

TXSTUR

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Volume VI | Issue I

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IS NOT AN
OPTION!

Cover Image:

View of the Women's March on Washington from the roof of the Voice of America building. Taken by Voice of America.

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DEAR READER,

We are thrilled to present to you the 2017-2018 edition of the Texas State Undergraduate Research Journal. As the sixth-generation of managing editors, we appreciate the foundation created by our predecessors and made it our goal to further the growth of our publication with this new issue. Continuing the legacy of the journal and its former editors, we are proud to produce another issue of TXSTUR that features the work of undergraduate authors and editors.

This edition highlights exceptional student research in sociological, educational, governmental, and environmental issues. Distributing in print for a second consecutive year, TXSTUR continues to evolve and we are eager to expand our reach across academia to encourage research-forward conversations among Bobcat students, staff, and faculty.

We would like to thank Dr. Ron Haas for his dedication to quality research and writing, and Dr. Heather Galloway for her unending support of the editorial team. We would also like to thank all of the accomplished undergraduate students featured in this issue; we are overjoyed at the exemplary works our fellow Bobcats have produced. Finally, we are particularly grateful to our editorial board and faculty reviewers who have worked to ensure quality above all else. Our publication would truly not be possible without them.

We look forward to seeing the new realms of research Texas State students will explore in the future and encourage our readers to consider publication of their own work in TXSTUR. You can find more information about how to get your work published at our Undergraduate Research website, txstate.edu/undergraduateresearch/txstur.html.

SINCERELY,

RACHEL FREEMAN & SAWYER CLICK

MANAGING EDITORS, *TEXAS STATE UNDERGRADUATE RESEARCH JOURNAL*

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Playing to Win: American Exceptionalism and Corrupt Band Culture

By: Bridgette Abbott

As students faint from the physical exhaustion of marching band and drop to their knees in tears at the sight of audition results, it becomes apparent that artistic expression was never the goal of their musical performances. The goal was to win. This isn't a rare occurrence, as competition has been the main focus of American music education for as long as many of us can remember. How has the art of music boiled down to generating victory rather than conveying passion and expression? If the emphasis of competition continues to grow, what is to become of American musicians? This research analyzes Adria Rachel Hoffman's study, "Exclusion, Engagement and Identity Construction in a Socioeconomically Diverse Middle School Wind Band Classrooms," Jill F. Kilanowski's study, "Marching Athletes: Injuries and Illnesses at Band Camp." Analysis of these studies, in collaboration with assorted scholarly articles, notes the foundation of competition in America and addresses current flaws in the American system of music education. America cannot change its past but it can adjust the ways in which its competitive history dictates current methods of music education.

It's not the least bit unusual to see a group of high schoolers holding shiny instruments and running around a parking lot in one-hundred-degree weather. If you look closely, the parking lot is painted with the lines of a football field and there are grown adults screaming at them to march more in time or to scoot over a couple inches to the left. Every year groups of young student musicians sit in a room and play the same etudes for judges who are hidden behind bed sheets quietly making marks each time a student plays a wrong note. This is how American public education band programs teach their students how to make music, and this is a prime example of the concept of American exceptionalism. When the United States gained its independence from Great Britain, it made a great effort have a culture quite different from that of which was held in Europe. Eventually the United States needed more than independence; it became a subliminal national objective to be different but better.

Public education band programs have always

been a jumble of toil, friendship, and excitement, but as of late have induced a high amount of stress for students. With competition after competition and the increasing need to empirically evaluate music performance in band programs, it's no wonder high school students are having a hard time naming what it is about music that makes them continue to do it. While competition can be an excellent way to engage young members in band culture, this competition poses a threat to the appreciation of music such that it requires the excessive input of energy and time from students whose life goals are often not yet prioritized to music. This paper addresses the historical shift in American band culture, the recent shift in public education legislation, the increasing competitiveness in band culture, and what band programs are like in America today in order to showcase the inconsistencies between the theory and reality of American band programs. American band programs are guided with the intention to inspire, educate, and provide artistic outlets to young people; but in reality, such programs have become pitfalls of emotional

and physical stress driven by competition and other various methods employed by the American music education system which has focused band culture on action rather than art.

Historical Shift in Band Culture

It was once the norm for wind bands to play music, such as marches, as a form of encouragement for those who were serving in the military. But eventually, there was a shift in history where wind bands began performing a form of entertainment for the American people. This refashioning of band culture cannot be attributed to an exact date in time, but it is better understood as a slow shift that occurred throughout the era in which John Philip Sousa gained his fame. Even those who have not the slightest idea of the purpose of a wind band will likely recognize this name.

Georgetown University's musicologist Patrick Warfield captured John Philip Sousa's journey to becoming America's March King in his article, "Make the Band: The Formation of John Philip Sousa's Ensemble." In 1880, John Philip Sousa began to lead the U. S. Marine Band, which at the time was locally popular, but "never toured [and] rarely played outside of Washington" (Warfield 31). Sousa eventually decided to stop conducting for the Marine Corps and created his own private ensemble in 1892, which featured militaristic music themes and was named Sousa's Band (Warfield 39). This new ensemble of Sousa's was formed upon contract with David Blakely, which afforded Sousa an annual salary that was "four times what he earned as a marine" (Warfield 39). Sousa's acute increase in salary and abandonment of the military suggests the growing popularity of wind bands for the American public at the time.

Sousa was only paid so highly and given a contract because he was not alone in the industry. Sousa's biggest counterpart at the time was Patrick Gilmore, to whom he was frequently compared in terms of his conducting skills and the technical levels of his band (Warfield 44). While Sousa's band rivaled Gilmore's band for many years, Sousa's eventually surpassed the fame of Gilmore's due to Gilmore's untimely death (Warfield 51). As Warfield points out, Sousa was a well-known and liked composer in the 1880's, yet it was in 1893 that "he had become a national celebrity" because he was able to compose music for the entire nation (Warfield 60).

We recognize the name of John Philip Sousa because Sousa took military music played by military wind bands and renovated it into a genre of music played by non-military bands and cherished by the entire nation. Sousa truly managed to materialize American wind band culture during his lifetime such that he composed 136 military marches and redeveloped the tuba into the marching version that we recognize today as the sousaphone (Britannica). Most importantly, Sousa raised the level for what a true wind band should be, such that his band had exceptional technical abilities and "[produced] a higher class of music" for its time (Warfield 43). After Sousa was done, it was a different form of art for the American people.

Recent Shift in Public Education Legislation

The Elementary and Secondary Education Act was signed in 1965 by President Lyndon Baines Johnson with the goal of enhancing the quality of school for young Americans. After a period of time, laws need reauthorization; thus, then-President George W. Bush reformed the Elementary and Secondary Education Act into the No Child Left Behind Act by in 2002. The No Child Left Behind Act was signed into law to create equality for students by focusing on how children are prepared for state assessments and addressing achievement gaps between young students (Every Student Succeeds).

After fourteen years, the act was once again in need of reauthorization, so the Elementary and Secondary Education Act was reauthorized into the Every Student Succeeds Act in 2015 by then-President Obama (Every Student Succeeds). The Every Student Succeeds Act focuses on preparing high school students for college and protecting those who are at an economic disadvantage for academic success (Every Student Succeeds). There is a hitch to the Every Student Succeeds Act, however, being that music and arts have been given significantly more funding from the states:

Each local education agency...that receives an allocation under section 4105(a) shall use a portion of such funds to develop and implement programs and activities that support access to a well-rounded education and that...may include

programs and activities, such as...programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution [and] Each State that receives an allotment under section 4103 shall use the funds available under subsection (a)(3) for activities and programs designed to meet the purposes of this subpart, which may include...supporting local educational agencies in providing programs and activities that... increasing student access to and improving student engagement and achievement in... activities and programs in music and the arts (S.1177).

This increase in funding has prompted music and art programs in public schools to be treated similarly to qualitative classes such as sciences and mathematics, rather than the creative outlets they were originally created to be for students. This legislation supports high school band directors in their choices to assess student performance skills in qualitative fashions and therefore ignore assessments of artistic aspects. But what happens when music classes, such as band programs in public schools, are

"It's no wonder high school students are having a hard time naming what it is about music that makes them continue to do it."

placed on the same level as core curriculum courses? Band programs risk becoming a class where mistakes become more important than success. In theory, these assessments are supposed to push students to be better at their instruments and become better musicians. Yet, in reality, the opposite occurs. As students gain stronger technical abilities, the passion in their music is lowered due to their music being empirically assessed.

Competition in Band Culture

Measuring musical success by competition does more than place musicians in an order of chairs in a classroom, it affects how students perceive their overall success in life. Adria Rachel Hoffman's

"Exclusion, engagement and identity construction in a socioeconomically diverse middle school wind band classroom," in the Journal of Research in Music Education, uses six extensive case studies on six different middle school children enrolled in wind band who had "diverse socio-economic, ethnic, musical and academic backgrounds" in order to understand how middle school wind band can influence the identities of middle school children (Hoffman 214). Each child would tell Hoffman about their "perceptions, relationships, personal struggles, successes and goals" throughout the duration of one year of middle school band (Hoffman 214).

Hoffman initially found that the middle-school children would purposely avoid sticking out from the group, and instead choose to blend in by altering their actions to become more similar to the group as a whole (Hoffman 216-218). Hoffman found that one of the participants noted that another student would "[avoid] 'showing off' his musical skills," likely in order to avoid sticking out of the group (Hoffman 218). But interestingly enough, Hoffman found that as soon as "the band teacher introduced competition into the classroom, [Hoffman's] participants questioned their previously asserted identities as band members and expressed feelings of insecurity" (Hoffman 218). While at least one of Hoffman's participants was in support of auditions to separate the students based on talent, it didn't change the fact that the auditions would change the way each student was perceived (Hoffman 219). Overall, Hoffman found that children who participated in middle school band had a shift in identity (Hoffman 209-226).

Noa Kageyama of The Julliard School points out in "Are Competitions Good or Bad?" how competition can be both a good and bad factor in the study of music, but also that it's important to consider when and where it is being applied (Kageyama). Kageyama makes an analogy to professional sports compared to youth sports, being that "the primary goal of youth sports has always been education" while the goal of professional sports "is not education, but entertainment" (Kageyama). When applying this observation to competition for youth musicians, it becomes clear that young people participating in competitions have a different dynamic when compared to other groups of people. This is because it is young people who are much more heavily engaged in the process of being educated as compared to

adults.

A common form of competition seen in the field of music is an audition. Many high school musicians are required to create audition tapes at some point in their study of music. Auditions are both an important and decisive element of any given fine art, as there must be a way to separate those with more experience and talent from those who have not yet acquired such skills. This separation allows for there to be groups of artists who can successfully work toward common goals. While engaging young musicians in the audition process does prepare them for the professional world of music, the criterion on which they are often measured only sets them up for a perception of failure.

The American Federation of Musicians' "6 Tips on Nailing that Orchestral Audition Recording" describes six specific ways in which one should approach the creation of an audition tape for an orchestra (6 Tips). In this article, the first tip is to "aim for perfection," yet not once does it ever mention that one should aim for musicality (6 Tips). This is the kind of message being spread not only to those who already have developed their musicality, but to the young people that have yet to do so. While it is important to "never send a recording that contains errors in tuning or timing," there is also a sense of musicality that is lost when one is repeatedly playing a phrase over again for the sake of perfection (6 Tips).

American Band Programs Today

As music programs fall more in line with core-curriculum courses, music education teachers in public schools have begun to change the ways in which they teach music. In "A history of the North American Band Directors' Coordinating Committee, 1960–1970" by John M. Seybert for the *Journal of Research in Music Education*, Seybert claims that "a cyclical process has resulted in many directors' refusal to concede valuable rehearsal time and performance opportunities in favor of a comprehensive music curriculum that is student centered, not program centered" (Seybert). Competition has overrun band programs today, all at the expense of the livelihoods of peers, family and musicians themselves.

