is very hard to kill...yet people still try!!!!” On August 9, Britney hinted at the allegations that her handlers managed what Spears posted on *Instagram*, and past accusations of madness, while showcasing a fan with a #FreeBritney flag. Spears captioned this post by stating “...with what I’ve been through, I believe I [sic] been WAAAY TOO CAUTIOUS!!!! One day I will live on the edge!!!!” At the time of this publication, Britney Spears has since explicitly referenced the conservatorship and #FreeBritney movement in the captions of four more recent *Instagram* posts.

## Conclusion

When this paper was originally written, the progress of the conservatorship court hearings was ongoing. In September 2021, Jamie Spears filed a petition to remove himself from being the conservator of his daughter’s estate, and Judge Brenda Penny granted that request. While it is possible that this motion could lead to the termination of the Britney Spears conservatorship, Britney Spears currently remains a conservatee.

So much has been filmed, photographed, said of and written about Britney Spears that I was initially hesitant to add even more discourse on the artist. However, as public discourse and media narratives on gender equality and mental health have noticeably shifted since the late 2000s, I began to question how Spears went from being seemingly omnipresent in popular culture to becoming overprotected. If Britney Spears, one of the most beloved entertainers of all time, is not able to move freely and live life, on her own terms, in the so-called ‘Land of the Free’...then how can we? If the many handlers surrounding Spears have disabled her independence, supposedly based off of a disabling mental illness, then what does that suggest for the less famous millions of us, whose (bio-)power is similarly afflicted by some sort of disability? These questions were the genesis for connecting the concept of the panopticon (and Foucault’s Panopticism) to Spears’s career and conservatorship in this paper.

Britney Jean Spears, for those who do not know her privately, is a wage slave for all of us. We cannot deny it, and we cannot try to hide it; for that is what the power structures of patriarchy, consumer culture, and the law attempt to do. Perhaps the only people in the entire world who see Spears at her most authentic are her two sons, who have been used as emotional and legal leverage against their mother, amid a network of institutions beyond their control.

Had Michel Foucault lived to the 1990s, he probably would have been fascinated by the ways in which a young Britney Spears ruptured sexual norms, promoting a new (and accepted) type of promiscuity for the new millennium. Alternately, Foucault would have been very concerned that his extrapolations of Bentham's panopticon became more real than even he anticipated. With Britney's life being in the public eye since the time she was an eight-year-old child star on The Mickey Mouse Club, the weight of society's judgment over the following decades has kept her perpetually tortured, with this torture even being approved by court order and her own parents.

When it comes to 'freeing' Britney Spears, it may not be "a matter of emancipating truth from every system of power", as Foucault opined, "but of detaching the power of truth from the forms of hegemony...within which it operates at the present time" (Foucault, *Power* 133). Despite dozens of trials and tribulations, Britney's loneliness is not killing her, and she is stronger than yesterday. By continuing to expose, as much as possible, the formerly concealed power structures within the archaeology of Spears's surveilled super-stardom, fans and concerned citizens alike will bring about reforms that can more assuredly guarantee the civil and human rights of anybody trapped in a limbo of legal, medical, and professional battles.

It is my hope, for anyone seeking to transform the way power structures negatively affect our lives, that the written and visual rhetoric of these philosophers will illuminate the lengths to which power structures keep celebrity bodies (of work), famous or not, in the figurative dark side. It is also my hope that these connections, in relation to Britney Spears's body of work across multiple genres, will inspire fans of the pop star to continue fervently organizing towards the end of a controversial conservatorship that is controlling Spears's estate and very personhood. Thanks to the writings of the aforementioned French philosophers, we can better understand how (and why) this caged bird has sung. Like a canary in a coal mine, it is time for her (and all of us) to break free.

*Editor's note: Shortly before this essay was published Britney Spears was indeed freed, on November 12, 2021.*

#### End Notes

1. *Circus*, as sung by Britney Spears. Produced by Benny Blanco and Lukasz Gottwald. Written by Lukasz Gottwald, Claude Kelly, and Benjamin Levin.
2. *Hold It Against Me*, as sung by Britney Spears. Produced by Lukasz Gottwald and

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Max Martin. Written by Lukasz Gottwald, Max Martin, and Bonnie McKee.

3. *Work Bitch*, as sung by Britney Spears. Produced by Sebastian Ingrassio, Otto Knows, and will.i.am. Written by William Adams, Ruth-Anne Cunningham, Sebastian Ingrassio, Otto Jettman, Anthony Preston, and Britney Spears.
4. As of this publication, another one has been released: Netflix's Britney vs. Spears.
5. The full court testimony can be accessed online at <https://www.documentcloud.org/documents/20985067-britney-spears-june-23-conservatorship-hearing-transcript>.

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