In addition to researching this topic, another way to understand how the reality of band culture fails to align with its theoretical benefits would be to view it from a first-hand perspective. In my personal

experience, I participated in band throughout middle school and high school. In middle school, it was a great way to make friends and learn how to play my instrument, but by the time I got to high

"You have to be willing to fight for your happiness and success in a band program because the only other choice is to not do it at all—there is no inbetween."

band program. More than once I had to go to band competitions instead of my other classes at school. I had to have my parents drive me to school early every day, despite my parents' jobs, because marching band rehearsal started before the school buses were running and I had yet to get my driver's license. I had to wait for hours after my region band auditions for the paper with the results to show up on the glass window of a school cafeteria because if I didn't make area I knew I'd be condemned by my band director. By my senior year, I realized I wasn't enjoying the program like I used to because the competition was getting old. I began to feel like I was just another number on the marching field and instrument because that's how students get treated when competition becomes the highest priority.

High school is supposed to be a time for young musicians to learn about what music means to them, but it has turned into an experience about what competition means to them instead. Jill F. Kilanowski, PhD, RN, CPNP, conducted a study for *The American Journal of Maternal Child Nursing* called "Marching athletes: injuries and illnesses at band camp." that describes the kinds and frequencies of injuries that high school marching band students sustain (Kilanowski 338). Kilanowski's report studied the correlation between health clinic visits by 178–224 marching band students and the amount of time spent in marching band over a span of two years by these students (Kilanowski 338–347).

Kilanowski notes that high school marching bands can promote high morale for these young students, but the competitions that come with marching band "have become the focus of the high school band at the expense of showcasing the educational merits of the music program" (Kilanowski from Hosler 340). Kilanowski compares current

band directors to “coaches rather than music leaders and supporters of comprehensive music education” (Kilanowski from Hosler 340). Kilanowski found that, in respect to the years 2005 and 2006, 35% and then 27% of the students she studied during these two years, had “lower extremity musculoskeletal injuries,” 26% and then 43% had skin problems, and 15% and then 3% had gastrointestinal distress (Kilanowski 344).

These strangely high percentages of students suffering from marching band injuries is a prime example of how much America is willing to sacrifice to sustain a proliferate music education system for high schoolers. While all of this practice creates young students, who wish to pursue competition after competition, the only incentive is that their suffering has to be worth something, which has nothing to do with their passion for music. A marching band can be a great way to teach students about discipline and strength but it is not fooling anyone in its inadequacy to teach students any kind of musical skills. In America’s pursuit to push music education to the furthest extent possible, even at the high school level, it has only produced young musicians with an abundance of physical pain and an absence of knowledge in music.

When it comes to music schools and conservatories, America has an ample supply. In the article “The 20 Most Prestigious Music Degree Programs in the World,” published by Online Schools Center, a remarkable twelve of the twenty schools listed are located in the United States (The 20 Most). Seven out of the ten schools listed are American music schools in the article “10 of the Best Music Schools in the World” by Hugh McIntyre for the website Careers In Music (McIntyre). Out of fifty-eight music schools listed from all around the world, a stunning twenty-eight of them were American in an article by Amy Grant called “The Best Music Schools in the World, 2016” for CEOWorld Magazine (Grant).

Whether any of these American music schools are among the best in the world, there’s no doubt that America has developed a reputation as such. It is often believed that the United States holds greater opportunity for music careers when compared to most countries. James P. Kraft, in “Artists as Workers: Musicians and Trade Unionism in America, 1880-1917,” claims that toward the end of the nineteenth century there was an “expanding leisure market” due

to sudden industrialization, which led to “unparalleled opportunities for musicians” (Kraft 512). With the sudden rise in industrialization, it became obvious that there was “a relationship between music in the workplace and worker discipline” such that music became a method of keeping workers calm and relaxed (Kraft 513). Although there was a “blurred... distinction between amateur and professional musicians,” a formal music education was significantly more valuable when compared to an amateur passion for music (Kraft 514).

Conclusion

Middle school band students are pitted against each other in chair tests and scales competitions and therefore learn that band is only enjoyable if they are of the highest performing players. High school band students are treated like college students who have already decided to major in music performance, hence being pushed to their near limits. None of these students are being regarded as people who want to make music with their peers as a pastime while they venture through the chaos of public education. You have to be willing to fight for your happiness and success in a band program because the only other choice is to not do it at all—there is no in-between.

Current American band programs don’t necessarily make young musicians thickheaded or plainly incapable of making music, but they have an awfully high potential to break these children. Band programs go from teaching students the notes on their instruments to immediately teaching them how to make those notes better than what their peers can produce. But they are skipping the step that teaches students how to turn their notes into music, which is crucial to teach before adding the aspect of competition to music. When this flaw occurs, a false perception of music is formed, thus skewing the idea of what music is to young Americans and subjecting them to unnecessary stress. But the competition gets old. America has created so many skilled high school musicians from its public education system for nothing, given these students just stop playing because the stress of competition drove them away.

We have allowed our children, peers, selves and nation to be taught that music is about being better than others rather than about evoking emotion in our audience through a collective passion for the creation of music. Looking back on it, when my

marching band shows in high school would end, I would always wonder what place my band got. Did we make finals? Did we make first place...? Did we lose too many points because our lines were uneven in the fourteenth set? Even if it wasn't for a competition and we were just performing for a football game, I would think about how my school and our marching band would compare to the other schools with whom we often competed against. But I never wondered if the audience—the people left their homes to come see us perform a show we had worked on perfecting for hundreds of hours—actually enjoyed the show.

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The Need for an Interstate Compact Between Ogallala States

Analysis of Four Management Options as
Guidance for an Innovative Compact Proposal

By: Alexandra Thompson

The Ogallala Aquifer is an important economic resource for both the High Plains Region of the United States and the entire country due to its vital contributions to the world market. The Ogallala Aquifer spreads across eight states in its entirety: South Dakota, Wyoming, Nebraska, Kansas, Oklahoma, Colorado, New Mexico, and Texas. Agriculture in these states depends heavily on the water the Ogallala provides, and the economy of the United States would face severe impacts if it ever ran dry. The chief problem the aquifer faces in terms of sustainability, is the difference in regulation the encountered from state to state. This results in issues with future planning and management for the states regarding irrigation for agriculture, dairy farms, cattle ranchers, and municipal water supplies. As a result of people pumping groundwater faster than the aquifer is able to naturally recharge itself, the Ogallala faces a seriously depleted water table. The question is not why or how the aquifer will go dry, but when. Upon a research of this subject, this review proposes that all eight of the states must create a compact and be in agreement on one method of management to implement, granting some lee-way for particular local needs and acknowledging the varied availability of water in different sections of the aquifer. Secondly, states must allot correlative rights based on property rights determined through groundwater acre-feet per acre of surface property owned. The compact must also possess a binding long-term sustainability plan and require mandatory metering of every property owner in every state. It is up to the next generation of college graduates and future occupants of political positions to reverse current trends towards environmental exploitation and create an atmosphere conducive to environmental stabilization and the preservation of the Ogallala Aquifer.

The Ogallala Aquifer is an important economic resource for both the High Plains Region of the United States and the entire country due to its vital contributions to the world market. The Ogallala Aquifer spreads across eight states in its entirety: South Dakota, Wyoming, Nebraska, Kansas, Oklahoma, Colorado, New Mexico, and Texas. Agriculture in these states depends heavily on the water the Ogallala provides, and the economy of the United States would face severe impacts if it ever ran dry. The chief problem the aquifer faces in terms of sustainability, is the difference in regulation encountered from state to state. Each state has different laws and policies regulating the pumping and usage of groundwater resources. This results in issues with future planning and management for states regarding irrigation for agriculture, dairy farms, cattle ranchers, and municipal water supplies. As a result of people pumping groundwater faster than the aquifer is able to naturally recharge itself, the Ogallala faces a seriously depleted water table. Some debate whether or not it will eventually be drained dry, but experts, scientists, land owners, and city officials all know it's inevitable. The question is not why or how the aquifer will go dry, but when. A brief analysis of management styles of the aquifer within a report presented to the Texas State Comptroller of Public Affairs, Glenn Hegar, helps clarify the different approaches to aquifer management presently used and proposed. This capstone report presented to Hegar was created by students at Texas A&M University in the Bush School of Government & Public Services and will be used as a guideline for a possible management strategy to a new interstate compact proposal amongst the states that share the Ogallala Aquifer. The need for an interstate compact among the states that share this vital and finite resource can no longer be ignored. It is an undeniable reality that if these states truly want to preserve and utilize, to the best extent, the benefits this resource has to offer, and extend its economic contributions to the United States' economy long-term for future generations, changes must be made to the aquifer's management.

Threats the Ogallala Aquifer Faces

The main issues this finite resource faces are depletion, contamination, and a lack of collaborative

management styles between the states that use this aquifer; the latter of which is further discussed in the next section. When many states originally created their groundwater management rules, they did not have proper models to use other than those used for surface water laws. There was also less scientific evidence about groundwater when most of these laws were written into state constitutions, and not all states have been adequately revising them as technology and scientific evidence provides reasoning to do so.

The depletion of the aquifer is complicated by the fact that certain areas are more depleted than others. The overall amount of groundwater available within the aquifer seems like a large amount, but the water is distributed unevenly across the High Plains. This is due to over pumping of the groundwater in certain areas and the geology of the aquifer itself. The southeast flow of the aquifer's groundwater combined with current depletion rates guarantees the present steady fall in groundwater levels.

In Texas, the aquifer has dropped 25 percent in drainable water—water that is not in the process of infiltration, but is underneath the water table and able to pump. Water levels have dropped an average of 40 feet since pumping from the Ogallala began in Texas and continues to drop about one to two feet per year. In New Mexico, 20 percent of the aquifer's water is gone. This is problematic because the saturated thickness of the drainable water has to be at least 30 feet in order to be usable for irrigation. Some areas are hurting worse than others with drainable water plummeting between 50 to 100 feet in the worst sections. Other locations have seen saturated thickness drop more than 50 percent. In Colorado, their small share of the water from the Ogallala, much like New Mexico's sharp decline in water levels, has depleted so rapidly that the majority of the Ogallala water throughout the state is less than 50 feet thick. Other states throughout the aquifer have patterns of depletion similar to those previously mentioned, with certain areas still possessing abundant water reserves, and many others already seeing the impacts of gradual depletion.

In recent years, the causes of falling water tables have diversified. The need for municipal water supplies for cities and suburbs increasingly occupies a larger share of water use in many areas, driving up the cost of pumping water. This increased cost of pumping, coupled with falling water levels, creates a

positive feedback loop that operates against farmers' interests. Increased pumping costs place such high financial strain on farmers that many pursue three primary courses of action to alleviate financial stress: attempting to switch crops that are more economically feasible to grow, selling the farm to another land owner to consolidate properties, or selling to developers. If the farmer sells to developers, those developers often then use the land to create housing that requires a steady water supply. These residents then use the already-depleted water the farmer could

"As a result of people pumping groundwater faster than the aquifer is able to naturally recharge itself, the Ogallala faces a seriously depleted water table."

not afford to pump and continues to drain the aquifer at an alarmingly fast pace.

The Ogallala Aquifer also faces overuse from a new population of migrants: California dairy farmers. Californians severely depleted their own groundwater resources in recent years, leading many dairy farmers from the state to relocate to the High Plains. The climate, price of land, and the lenient laws have attracted dairy farmers to the region, but their impact is not altogether positive. While dairy farms have the potential to contribute more economically than other typical agricultural crops, they also require and use a lot of fresh water in order to stay in production—water that is increasingly difficult to access.

The aquifer also faces the issue of groundwater contamination. Many of the farmers depleting the aquifer through irrigation also contaminate it with chemicals used to produce crops at the best yield possible each year. One particular process called chemigation relies on the injection of chemicals into water set aside for irrigation and the dispersal of the treated water among the crops. This process is highly efficient and leads to less waste of product. Through chemigation, farmers are able to multitask, resulting in an incredibly efficient method of irrigation and crop maintenance. The problem with chemigation, however, lies in the very source of its effectiveness—by introducing the fertilizer into the water, the chemicals are mixed directly with the water molecules. The

chemigated water not absorbed by the crops or that does not evaporate, returns to the soil and eventually makes its way down to the water table, bringing contamination directly to the High Plains' most important water source. Some claim the soil will naturally filter these agents out, but eventually even the ground becomes so saturated with chemicals that natural filtration can no longer occur. At this point, all those chemicals simply mix into the previously clean groundwater.

Sewage leakage from old septic tanks and wastewater lines also pose serious threats to groundwater contamination, as does the problem of brackish and saline water. Some of this quality degradation occurs naturally and can, in part, be tied to higher contaminant concentrations in the depleted water levels that once filtered out and dispersed these constituents within the water. Much of the contamination though relates back directly to human activity. This all means that not only is there not as much water available, but the water that does remain becomes less and less usable.

How States Currently Manage Groundwater Resources

Management of groundwater resources varies from state to state, making the work of managing and preserving the aquifer quite difficult. Water rights laws are supposed to solve three problems: who owns the water, who has the right to use the water, and how much water can be pumped. In determining ownership of the water, most of the states across the High Plains tend to agree that the water should be public property, though Texas and Oklahoma deviate from the majority on this point. Oklahoma deems ownership to the person who owns the overlying land. In Texas, the law states that, "water is owned in place by the landowner." Texas treats groundwater ownership as a property right by rule of capture as tort law, as determined in the 1904 court case *Houston & Texas Railway Company v East*. Because of this rule of capture designation, a landowner can also pump their neighbor's water without legally owing their neighbor compensation. The law also does not require surface water—such as the portion of through flow and groundwater flow that feeds springs, streams, lakes, and rivers—to be considered in one's pumping practices. Some amendments do attempt to regulate

pumping practices within Groundwater Conservation Districts so as to help level the playing field; but where these exist, they are the exception rather than the rule. Ashworth refers to the Texas's rule of capture operations as a "textbook example of the tragedy of the commons in operation," (71).

Determining who has the right to use the water, is a slightly more complicated problem water rights laws attempt to solve. All the states in the High Plains require that all the water is put to "beneficial use," but its definition varies among the states. In Wyoming, Colorado, and New Mexico there is a permit required for any and all wells, including those designated for domestic use and drinking water for livestock. The other five states have exemptions for domestic and livestock water supply and only require permits for "high capacity" wells intended for purposes such as irrigation and municipal water supplies. Oklahoma, Colorado, and New Mexico allow the sale of groundwater rights between private entities for profit. Four other states, Kansas, Nebraska, Wyoming, and South Dakota, designate water rights to individual wells, meaning water must be pumped from the ground before it may be sold. In Texas, the property owner may sell their groundwater right separately to a third party, but the third party must still acquire a permit to drill a well on the surface property.

The third problem concerns the volume of water that can be pumped, and groundwater management districts play a key role in determining the amount. All the High Plains states have some form of groundwater management district, though they may vary in name and roles in each state. South Dakota is the only state of the eight that has its groundwater completely controlled by the state with a "top-down" method of management, meaning all authority ultimately rests with the state government. In Colorado and New Mexico, a state engineer oversees and manages the groundwater districts. Both Colorado and New Mexico also practice Conjunctive Management, meaning the state governments recognize the connections between Surface and Groundwater and how activities with one will inherently affect the other.

Each of the states practice some form of prior appropriation, correlative rights, or a unique mixture of both, depending on location. Prior appropriation is usually associated with the saying, "first in time, first in right." This system designates the first person

to apply for a water right as the senior water rights holder. The senior right holder possesses privileges such as the right to pump during times of drought, while everyone who applied for water rights after them, known as junior water rights holders, will usually be cut off first. Correlative rights revolve around attempting to treat everybody fairly, regardless of who obtained rights first. Property acreage typically determines how much water an individual is allowed to pump. In times of drought, all water rights holders are required to limit their pumping. In Texas, Texas statutes chapter 36 allows groundwater districts to have the ability to decide for themselves which method they choose to use and implement.

Each state also implements its own rules for addressing draw-down rates and restrictions necessary to minimize them. Variation in regulation may even be broken down within the different groundwater districts as every state, with the exception of South Dakota, implements a "bottom-up" form of management so as to keep regulation local. This allows regulators to better address the specific conditions and environment of a particular area. These seven states attempt to limit amounts of depletion within the Ogallala Aquifer using various methods, from caps on the amount of water that can be withdrawn to limits on the speed of water table decline.

In Texas, the Groundwater Conservation Districts (GCDs) compile desired future conditions (DFCs). These DFCs act as a basis for 50-year plans of the future of the aquifer as a water source for each particular district. These plans are revised every five years with the aid of the most recent scientific data procured from technology the GCDs use to

"The question is not why or how the aquifer will go dry, but when."

monitor the aquifer. The GCDs also closely monitor conditions such as the aquifer flows, water table levels, and possible methods of lowering the depletion rates of the aquifer as they appear. Texas additionally creates zones known as Groundwater Management Areas (GMAs) that correlate to entire aquifers, whereas GCDs tend to be political entities usually contained within a single county, regardless of the natural boundaries of the aquifers. These GMAs review the desired future conditions established by local GCDs

and vote to determine approval of the conditions. If the list is approved by the GMA, then it is sent to the Texas Water Development Board, where a model of available groundwater is generated and used as guidance by the Groundwater Conservation District for the future use of its locally available groundwater. All future use of groundwater within a GCD must be in line with the approved DFC until it is updated in the future. Unfortunately, Texas does not legally acknowledge or practice conjunctive management between surface water and groundwater. So far, the desired future conditions for the Ogallala within the state of Texas for High Plains Underground Water Conservation District No. 1 is to allow the depletion of the aquifer by 50 percent within a 50-year period, even though it has already depleted by 50 percent since the development and irrigation of the Ogallala began in the early 1900s. This would place the DFC-projected levels at a quarter of the original volume of the aquifer, a level wholly unacceptable and unsustainable.

The most glaring example of the issues caused by Texas's rule of capture operations with its groundwater lies in the current groundwater disagreements between

"Management of groundwater resources varies from state to state, making the work of managing and preserving the aquifer quite difficult."

Texas and New Mexico. New Mexico's dwindling water levels forces the state to proceed very carefully with how it manages its remaining Ogallala water. In Texas, the rule of capture allows farmers to legally to drain water beneath a neighbor's land. New Mexican farmers must follow different laws that do not permit this, resulting in frequent disputes over water use between neighboring farms along the state line. Texas and New Mexico also come into conflict because New Mexico practices conjunctive management, meaning the state recognizes connections between surface water and groundwater. This results in laws from the New Mexican state government that aim to ensure long-term accessibility of groundwater and surface water for rights holders by protecting both from overuse and contamination. Ironically, Texas does not legally recognize or practice conjunctive management, yet

is in legal battles with New Mexico concerning over pumping of groundwater and the affects on the amount of surface water that Texas was supposed to be legally allotted to receive, as per the 1938 Rio Grande Compact between the two states. This case continues today, and the Texas Commission on Environmental Quality's website says this on the matter:

Texas is deprived of water apportioned to it in the Compact because New Mexico has authorized and permitted wells that have been developed near the Rio Grande in New Mexico. The more than 3,000 wells pump tens of thousands of acre-feet of water that is hydrologically connected to the Rio Grande. In addition, New Mexico has permitted wells that would facilitate water use, which in the future will likely significantly increase pumping of Compact water. (Texas Commission on Environmental Quality)

New Mexico is not the only state with which Texas has sparred over water rights. Texas also had a court case against Oklahoma in 2013 regarding surface water and the Red River Compact.

Simply put, Texas needs to legally affirm and adopt conjunctive management in its policymaking process because of the scientifically proven fact that surface water and groundwater are connected. State officials know this, but they refuse to practice and acknowledge conjunctive management. Texas needs to reorganize the way it governs all water rights allotted throughout the state to reflect conjunctive management, and many other issues need to be addressed with that. Troubles extend beyond lacking clear consensus on the need to recognize conjunctive management; the fact that the states all manage their water with different policies, none of which the aquifer itself is obliged to follow, makes no sense. The sustainability of the aquifer and the future of its use is dangerously jeopardized when all parties present attempt to claim and drain as much water as they can, as fast as they can. Every state within the Ogallala Aquifer, their respective economies, and the United States' economy as a whole benefits from the proper care and management of this finite resource.

Reorganizing Groundwater Regulation

On May 9, 2016, a group of students from the Bush School of Government & Public Service at Texas A&M University presented their capstone report to the Texas Comptroller of Public Affairs at the state capitol. This report is titled *Reorganizing Groundwater Regulation in Texas* and it discusses four options designed by the students as possible solutions for Texas to adopt for its management of, and policies for, the various groundwater resources. This report serves as a guideline for an interstate compact of my own design between Texas and the other states that utilize the Ogallala Aquifer.

The data for the Ogallala Aquifer in this report clearly shows that if consumption stays at its current rate, the Ogallala only has a total of 35 years left of supply, according to the 50% Total Estimated Recoverable Storage (TERS) calculation, (Brady, et. al). This means that the High Plains Underground Water Conservation District No. 1's plan to use 50 percent of the available water over a 50-year period will not suffice. The water will be gone long before that 50-year period expires if water management practices do not change. Activities in other states north of Texas, including the way they manage their groundwater pumping, contribute to this grim possibility, only further emphasizing the need for an interstate compact regulating the preservation and use of the Ogallala Aquifer.

The four options presented by the A&M students in their report *Reorganizing Groundwater Regulations in Texas* vary in their regulatory power and the various roles that different government bodies would have under each proposed regulation style. The students followed each proposed option with the pros and cons of the management changes. They also included suggestions to mitigate the issues that the parties likely to be negatively impacted by the change in governing style—parties such as members of the mostly agricultural communities—might face. As different as the four management options are in some respects, there is one commonality: treating groundwater pumping as a true property right. In Texas, groundwater pumping has always officially been classified as a property right, but in reality, the ability of land owners to obtain the necessary permits to begin pumping is often hindered due to bureaucratic red tape, such as permitting fees that vary depending on the intended purpose of the pump. In some cases, permits are even denied to property

owners because of the varying purposes for which they intend to use the water (Brady, et. al.). To eliminate this undue burden, the students proposed in all the four management styles that there be a correlative rights system established with property owners so that the amount of acreage anyone owns is directly tied to the amount of water anyone can pump, regardless of the purpose behind the pump.

Option 1 is similar to the way Texas manages its groundwater currently, where GCD's maintain local governing control. However, the regulatory process changes so that correlative property rights with established pumping caps govern how much water may be removed. Permits are issued in a uniform manner with a standard fee structure and enforced mandatory metering. This system allows people to buy and sell water rights privately.

Option 2 is similar to Option 1, but where GCD's presently govern the water and possess regulatory power, new entities will be created along hydrological boundaries. As a result, eight new aquifer authorities similar to the Edward's Aquifer Authority will need to be created for the remaining eight major aquifers in Texas. These aquifer authorities will each have a board consisting of members. Of these members, three will be appointed by the governor, and four elected into offices after each aquifer is divided into four voting districts. This system establishes the same rules for everyone, ensuring that community members are able to elect members to keep the program in check. This system allows for more long term certainty of development as management regulations are based on the specific conditions affecting each aquifer.

Option 3 differs from the first two options in that it calls for a state-wide agency tasked with regulating groundwater modeled after the Texas Railroad Commission and its state-wide management practices. The body would have three elected board members and 16 district offices—much like the GMAs that currently exist in Texas. These new offices would be responsible for metering reports and monitoring wells in their districts as well as issuing permits at standard fees that respect property rights on a correlative rights system. Permits will be issued with consideration to the safety of pumping in a given location, well spacing, the amount of land a permit applicant owns, the hydrological makeup of the aquifer of the area, and current aquifer conditions.

This system only allows transferrable rights within zones, based on the hydrology of the aquifer.

Option 4 uses the correlative rights system to determine the exact amount that each property owner is allotted to create a water bank that uses the water market features to manage the water usage. By identifying the exact amount a property owner has to use, much like a debit account with a bank, the limited water supply incentivizes conservation of the resource. Once a property owner consumes the entirety of their water reserves, the only option they are left with is to purchase either a water right or water itself from another property owner. This plan centers itself around local control and keeping the local GCDs. This option creates scarcity of water, guaranteeing market demand of the resource, increasing the value of water appropriately. Each water user or property owner receives monthly banking statements, and the aquifer's natural recharge grants credits into the account based on scientific evidence and the hydrogeology of the aquifer, further incentivizing conservation. Property owners are also allowed the use of an initial five percent of the water under their property however they want for 50 years. This system allows for water rights to be sold and shown on the account of both members as a transaction, but no such transaction may take place outside the water's district of origin.

As stated earlier, pros and cons for each type of proposed management style exist. There would likely be some resistance from local control, as under all four options the local areas would have to incorporate correlative rights. This, in turn, would meet resistance from property owners and industries, as well as some municipalities. Agricultural land owners would likely not be pleased with correlative rights, yet the alternative method of selling their property rights as a possible way to make up for their loss in crop profit exists. There also exists the possibility of metering fraud for those that unwilling to comply, but each proposed system also brings an increased legal basis from which to take regulatory action.

Conclusion

It is time to manage the Ogallala Aquifer so that further depletion will be avoided as much as possible while still getting the most beneficial use out of it. This might seem contradictory, but that is why the options presented in the A&M student's capstone

report are a valuable reference, especially since each option goes into great detail as to how exactly the different governing bodies would operate, and how permits would be allotted.

I propose a mixture of all four options would best suit the Ogallala Aquifer. I based this approach on the aquifer's rapid decline of available water for certain areas, the economic importance of the Ogallala Aquifer, and the issues present in Texas refusing to accept conjunctive management practices over the present rule of capture. First, all eight of the states must create a compact and be in agreement on one method of management to implement, granting some lee-way for particular local needs and acknowledging the varied availability of water in different sections of the aquifer.

For this to happen, it is most important that all eight states legally acknowledge and put in place conjunctive management practices. The scientific evidence is too strong to ignore that surface water and groundwater have a direct relationship. Secondly, states must allot correlative rights based on property rights determined through groundwater acre-feet per acre of surface property owned. Treatment under the law must be administered equally with no one abiding by a separate set of rules. Also, creating a water market within the Ogallala Aquifer—meaning one could only purchase from water rights holders within the Ogallala Compact—would help create scarcity and demand, further encouraging conservation by allowing demand to drive water prices within the market. The question of whether the states, the groundwater districts, or one giant aquifer authority should possess regulatory authority is more complicated. Certain amounts of regulation should be kept local through an Ogallala Aquifer Authority within each state that possesses the same structure proposed in A&M's Option 2. It will consist of a body of delegates both elected and appointed, and local voting for regulation changes must take place. Within this, though, state legislatures shall retain the power of intervention, much like the Texas legislature's ability to intervene when the Edward's Aquifer Authority fails to meet its required duties and needs guidance from a more powerful legal body. Finally, if the state legislatures fail to uphold the Ogallala Compact rules and regulations, the U.S. federal government should have the authority to step in to make sure the states and aquifer authority act in accordance with the compact. This power and

authority the federal government possesses rests in the Interstate Commerce Act, as this agricultural region of the United States contributes significantly to the country's economy. The Endangered Species Act further empowers the federal government to intervene in this region as over-pumping of the groundwater could affect the streams and bodies of surface water which endangered species throughout regions of the Ogallala Aquifer inhabit.

This compact must also possess a binding long-term sustainability plan, similar to California's management of its groundwater resources since the passage of their Sustainable Groundwater Management Act in 2014, which allows for the state to take over should the agency fail to properly perform its duties. This long-term sustainability plan should be based on the hydrogeological needs and conditions of the Ogallala Aquifer, including the varying locations of recharge. The plan must also require mandatory metering of every property owner in every state. Similar to Texas's DFC-based 50-year plan that current GCD's create and revise every 5 years, each state's Ogallala Aquifer Authority should meet every 5 years and revise the long-term sustainability plan using current, accurate scientific evidence available at the time to generate appropriate management practices for future use.

The realization of this proposal requires a massive collaboration between all eight states where they agree upon one style of management. It's difficult enough for Texas to agree upon a single style of management for groundwater within its own boundaries. This plan also requires massive increases in government funding, which is problematic as the current government tries to cut as much funding as possible for anything pertinent to environmental policy. It is up to the next generation of college graduates and future occupants of political positions to reverse current trends towards environmental exploitation and create an atmosphere conducive to environmental stabilization and the preservation of the Ogallala Aquifer.

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He Should Not Have Gone to Jared's: A Content Analysis Of 'Jared The Galleria of Jewelry' Commercials

By: Ali Mumbach

As the human race is diverse, romantic love takes on different characteristics for different people. In the 21st century, society is more accepting and understanding of the varying forms of romantic love that arise in reality, yet the media often show only one version. In a society so engulfed by media, many culturally accepted norms and values are frequently established and reinforced by the media's agenda. These norms and values are instilled within the psyche of the audience, consciously or not. Jewelry commercials are a prime example of how the media portrays romantic love. By studying the way Jared The Galleria of Jewelry depicts romance in its commercials, this research concludes what people are taught by the media to expect in their own romantic relationships.

Romantic love is oft-introduced as a concept at a very young age. Children grow up watching many different Disney movies, all with the same plot: a beautiful damsel in distress is rescued by the handsome prince, they fall in love and live happily ever after. Cue the sunset and singing birds. Because these movies are widely regarded as classics, they may be considered part of the cultural identity to those that initially saw it and the children that the movies are passed down to. As viewers mature, there is little variation of this narrative with movies, with *The Notebook* (2004) and *Everything, Everything* (2017) serving as prime examples. In my research, I will analyze how romantic love is depicted in the commercials of Jared The Galleria of Jewelry.

Romance is made out to be a big deal in American culture. It is portrayed as being a key component to experiencing true happiness. As a result of the perceived bliss that derives from a romantic relationship, individuals make being in a romantic relationship one of their primary goals (Galloway,

Engstrom and Emmers-Sommer 2015). While the media plays a big role in creating these desires, they also impact what people expect once they are in a romantic relationship. Because of the lack of varying tales, people generally believe the representation of romance in media to be realistic instead of hyperbolic. If that is the case, many are out of luck.

Literature Review

Romantic love is a big area of interest in our society. There are many industries that tap into that appeal: books, advertising and film. Although people are constantly exposed to representations of romance, there is not much research about the effects of such exposure. The available research, however, indicates that portrayals of romance in the media perpetuate gender stereotypes (Galloway et al. 2015). It also reveals that depictions of romance create unrealistic expectations in the minds of viewers. Most of the research on this topic is quantitative and focuses on young teens and college students. Results

of this research show that there may be negative consequences to the media's presentations of romantic love (Eggermont 2004 and Johnson and Holmes 2009 and Galloway et al. 2015).

A. Role of Media

Media constantly surrounds people's lives. It has become one of the biggest influences in determining what behaviors and attitudes are socially acceptable. Potter (2011) defined the mass media effect as a change in outcome within a person or group due to the impact of a mass media message or messages. Such an effect deeply impacts the development of love (Hendrick and Hendrick 1986). Research demonstrates that imitations of romantic love in mass media can produce impractical ideas about the realities of love (Galloway et al. 2015). Researchers debate over whether this is due to cultivation theory or social cognitive theory. Cultivation theory proposes that people who watch television begin to believe it reflects the real world. Social cognitive theory suggests that people actively watch television to look for ways to behave. Eggermont (2004) found that, overall, television watching caused adolescents to have specific expectations for romance, which supports cultivation theory. However, Johnson and Holmes (2009) found that genre-specific exposure created such expectations, which supports the social cognitive theory. Currently, there is not enough research to determine which theory is most accurate.

B. Gender Stereotypes

Media does more than just create values; they also have the ability to reinforce and perpetuate hegemonic worldviews (Potter 2011). This can be observed in the perpetuation of stereotypes. In Johnson and Holmes' content analysis of Hollywood romantic comedies, they determined that male characters were almost always the ones to take the lead in the relationships by always being the ones to initiate interactions, give compliments, and make grand gestures of affection (2009:360). Women are conditioned to expect these behaviors from men. This explains why even though women have a more pragmatic love style – rational, practical – they still dream and fantasize about marriage more than men (Hendrick and Hendrick 1986 and Ogletree 2010 and Galloway et al. 2015). Ogletree discovered that

pragmatic love correlated positively with the desire for a traditional wedding, even though they are more associated with eros love – passionate, romantic (2010). In observing the media's promotion of weddings primarily to women, it is important we ask to what extent the media creates desires rather than illustrates pre-existing, common fantasies for women. Nevertheless, both men and women are constantly subjected to the media's interpretation of how each role should be carried out in a relationship. And so, continues the gendered stereotypes.

C. Fairytale Romance

In addition to stereotyping, the media also depicts romantic love in a very hyperbolic way. Couples' interactions are portrayed as extremely passionate and glamorous. Johnson and Holmes note that in romantic movies, relationships evolve to a deep level very quickly without much explanation as to why (2009). This leads to unrealistic expectations of meaningful relationships in a small amount of time. (Galloway et al. 2015) call it the "Wonderful World" view of love: people who watch romance movies expect their relationships to unfold in the same way as on the screen. Both Johnson and Holmes (2009) and Galloway et al. (2015) suspect that the Wonderful World effect will lead to frustration and disappointment when those expectations do not come to fruition. Eggermont (2004) notes that adolescents may be especially susceptible to being misled because they do not have many experiences of their own to compare with. Research findings showed similar results for college students who watched romantic films as also having more idealistic beliefs about relationships (Galloway et al. 2015). Mass media influences people directly and indirectly, in short-term ways and long-term ways, whether they are conscious of it or not (Potter 2011).

Depictions of romantic love are found throughout all forms of media. These representations oftentimes reinforce gender stereotypes and create standards that no relationship can measure up to. Although there is some research on this topic, there is still a lot to be explored. It has not yet been determined whether people expect the romance they see in the media because of cultivation theory or social cognitive theory. Also, the majority of studies analyzing romance in the media are quantitative. There would be a lot of value in taking a qualitative

approach. The research has also been limited to younger demographics (teens and college students). Studying older populations would be of interest, in particular, to compare what they see in the media to what they have actually experienced. It would also be beneficial to research different ethnicities' perceptions of romantic love based on the media. Many people long for the romantic relationships that they see on TV. By learning more about the differences between what is depicted and what actually occurs, people may discover that genuine love is a lot deeper and a lot more desirable than what they expected.

Data and Methods

For this research, I use content analysis to explore how romantic love is depicted in Jared The Galleria of Jewelry commercials. Content analysis

"There was never once a scene with a man or woman buying jewelry for someone of the same sex romantically or even platonically."

provides the opportunity for an examination of how romance is portrayed, what the romantic interactions consist of, and what other information is being transmitted that contributes to what is involved in romantic love. Quantitative approaches examine the frequency of specific interactions or the number of people with particular opinions about what romantic love is. This method is also valuable because it utilizes data that exists outside of the research. Therefore, the information being presented remains consistent between the actual purpose that the data was created for and the purpose of studying it. Using content analysis will add to the body of research on media representations of romance by offering a qualitative perspective, which some studies lack.

Jewelry commercials are well known for showing scenes of love and affection between two people. I chose to study Jared's commercials because it is one of the more prominent jewelry stores and airs its commercials fairly regularly. For that reason, many people recognize the name and there is a stronger likelihood that they have seen one of the commercials. Jared's sells a variety of jewelry, including but not

limited to engagement rings, chocolate diamond necklaces, and charm bracelets. This is significant because it demonstrates that the store is not limited to only engagement rings and people who are preparing for marriage, but jewelry for all occasions and all people. Because jewelry is so often associated with romantic gestures, these commercials are prime examples of what the media presents as love between significant others.

I am accessing the commercials on YouTube and a website called iSpot.tv. The Jared's YouTube channel has commercials from 2016-2017. iSpot.tv has commercials from as far back as 2012. The commercials are about 30 seconds each, with a shortened version of the same commercial lasting around 15 seconds. However, sometimes the depiction of romance only receives a small portion of that time. The narrative of the couple becomes a lot more meaningful due to the short allotment of time centered on it. By critically analyzing these scenes, I will gain a better understanding of what these jewelry commercials convey as romantic love.

As I watched the commercials, I took notes of what actions and interactions occurred between the actors, as well as the dialogue. I also observed the settings of the interactions and the appearance of the actors (i.e. physical characteristics and attire). After reviewing these observations, I was able to separate my findings into descriptive codes. The descriptive codes created a general overview of what was being depicted. These codes led to the development of key concepts that occurred consistently throughout the commercials. The concepts evolved into categories that became the basis for the final analytical codes. Three themes emerged out of the analytical codes that exemplify what romantic love should look like, according to Jared The Galleria of Jewelry.

While content analysis is a useful method of research, it still has its limitations. One limitation of this unobtrusive method is that I do not have the ability to ask why the commercials were recorded the way they were. Content analysis is also up to the interpretation of the researcher, which means that the interpretation of viewers is not taken into account, and thus the data cannot be assumed to accurately reflect the views of society as a whole. There are also limitations to this study specifically. I am only analyzing the commercials of Jared The Galleria of Jewelry. Other jewelry stores may be

portraying romantic love in a different way than Jared's. By focusing on one store, I cannot make the most complete and inclusive analysis. There were also no other methods utilized to help support the interpretations of the data. However, in spite of these limitations, the following content analysis still provided compelling findings on how romantic love is depicted in Jared The Galleria of Jewelry commercials.

Data Analysis

By applying a critical lens to advertisements between 2012-17, we gain a better understanding of how this jewelry company presents romantic love. After completing the analysis, three themes manifested: romantic love is traditional and habitually done; romantic love is carried through relationships within the same social group (ie. race, socioeconomic level, etc.); and romantic love plays out as a hegemonic narrative, where the ruling class influences society so the views of the affluent are accepted as the cultural norm.

A. Stereotypical, Heteronormative, and Apparel

In every commercial but one, the man bought the woman jewelry. This perpetuates gender roles that put the man as the only caretaker and provider. Jared's does have men's jewelry: cufflinks, money clips, watches, bracelets, and necklaces (Jared The Galleria of Jewelry 2017). Moreover, commercials lack women buying gifts for their partners. These depictions perpetuate common stereotypes where the man is supposed to buy gifts for the woman. The implication is it's not as romantic if the female makes the gesture. The one time a woman purchased her own jewelry, she went home to show it off to her husband. This could be interpreted to mean she got the jewelry more for how he liked the way it looked on her than for herself. Also, any time there was a proposal in a commercial, the man asked the woman. This solidifies another gender stereotypical expectation. By recording the commercials in this way, Jared's portrays romantic love to dependent on commonly accepted behaviors as opposed to understandings of love and romance that challenge gender roles.

The romantic love in the commercials was strictly heteronormative. Every couple was man and woman. There was never once a scene with a man or woman buying jewelry for someone of the same

sex romantically or even platonically. This not-so-subtly conveys the message that romantic love should not occur between two members of the same sex. Such a conservative view of love reinforces beliefs that homosexuality is wrong and strengthens the feelings of shame that others experience for their homosexuality.

Lastly, the romantic love appeared very traditional, even in the attire of the actors. In these narratives, the women wore dresses that were either knee-length or right above the knee. The colors were always the ones perceived to be most feminine: pinks and purples. If there was a print, it was floral. In one commercial, a woman was walking into a room full of women, all dressed in a floral-print, knee-length dress. The men's clothes usually consisted of slacks, a button-down shirt, and a sports coat. The only other variation for men was khakis and a sweater over a plaid shirt. This communicates that romance looks a specific way, and if your romantic love does not fit into this box, you are doing it wrong.

B. Race, Class, and Reflection

Out of all the commercials I analyzed, there were not any couples that were obviously different races. The white women were in a relationship with white men. The two black women in all the commercials were in a relationship with black men. There was one commercial that was especially indicative of this characteristic. A woman asked three different women where they got their jewelry. The woman being asked the question would point across the room, smile at her husband, and say the famous slogan, "He went to Jared." Because of the common pattern of couples in all the Jared commercials prior, the race of the husband was predictable. It has been fifty years since the Loving v. Virginia Supreme court case ruled that laws prohibiting interracial marriage were unconstitutional. Though there is still a stigma attached, interracial relationships are much more common than they once were. Choosing to portray romantic relationships only between people of the same race discourages people from seeking intimate relationships with someone of a different race. It generates the assumption that there are more differences than commonalities between people of different skin colors.

The commercials also coupled people of the same social class. This was made most apparent by

their clothes. No one couple had different types of clothing that would indicate different socioeconomic statuses. They were also presented as being of higher social status. This, again, was made obvious by their attire: elegant dresses and button-down shirts with suit jackets. Most of all the women already had on a necklace, bracelet, and earrings whenever her significant other presented her with a new piece of jewelry. The couples lived in big, spacious homes – one woman’s closet was not just a walk-in, but a walk around closet – and went on fancy restaurant dates. All these factors create a sense of wealth and convey that romantic love should occur within one’s own socioeconomic group. Although the Cinderella stories promote the idea that relationships between people of different social statuses are possible, the Jared commercials convey they are not exactly practical.

Not only were the couples of the same race and social class, but they even looked similar to one another. They often shared the same skin, hair, and eye color. When I began specifically looking for these similarities, one couple even looked like they were brother and sister. They had the same skin complexion, dark brown hair, hazel eyes, and identical smiles. The attire was very much alike in regard to colors and textures. It was as though the goal in pairing the two people together was so that they reflected one another. This again reiterates the notion that romantic love is best found within the boundaries of one’s own group.

C. Young, Beautiful, and Extravagant

Although they are no longer the princes and princesses of our youth, romance is still reserved for the young and beautiful. Of all the commercials I analyzed, there was not a single one that showed a couple that looked to be past their twenties. Every single person appeared to be in the mid-to-late twenties. Even in the commercials where there was a proposal, the actors were on the younger end of the adult spectrum. It teaches people to make falling in love at a young age a priority and that if you don’t find someone while you’re young, you may never find anyone. This gives the impression that after a person passes a certain threshold of age, romance no longer plays a role in the relationship.

Another characteristic that reinforces the

hegemonic narrative is the physical appearance of the actors. They all met the American standard of beauty: light complexion and European features—long, skinny nose and light eyes. Overall, the men had an average physique, being around 5’11” and not overweight, though there was one man that was noticeably muscular. However, all the women were slim and skinny. Their attire always flaunted this particularity, whereas the men’s clothing made it harder to gauge their body shape. The two black women that were featured in two different commercials, out of all the commercials I viewed, did actually have their natural hair. A majority of the actors, however, had blonde hair and blue eyes. All the actors had perfectly straight and white teeth, and the women always had their hair and makeup done. This insinuates that romantic love occurs more often between and among “beautiful” people. This becomes an issue when people don’t see themselves as attractive. If they believe that beautiful people get to experience romantic relationships and they don’t think they’re beautiful, they might begin to self-loathe or change the way they look in an unhealthy manner to meet the standard of beauty. Either way, they become dissatisfied and unhappy with themselves.

Finally, romantic love is depicted as extravagant and over the top. The settings of the commercials added a dramatic flair to the interactions between the couples. For example, one couple passionately embraced on the beach. In another, a man proposed to his girlfriend on an airplane. She said yes, he dipped her into a kiss, and everyone on the plane started clapping. There were fewer scenarios where couples were experiencing everyday life. This preserves the hegemonic narrative that romance requires these types of exaggerated, grand gestures. By doing so, it creates unrealistic expectations and puts pressure on partners to live up to those expectations. As a result, both individuals are set up for disappointment if their partner does not have the means or desire to meet those expectations. In addition, the commercials also make more ordinary signs of affection, such as staying home together and watching movies, or cooking, seem subpar when compared to the extraordinary scenarios. It makes the little moments of romantic interactions seem less worthy of appreciation.

Conclusion

The purpose of this content analysis was to

determine how romantic love is depicted in Jared The Galleria of Jewelry commercials. The results uncovered three main themes: romantic love was portrayed as traditional, through endogamous relationships, and in the hegemonic narrative.

The commercials displayed a very traditional presentation of romantic love. The roles of the genders were based on stereotypical expectations, relationships were confined to heterosexual couples, and even the attire of the actors was restricted to old-fashioned styles. Romance was also characterized to occur specifically within the borders of one's own social group. This was demonstrated through the lack of interracial couples, couples of varying socioeconomic statuses and physical characters. Lastly, the commercials were filmed through the hegemonic narrative of romantic love. Actors were young and beautiful and the romance between them was very embellished.

There are negative consequences that come with each of these depictions. People who do not fit into these categories may think they are at a disadvantage or are less worthy of romantic love. All three of the themes in the Jared commercials share a common thread: uniformity. They suggest that romantic love looks one particular way. But as diverse as the human race is, so is romantic love.

This study found similar results to those of previous research. It found that images of romantic love in the media perpetuate gender stereotypes and create unrealistic expectations of romance. However, this analysis also revealed the underlying message of conformity in jewelry commercials. Jared's commercials depict romantic love in a specific fashion. The effect is that people expect, desire, or change their version of romantic love to reflect what is portrayed. This is where the debate of cultivation theory versus social cognitive theory comes in.

One of the strengths of this study was the data that existed prior to the analysis. Therefore, it was not compromised by the fact that it was being studied, the information did not change between one purpose and the other. Another strength was that the method was unobtrusive, so the data was very accessible, and I could review it as many times as necessary to give the most in-depth critiques. One more strength was that the analysis had the capacity to go in any direction that the data led, rather than be restricted to predetermined, dichotomous answers.

A weakness of this study was that only one jewelry store's commercials were analyzed so it may not be representative of all jewelry stores.

There should be more research to establish whether cultivation theory or social cognitive theory engenders these expectations of romantic love. It would also be beneficial to have studies that focused on each theme that emerged from this study (tradition, endogamy, and hegemony) and their role in romance portrayed in the media. No matter which direction or where it is focused, there still needs to be a lot more exploration analyzing depictions of love in the media and their implications on society

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White Women and Women of Color Confront Racism in the Women's Movement

By: Jourdan Bartels

The growing complexity of gender relations is due to the interactions between gender and power differentials, such as race, ethnicity, age, class, ability, and sexual orientation. The acknowledgement of such intersections is vital in understanding and working with social issues, such as gender relations, but even in contemporary activism, there is an ongoing lack

of inclusivity in certain groups. Given the history of racism within the women's movement, the negative response from women of color to the SlutWalk is to be expected, and the oversight on the white organizers' part is clearly a legacy of the multigenerational problem of racism in feminism. In understanding the factors that allow racism to persist



A documentary view of the Women's March in Washington, D.C.
Taken by Douglas Fron.

and taking note of successful models of intersectionality, contemporary feminism can begin to improve and further develop their approaches to activism. Looking forward, the women's movement would benefit from the establishment of more organizations like the Young Women's Christian Association, which views racism and sexism as blended and inseparable. The

involvement and approach of these intersectional organizations will ultimately be vital to the success of the women's movement. Consequently, the intention of this research is to advance understanding of the history of racism in the women's movement in order to appreciate and be more aware of intersectionality in modern society.

In 2011, a few thousand feminists gathered in Toronto, Ontario for SlutWalk, a controversial protest that has since been repeated in American cities. According to Jo Reger (2015), a sociology professor who attended the walk for observational purposes, SlutWalk was organized—mostly by white women—in response to a police officer’s comment that women who do not want to be victims of sexual violence should not dress like “sluts.” The goals of the protest were to empower women and to reclaim their sexuality. However, women of color were instead angered by the event. Many organizations representing women of color spoke out against the walk, explaining that the white women who organized the walk had disregarded the experiences of women of color, whose sexuality has historically been constructed by oppression, sexual violence and exploitation (Reger, 2015). Serving as a contemporary example of mainstream feminism alienating women of color, SlutWalk and its faults are proof of the continuous presence of racism in the women’s movement. Moreover, the women’s movement has transformed in many aspects since its origin, and has undoubtedly become recognized as more and more complex with each generation. While the labels “feminism” and “women’s movement” may be misleading, gender issues embrace much more than conflict between men and women. The growing complexity of gender relations is due to the interactions between gender and power differentials, such as race, ethnicity, age, class, ability, and sexual orientation; this complexity has been increasingly studied and recognized in academia, politics, activism, and other spaces (Lykke, 2010). The acknowledgement of such intersections is vital in understanding and working with social issues, such as gender relations, but even in contemporary activism, there is an ongoing lack of inclusivity in certain groups. Consequently, the intention of this research is to advance understanding of the history of racism in the women’s movement in order to appreciate and be more aware of intersectionality in modern society.

The Segregation of Feminism

Racism has persisted in the women’s movement due to the influence of overwhelming institutional factors, white feminists’ role in inhibiting alliance between white women and

women of color, and the perspectives of women of color regarding the white feminist community and their non-inclusive priorities. The first of these reasons, institutional factors, are structures in society that guide behavior, and can be related back to the origin of the women’s movement. According to Jamie M. Grant and Sherry Parker (1998), the women’s movement developed from the disenfranchisement of women and black citizens in the drafting of the Declaration of Independence. The document, which has served as the foundation for the United States, was strategically written in order to exclude women and people of color—particularly evident in the statement that “all men are created equal,” (The U.S. National Archives, n.d., para. 2). The overwhelming societal segregation during this early generation of the movement inhibited integration efforts of first-wave feminists, and the implications extended to similarly impact second-wave feminism on a structural level. These institutional racial dynamics led to white feminists’ role in racial exclusion because they internalized the racism established by previous generations.

The role of white feminists has also largely contributed to racism within the women’s movement. This factor has been noted as far back as the movement’s origins, when in 1848, women of color were discouraged from participating in the first women’s rights convention in Seneca Falls (Grant & Parker, 1998). Although it is apparent there are instances of intentional exclusion of women of color by white feminists in the past, second-wave white feminists’ role in preventing alliance between white women and women of color seems to be unintentional. The faults of second-wave white feminists are interconnected: an abstract anti-racism view, a lack of connection and understanding, and a privileged assumption of representation. Wini Breines, distinguished scholar and author of several books pertaining to racism and feminism, wrote an article which examines racial tensions in the second-wave of the women’s movement. She identifies these faults of white feminists while reflecting on feedback gathered in combination with her experiences as an activist during the 1960s and 70s. In general, white women and women of color did not know each other; therefore, white women had little understanding of the issues women of color faced (Breines, 2002).

White women's lack of connection and interaction with women of color could be considered a catalyst for white feminists' other shortcomings in racial-inclusiveness. Subsequently, this disconnect allowed white feminists to develop an abstract anti-racist ideology that dominated mainstream action and organization (Breines, 2002). White feminists' abstract anti-racism was an issue in which white women advocated for racial equality without truly understanding or attempting to understand the priorities and concerns of those affected. The results of their blind advocacy were insignificant for women of color, causing a feeling of invisibility.

Furthermore, white feminists adopted a privileged assumption of representation (Breines, 2002). Second-wave white feminists incorrectly assumed their experiences were representative and universal, and therefore failed to acknowledge and support the separate issues faced by women of color. Breines (2002) notes that this assumption was, to some extent, motivated by a desire to ignore differences in hopes of maintaining the image of female unity. Overall, white feminists of the second-wave contributed to racism by solely focusing on gender as the single oppressive factor. White women were oblivious to how racism, sexism, and class interact and affect women of color, which excluded and ostracized women of color and, consequently, damaged women of color's perception of and identification with the women's movement (Breines, 2002).

The perspectives of women of color regarding the white feminist community and their priorities largely contributed to perpetuating the racial separation. Regarding female conditions and corresponding concerns, white women and women of color differ in more than a few ways. In an article analyzing white and black feminists' relations in the 1970s, Jane Torrey (1979), gender studies professor and feminist leader in her community, highlighted several differences in perspectives and experiences that led women of color to disengage with white feminists (Love, 2006). As Torrey observed, one of the most common dissimilarities was the issue of homemaker dependency; women who depended on a husband prioritized liberation from the full-time housewife role and the freedom to take on a job outside the home. Many women of color were not offered the luxury of depending on a man and had no choice but to

fulfill both roles, provider and homemaker. Therefore, the white woman's concern with liberation from the homemaker role did not apply to women of color and was commonly perceived as naïve and ungrateful (Torrey, 1979).

White women's resistance to femininity, and the narrow role of a woman that it allowed, was another concern with which women of color did not identify. Racial distinctions in the issue of femininity could be related to the position of a female slave or working-class woman. Torrey (1979) noted that, historically, black women had to disengage from the notion of femininity to produce labor, and due to the lack of expectations for them to present themselves in a manner pleasing to the man, black women were not limited to dependent and domestic roles. Women of color were able to develop a stronger, more complex female identity as a result of the conditions they involuntarily experienced (Torrey, 1979). In contrast, white women of the second-wave struggled to achieve this development of the female identity by resisting the traditional view of femininity. White feminists failed to acknowledge that black women already embodied many of the strengths they were seeking; instead they assumed black women joined them in the

"In general, white women and women of color did not know each other; therefore, white women had little understanding of the issues women of color faced."

quest to reject the feminine limitations. The *Feminine Mystique*, written by Betty Friedan and published in 1963, addressed the feminists' concerns with femininity and the consequential role of a housewife. Friedan, one of the most formative theorists of the second-wave of the women's movement, expresses "the feminine mystique" as an idealized image of domestic womanhood that emerged in the 1950s and prevented women from developing autonomous, educated identities (Friedan, 1963). The *Feminine Mystique*, intended to encourage men and women to reject the notion that female fulfillment was found solely in the home, serves as an illustration of mainstream feminist concerns with which women of color did not identify. The fact that Friedan, who was such an influential feminist of this era, committed these errors that

excluded women of color reveals how even leaders in the movement perpetuated racist and exclusionary ideologies.

"Cooperative union across races within the women's movement is critical in order to overcome racism and sexism in society as a whole."

Another feminist concern affected by racial differences is the issue of sexual abuse. The role of sexual liberation in the women's movement differed between white women and women of color due to contrasting attitudes toward sexuality (Torrey, 1979). According to Torrey, although both white and black women were victims of rape from the white man, the experience differs in that the black woman had been seen and used as a sex object that could be taken by force, as opposed to the white woman, whose sexuality could be acquired by "flowers and a decent living" (1979, p. 286). While white women were seen as something to be obtained through charm, the approach white men took regarding women of color was based more on a power dynamic and an attitude of entitlement. White women could use their sexuality as a bargaining chip in their power struggle with white men, while women of color could not. Fittingly, women of color held significantly different attitudes about sex and sexual abuse than white women, causing the role of sexuality in the liberation movement to differ between races. Frances Beale (2008) addresses these discrepancies concisely in "Double Jeopardy: To Be Black and Female" by claiming that the black woman in America can be described as the "slave of a slave," powerless in a situation in which she is physically, socially, economically, and emotionally manipulated (p. 168).

Furthermore, women of color diverged from white women in their perspectives of each other. Specifically, black women held attitudes toward white women that made it difficult for them to join and work together. Black women identified with each other more easily than they did with white women, likely due to the history of female slaves treated unjustly by white women (Torrey, 1979). Additionally, Torrey attributed

these perspectives to a "high level of black consciousness," in which black women tended to focus on racial differences and tensions, instead of focusing on a common purpose (1979, p. 287).

Lastly, women of color often felt objectified, ignored, and rejected by white feminists, which contributed to their resistance to ally with white women. According to Breines (2002), black feminists felt that the feminist movement was not applicable to them, and white feminists, who largely defined mainstream feminism, seemed to only acknowledge matters that directly affected them. Women of color suggested that the privilege of white women inhibited their ability to understand that race and class were of equal concern to women of color as gender discrimination (Breines, 2002). A compilation of second-wave feminist writings, *Sisterhood is Powerful*, helps illustrate this imbalance (1970). The first edition anthology, edited by Robin Morgan, another key figure in the second-wave of the women's movement, included only one race-inclusive text—a document from the Black Women's Liberation Group in Mount Vernon articulating the group's demand for race-consciousness (Morgan, 1970; Brain, 2006). The inclusion of this document expresses the mainstream feminist intention to support all women and by helping increase awareness of the need for race-consciousness in the women's movement. However, the fact that the compilation does not include several texts discussing intersectionality indicates the imbalance of mainstream priorities during the second-wave. White feminists failed to acknowledge the equal importance of the concerns of women of color, therefore excluding women of color.

Intersectional and Interracial Alliances

Despite opposing influences, the second-wave of the women's movement saw instances of successful alliances between white feminists and feminists of color that have made lasting impacts on the women's movement. According to Grant and Parker (1998), mainstream women's organizations, particularly the Young Women's Christian Association, focused intensely on fighting racism during the 1970s and

80s. The YWCA, now working through more than 1,300 sites across the United States, reports decades of dedication to their mission of “eliminating racism, empowering women and promoting peace, justice, freedom, and dignity for all” (“Mission & Vision,” n.d.). According to the YWCA’s history records, the organization has consistently made explicit and purposeful efforts in both the civil rights and women’s movement, as well as efforts to integrate the two, since 1946 when the YWCA adopted the Interracial Charter. The YWCA acknowledges and challenges the intersections of oppression, including gender, race and class, serving as an example of effective alliance and purposeful connection. Today, the YWCA provides direct services and programs related to racial justice and sponsors the annual “Stand Against Racism” campaign, which builds community for those working for racial justice and raises awareness about racial issues. The YWCA also supports the ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), an international agreement on extinguishing gender discrimination in economic, political, and social spheres (“Racial Justice and Civil Rights,” n.d.). The YWCA is a model of successful intersectional alliance that modern activists should strive to emulate; the organization helps to increase awareness of the interrelated nature of racism and sexism and promotes alliance between women across race.

Previous research and experience have identified several factors that are necessary to make alliances among women across race possible. Torrey (1979) notes that women of color and white women must put forth a mutual effort to form successful relationships. White women must take initiative to correct their faults and be inclusive, and women of color must be active in the women’s movement to be sure their concerns are fairly addressed. Reciprocity of effort and purpose is essential to interracial cooperation. Furthermore, a necessary balance occurs when women of color have independent organizations supplementing their involvement in interracial cooperation. It is crucial for women of color to maintain a “separate base to protect their strength,” in addition to integrated groups; this beneficial type of separation allows women of color to maintain unity as a group while informing and working with allies (Torrey, 1979, p. 291).

Eliminating racism within the women’s movement is possible if women of all races put forth a mutual effort to work together while maintaining unity in subgroups of women.

Furthermore, cooperative union across races within the women’s movement is critical in order to overcome racism and sexism in society as a whole. One of the most overt reasons to work together is the interaction between racism and sexism. Women of color cannot be truly liberated as women until racial oppression is eliminated. Although it is unclear if women of color are more disadvantaged by their sex or race independently, it is evident that the interaction of the two not only contributes to the oppression of women of color, but it creates particular experiences that need to be fully understood. History has proven that activist causes are more successful when joined together to challenge intersecting oppressions.

In addition to the interrelated nature of discrimination, white women and women of color may be motivated to work together by the problems and solutions they share. The most commonly shared problem between women of color and white women is sexism. Torrey analyzes how sexism served both white men and men of color in gaining advantage at women’s expense. Instead of allying in the face of discrimination, men of color tended to disregard the concerns of women by adhering to a “more-oppressed-than-thou attitude toward all women” (1979, p. 288). Sexism for women of color and white women parallel in the manner that the men of their respective races have failed to include them in efforts for equality. Regarding common solutions for women of all racial backgrounds, Torrey (1979) identifies the economic objectives of the women’s movement as grounds for unity, including the desire for equity in job opportunities and sharing child care and housework with men. Although variances arise in details of these goals, the principles of the objectives address the concerns of women of color and white women alike.

Lastly, Torrey (1979) reports that women of color and white women suffer from similar psychological pressures. Some women have acknowledged that dependency on welfare and a husband elicit similar feelings of lost autonomy,

and women of all races feel societal pressures to be subservient, passive, and feminine. However, it is important to note that common interest among women across race does not discount the importance of the aforementioned differences in concerns. Shared interests should serve to bring women together, not erase key distinctions in experiences. In an attempt to find commonality, key differences should not be ignored, but rather acknowledged and appreciated.

Given this history of racism within the women's movement, the response from women of color to the SlutWalk is to be expected, and the oversight on the white organizers' part is clearly a legacy of this multigenerational problem of racism in feminism. In understanding the factors that allow racism to persist and taking note of successful models of intersectionality, contemporary feminism can begin to improve and further develop their approaches to activism. Looking forward, the women's movement would benefit from the establishment of more organizations like the YWCA, which views racism and sexism as blended and inseparable. The involvement and approach of these intersectional organizations will ultimately be vital to the success of the women's movement. Without the inclusion of all women, the women's movement cannot truly succeed. Modern feminists must reflect on the history of the women's movement in order to avoid committing the same detrimental mistakes made in the past.

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A Brief Examination of Women's Agency in Mormon Polygamy Prior to Its Criminalization in 1878

By: Madison Richards

This research explores why some adult Mormon women chose and defended polygamy from 1852 until 1878. The goal of this review is to compare the expressed pros and cons of polygamy from its implementation to criminalization, considering public opinion and personal accounts of Mormon women in polygamous marriages. The conclusion drawn is that polygamous marriages often had a positive effect on the Mormon women who entered them in the late 19th and early 20th centuries because they allowed these women true agency not granted in non-Mormon American society.

Monogamy between heterosexuals is considered by many in the western world to be normal, and therefore accepted without question. Any threat to this construct is often argued as an indication of eventual societal collapse, as evidenced in debates regarding homosexuality, asexuality, or any other relationship that goes beyond the bounds of one man and one woman. Among these types of relationships, polygamy, also known as plural marriage, has been attacked so strongly by the opposition that it has even united people who would normally be on opposing sides of any given issue. North America, South America, Europe, Australia, and most of Asia have, however, have implemented laws set against polygamy; while a few societies that do allow and practice polygamy include parts of northern Africa and several cultures in the Middle East. Despite this opposition, polygamy has been observed throughout recorded human history, and is still in practice this day.

The main argument posed against

polygamous marriages is that it is “a form of female bondage, rife with sexual and emotional oppression and exploitation.”¹ Michelle Gibson, a professor in the Department of Women's, Gender, and Sexuality Studies at the University of Cincinnati, cites Warren Jeffs as a current example of the type of oppression women could endure in a polygamous marriage. Jeffs, a member of the Fundamentalist Latter-Day Saints (FLDS), was convicted on two counts of rape-of-a-minor and was sentenced to life in jail in addition to twenty years.² Among his 19 or so wives, two were underage, only 12 and 15-years old when they were wed to Jeffs. He also allegedly molested a few of his young male cousins over an unspecified number of years. Warren Jeffs has become the face of modern Mormon polygamy, in part because his multiple marriages to adolescents shocked modern audiences, but also because polygamy is no longer legal as it was in the mid to late 1800s. In other words, Americans

1 Michelle Gibson. “‘However Satisfied Man Might Be’: Sexual Abuse in Fundamentalist Latter Day Saints Communities.” (Journal Of American Culture, 2010), 280-293

2 Ibid, 283.

have moved onto other moral queries, so polygamy has fallen to the wayside for modern audiences, seeing as the law has already rectified it. Moreover, the reason why many have placed Jeffs as the epicenter of modern polygamy is because many people assume those who are engaged in polygamous relationships cannot have the same moral compass as other Americans.

Rather than taking a stance on the morality of polygamous relationships or relationships involving underage children, an analysis of the experiences of adult Mormon women who have chosen and defended polygamy since its implementation in 1843, has revealed much more about society as an entity. Mormon women not only voiced their opinions about polygamy in publications, such as the Women's

"Polygamy, from the beginning, was not forced and women had the agency to choose what kind of marriage they wanted to pursue."

Exponent, but also voiced their thoughts on suffrage and women's rights as a whole.³ Upon analysis of the varying views and experiences of polygamy, from its implementation to when it was criminalized, I assert that polygamous marriages had a positive effect on the Mormon women who entered into them because it allowed them true agency that outside American society could not necessarily grant.

Historical Context and Public Opinion

To contextualize the role of polygamy within Mormonism, it's important to understand when and how it was introduced. In the early 1820s, Joseph Smith, the founder of the Church of Jesus Christ of Latter-Day Saints, experienced his first revelation from God. Smith frequently had visions perceived, by him and his followers, to be the direct word from God. As a result of these revelations, Smith declared that plural marriage was to be introduced into the church. Several theories as to why God would decree such a practice have been posited to include: reproducing more children in the faith, preventing

social issues such as infidelity and prostitution, and providing widowed women protection. By 1843, the practice was widely accepted via the publication of "Doctrines and Covenants" (1835), a book of canonical scripture including revelations from Joseph Smith, but wasn't popularized across the continent until 1852. The official LDS Church website has an essay expressing their current view of this revelation and practice:

*"During the years that plural marriage was publicly taught, all Latter-day Saints were expected to accept the principle as a revelation from God. Not all, however, were expected to live it. Church leaders viewed plural marriage as a command to the Church generally, while recognizing that individuals who did not enter the practice could still stand approved of God. Women were free to choose their spouses, whether to enter into a polygamous or monogamous union, or whether to marry at all. Some men entered plural marriage because they were asked to do so by Church leaders, while others initiated the process themselves; all were required to obtain the approval of Church leaders before entering a plural marriage."*⁴

This clarifies several misconceptions many non-Mormons have about polygamy. Polygamy, from the beginning, was not forced and women had the agency to choose what kind of marriage they wanted to pursue. It is possible that the Church heavily encouraged plural marriage among eligible men and women, but it was ultimately an individual choice. Even at its height, only a maximum of 20 percent of Mormon families were polygamous.⁵ The members of the LDS stress the concept of agency because they believe God gave humans the ability to decide for themselves, and through agency people are able to learn and rightfully choose salvation. For current members of the Church of Jesus Christ of Latter-Day Saints, "the polygamy charge annoys Mormons because it is so far out of date," and no longer has real relevance.⁶ Nonetheless, the stigma of polygamy has

⁴ "Plural Marriage and Families in Early Utah." (lds.org).

⁵ Joan Iversen. "Feminist Implications of Mormon Polygyny." (Feminist Studies, 1984), 508.

⁶ Richard Lyman Bushman. Very Short Introductions: Mormonism: A Very Short Introduction. (Oxford University Press, 2008), 2.

³ Joan Iversen. "Feminist Implications of Mormon Polygyny." (Feminist Studies, 1984), 502-522.

tarnished public perception of Mormonism and its adherents.

Prior to the Church's endorsement and implementation of polygamy, much of the United State population regarded Mormons as dangerous due to their growing numbers and tendency to vote as a block, which could mean political sway. Tensions rose between Mormons and fellow Missouri inhabitants until climaxing in the Mormon War of 1838. From August 6, 1838 to November 1, 1838, 22 people were killed in total, most of them Mormons.⁷ This conflict caused the Mormons to move first to Nauvoo, Illinois before finally settling in Utah in 1847.⁸ Joseph Smith's assassination in Carthage, Illinois, was the catalyst that spurred Brigham Young to lead the Church's exodus in search of their Zion, or their "heaven on Earth." Utah was acquired by the United States in 1850 during the Organic Act of Congress as a territory but was not made a state until 1896.⁹ The Mormon pioneers posed a threat to the Union's morals, specifically their views on marriage and slavery, which hindered their admittance into the United States as a full-fledged state.

Fanny Stenhouse and the Anti-Polygamy Narrative

Plural marriage was promoted by leaders of the Church, but there were still many members who remained divided. Kathleen Flake, a Mormon scholar and historian, notes that prior to the 19th century, marriage was for pragmatic purposes, such as procreation, money, societal advancement, and security.¹⁰ Marriages were treated like business transactions, typically negotiated by the individuals' families. The importance of marriage was particularly emphasized for women. If they did not marry, they remained a financial burden on their family because women did not truly have a place in the public sphere, and many were unable to earn on their own. In order to spare their families money and embarrassment, most women did all they could

to find a man who would marry and support them. Many marriages of this sort resulted in mutual respect for one's partner, and in some situations, love blossomed. However, this was not always the case; the purpose of marriage was not to fan the flames of passion, but rather to carry out one's duty as a man or woman. While polygamy was gaining traction within the Church, the concept of marrying for love was becoming the norm for couples across America, creating a rift between the two religious groups. To non-Mormons, "Mormonism's 19th-century marriage practices seemed to contradict [modern] marital ideals in every respect."¹¹ Mormons were already seen as different than Christian-Americans—Mormons were abolitionists who threatened to sway which states maintained slavery and had a close-knit community resulting from their lifestyle differences—so the idea of being married to a man with multiple wives seemed to defy logic. People questioned how a woman could love and be loved by a man who had forever tethered himself to other women in the same way, and how it was possible for one's husband be a good man if he had sex with more than woman. The conclusion many non-Mormon Americans arrived at was that these women were not given the opportunity, nor were they encouraged, to seek love—they were imprisoned in these marriages to lustful, greedy, sexually deviant men. This narrative was perpetuated for years until polygamy's eventual criminalization.

Much of anti-polygamy propaganda came from those outside of the faith, but some Mormon women were firmly against the practice. Fanny Stenhouse's *Exposé of Polygamy: A Lady's Life among the Mormons* (1872) details her personal experience in a polygamous marriage and eventual departure from the Church altogether. Stenhouse converted to Mormonism and moved from England where she traveled as missionary with her husband. Their marriage remained monogamous and seemingly fulfilling until they moved to the United States. Upon arrival, Stenhouse observed women in polygamous marriages and marked their dissatisfaction of their situations, some due to abusive husbands, others petty jealousy among wives. Stenhouse became increasingly unhappy as her husband married two more women. Eventually, she concluded that she had "tried earnestly to discover wherein [the whole system of polygamy]

7 Stephen C. LeSueur, *The 1838 Mormon War in Missouri* (University of Missouri Press, 1987), 131-142.

8 "Mormon Pioneer: History & Culture," National Park Service, accessed March 24, 2018, <https://www.nps.gov/mopi/learn/historyculture/index.htm>

9 Stan Layton. "Brief History: This is Utah," Utah History to Go, accessed on March 23, 2018, http://historytogo.utah.gov/facts/brief_history/

10 Kathleen Flake. *Emotional and Priestly Logic of Plural Marriage*. (Utah: Utah State Special Collection, 2010), 4.

11 Ibid, 5.

was productive of any good; but in not one single instance could [she] find, after the most diligent observation, any but the very worst results.”¹² She ultimately declared the practice evil.

Her autobiography was perfect fodder for anti-polygamist arguments and Stenhouse became a leading voice on the matter, even going as far as to tour the U.S. and give talks about the evils of polygamy.¹³ Stenhouse’s writing became popular because was an inside account of what really went on in polygamous marriages. Stenhouse’s experiences and those of others that she wrote, about are exactly what the public believed about polygamy and Mormons. For many that was enough to condemn Mormons and plural marriage. While Stenhouse’s experiences are valid, the motivation behind writing her autobiography, however, is open to interpretation. It is very clear Stenhouse felt abused in her marriage, but the fact that she felt so wronged that she published a book and toured the nation, could point more toward monetary motivations rather than the purely moral ones she claimed.

Argued Benefits of Polygamy

Amid the anti-polygamy publications, a selection of pro-polygamy literature argued the benefits such an arrangement provides women. Even though there was a shift in marriage motivation, society still had very rigid views on a woman’s place. According to Victorian ideals, men left the home to work in the public sphere while women stayed in the domestic sphere and in this way the women could be “protected and supported by [their] husband[s].”¹⁴ This model was accepted in mainstream America, but as Iverson notes in her essay *Feminist Implications of Mormon Polygyny*, Utah needed as many able-bodied people to work in order build their Zion, and “there was a definite pattern within polygamy of requiring women to be resourceful and to contribute to the family’s support.”¹⁵ In terms of societal benefits, “LDS women were encouraged to work in nontraditional jobs. By 1874, Utah had developed a ‘respectable

class of professional and highly literate women’ and a visitor marveled that ‘they close no career on a woman in Utah.’”¹⁶ In comparison to the non-Mormon women of America, these women had much more latitude in society; they held jobs that women in the rest of the United States wouldn’t have ordinarily been able to hold, which made them more respected by their male counterparts. Non-Mormon women were pressured to simply remain at home and take care of their children, which had negative effects on them emotionally. Many doctors in the mid to late 18th century saw ambition beyond the home as a personal and moral failing in a woman. Women of this time who expressed any desire to venture beyond the domestic sphere were viewed as outcasts in society or were oppressed via medical diagnoses. Admittedly, the agency Mormon women were granted was necessary in order to sustain their families. Multiple mothers in one family likely meant more mouths to feed, more chores to do, and ultimately more money needed to be brought into the home. To accomplish this undertaking, the wives often needed to take on jobs. These women were able to leave the private sphere, and gain skills needed to be an individual.

Mary Elizabeth Horne, on the other hand, had quite a different experience with polygamy. Horne had the unique opportunity of being married monogamously for 28 years before entering into a polygamous marriage, so she was able to speak on both types within the Church. Flake quotes Horne from her book saying:

*“Plural marriage destroys the oneness, of course,’ but to her that oneness had meant ‘she was so bound and so united to her husband that she could do nothing without him.’ Though it had been a ‘trial of feelings her feelings’ to lose it... ‘she is [now] freer and can do herself individually things she never could have attempted before; and work out her individual character as separate from her husband.’”*¹⁷

Horne acknowledges the challenges presented by plural marriage, but since her husband’s attention was occasionally directed elsewhere, she could explore who she was as a woman and participate more fully

¹² Fanny Stenhouse. “Exposé of Polygamy: A Lady’s Life among the Mormons.” Edited by Linda Wilcox DeSimone (Utah State University Press, 2008), 118.

¹³ Ibid, 1

¹⁴ Kathleen Flake. *Emotional and Priestly Logic of Plural Marriage*. (Utah: Utah State Special Collection, 2010), 11.

¹⁵ Joan Iverson. “Feminist Implications of Mormon Polygyny.” (*Feminist Studies*, 1984), 510-511.

¹⁶ Ibid, 510.

¹⁷ Kathleen Flake. *Emotional and Priestly Logic of Plural Marriage*. (Utah: Utah State Special Collection, 2010), 9.

in society. In 1870, women were granted suffrage by territorial legislature, and for seventeen years, Utah women were able to do what other American women weren't legally allowed for another 50 years—vote for a candidate of their choosing and participate in political discourse.¹⁸ It was these Utah women who became educated and wrote on behalf of women and polygamy. The *Woman's Exponent*, the first publication owned and published by Latter-day Saint women—fully endorsed by the Church—is a prime example of these advancements.¹⁹ Through this literature, Mormon women defended polygamy and “strongly opposed the concept of women as passive ornaments and urged the education of girls for self-sufficiency.”²⁰

Trouble in Zion: Reynolds v. United States

Despite Mormon women voicing their support for polygamy, the rest of the country remained in strict opposition and refused to understand how these women could choose polygamy over monogamy. It also became clear that polygamy was the main issue preventing Utah from gaining statehood. Utah, from its founding in 1850 until 1896, was an incorporated territory, meaning that the U.S. Constitution applied to Utah's inhabitants. Many Mormons firmly believed their right to practice polygamy was guaranteed under the First Amendment because it was the word of God. Tensions surrounding laws banning polygamy mounted for years until 1878 when George Reynolds took this issue to the Supreme Court. Reynolds, secretary to Brigham Young, acted as an intentional representative for all Mormons when he went into court. In a precedent-setting decision, the Supreme Court ruled against Reynolds and the United States officially banned polygamy, criminalizing its practice.²¹

The Mormon Church later outlawed polygamy in 1890. Following the death of Joseph Smith, the Church had its first set of schisms based on

disagreements regarding the future of Mormonism. The *Reynolds v. United States*' ruling caused outrage in the community and Mormonism suffered further fractures based on who did and did not want to continue practicing polygamy. Currently, there are six main branches within the Mormon faith and most of them exclusively practice monogamy. The Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS), founded in the 1930s, is not a significant branch in terms of size. Despite its membership of around 700 people, the FLDS is the largest branch to still practice polygamy in the U.S. Their prophet is none other than Warren Jeffs, and despite his imprisonment, he still has devoted followers. The Latter-day Saints Church is the currently the largest branch of Mormonism; they have strict rules against plural marriage and only recognize marriage between one man and one woman.

“These women were able to give back to their community and participate in the democratic process, an experience unique for American women in the 19th century.”

Even though Mormon women were eventually denied the right to enter and engage in polygamous marriages in America, their effects were known and felt. Unlike their monogamous counterparts, plural wives were able to invest in themselves emotionally, intellectually, and physically. These women were able to give back to their community and participate in the democratic process, an experience unique for American women in the 19th century. The novelty of these benefits, however, was short-lived as women across America were granted suffrage in 1920 and access to higher education became more prevalent as the 20th century progressed. Polygamy remains a controversial and complex marital practice that continues to divide people despite how rarely it is practiced in current Western society. Its controversial nature has caused many to instinctively cast it aside as entirely immoral rather than taking the time to critically examine how and why it was implemented.

18 Jean Bickmore White. “Women's Suffrage in Utah,” Utah History to Go, accessed March 23, 2018.

19 Sherilyn Cox Bennion. “The Woman's Exponent: Forty-Two Years of Speaking of Women.” (Utah Historical Quarterly, 1976), 1571.

20 Joan Iversen. “Feminist Implications of Mormon Polygyny.” (Feminist Studies, 1984), 510.

21 “Reynolds V. United States,” Bill of Rights Institute, accessed March 26, 2018, <http://www.billofrightsinstitute.org/educate/educator-resources/lessons-plans/landmark-supreme-court-cases-lessons/reynolds-v-united-states-1878/>

Within the confines of Mormonism, it carried potential for women to take control of their lives during a period that wouldn't normally allow them to do so. The way one sees polygamy entirely depends on whether or not he or she can look past the seemingly black and white moral implications and search within the gray space.

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When Worlds Divide: China, Russia, and the U.S.-led World Order

A Historical Understanding of the Sino-Soviet Split
and its Impact on American Grand Strategy

By: Preston Nieves

As China rises, Russia resurges, and the United States declines, it is clear that the balance of power is shifting. However, this is not the first-time major shifts between these three countries altered the arrangement of the world order. The Sino-Soviet split marked a paradigm shift in Cold War relations, one that brought China outside the Soviet sphere of influence and into a drastically different role from an American foreign policy perspective. This paper seeks to explore the topic further by begging the question: What effect, if any, did the shifts in international relations caused by the Sino-soviet split have on the global balance of power, particularly between the U.S. and China? It argues that the effects were significant, even if indirect. The Sino-Soviet split created the circumstances allowing for China to rise, the opportunity to shield their true motives and exploit the divide between the U.S. and U.S.S.R. to great advantage. The norms and doctrines created during this time far outlived the Cold War, propelling the relationship between the U.S. and China to where it is today. While it was America who most overtly sought to take advantage of this event, it was China who did so most effectively.

The American century and the legacy of civilizational achievement defining it is a major focal point of international relations and political science today. Never before has one nation become so powerful, dominating the world to such a tremendous extent. The might of Rome, Great Britain and even the Red Juggernaut of Soviet Russia look comparatively anemic next to the sheer dominance of American power during the late 20th and early 21st centuries, most prominently during the 1980s and 1990s. The U.S., at its peak, developed military technology decades ahead of any other country due to massive spending sprees in the

Reagan and W. Bush administrations that, as the latter President would put it, allowed America to “skip a generation”¹ in military technology. America is also the only nation to send a man to the moon, was once home to nearly all of the world’s tallest buildings and has been a consistent world leader in key fields like medical research, computers, and nuclear power.

However, in recent years, America’s dominance has become less absolute, notably due to the rise of China. China’s rapid economic growth, as well as massive strides in military technology, science, industrial capacity and high-tech industry, have made America’s dominance

increasingly contested. As China becomes more assertive and willing to challenge the U.S. and other countries directly and coercively, its ascent to superpower status is reshaping the geopolitical environment and arguably constitutes a major challenge to the status quo of an American led rules-based system.

Before giving Beijing too much credit, it is important to consider one caveat. Their rise likely would not have been possible without the United States' help or, if it was, it would have taken longer, and China would have faced many of the same obstacles that other countries have in their own development. Through trade, normalization of relations, and refusal to respond to the Chinese government's transgressions in trade and intellectual property, the U.S. gave China many of the tools it needed to develop at such a rapid pace. In hindsight, this may seem obvious, but one must not forget that when America started taking major steps to build Chinese power, the Cold War's main threat came not from Beijing but Moscow. One of the most critical events that led to the status quo between the U.S. and the People's Republic of China is the Sino-Soviet split. This marked a paradigm shift in the Cold War that, due to responses of U.S. policymakers, ended up making China's first steps towards superpower status possible.

The Cold War and the Global Balance of Power

The relationship between the U.S.S.R. and the People's Republic of China underwent significant

"It is advantageous to appear strong when weak, weak when strong, and to keep the enemy complacent about his position. "

change throughout the early half of the Cold War. In 1949, when the Chinese communist party first came to power, the two forged a partnership against the U.S. and its allies. By 1969, however, relations between the two countries were extremely hostile, reaching a boiling point with a short-lived border conflict. These events played a major role in shaping

the thinking of U.S. leaders and military strategists. China and Russia have been America's main rivals in the struggle for global dominance since the end of World War II. The objectives of U.S. grand strategy have thus focused heavily on managing the challenges arising from both countries in a way that is favorable to achieve American foreign policy goals.

The Soviet Union and communist China were initially allies as part of the Eastern communist bloc. Though the two had earlier conflict, the fault lines of the cold war had been clearly drawn and, at least initially, transcended regional ones. Against the U.S., both nations were on the same side when the ideologies of authoritarian socialism and liberal capitalism were competing for world dominance. Though China was not yet the juggernaut it is now, it was nonetheless an important ideological center of the communist world. The U.S. and the West were very worried about the implications of Sino-Soviet relations. An alliance between the Soviet Union and the People's Republic of China, then fresh out of a Marxist revolution that put Mao Zedong in power, was viewed as a grave threat by the U.S. and its allies. Geographic location and ideological commonalities were important factors contributing to this belief. As Raymond Aron wrote in his book *Century of Total War*, "Russia has in fact nearly achieved the 'world island' which [Halford] Mackinder considered the necessary and almost sufficient condition for universal empire."² Relations between China and the Soviet Union at their most friendly point consolidated the communist centers of the world into one swath of land with influence spanning from East Asia to Europe.

The Hidden Divide, Splitting the Communist World

Despite the surface level appearance of a monolithic communist bloc, not all was what it seemed between the U.S.S.R. and the People's Republic of China. Before long, the alliance began to unravel. China realized that the type of relationship they had with the Soviet Union could not be maintained indefinitely if China were to reach its true ambitions. For a country that for thousands of years had prided itself on being the "Middle-Kingdom,"

believing that it is the center of the universe,⁴ acceptance of a subservient role to the Soviet Union in the communist world was out of the question. Even as early as 1950, China viewed the Soviet Union with suspicion. Beijing emphasized its refusal to become a subservient nation of the Soviet Union and dismissed assertions that China was becoming this as “fabrications” by U.S. “Imperialists.”³ However, it also reflected some of the hidden divisions between the world’s two communist giants. The discreet nature of China’s expressions and behavior were of strategic necessity to limit the risk of conflict and stick to a long-term economic and military strategy, not of actual limitations on China’s willingness to attempt to reshape the world order in its favor.

China had long attempted to accelerate its development with ambitions of attaining greater national power. Mao Zedong, wanting to spread his own ideology, saw opportunity in the Soviet Union. Soviet assistance to China was “the largest foreign development venture in the socialist camp ever,”⁷ with Chinese and Soviet documents counting between 304 and 360 civilian and military projects for which China received Soviet Assistance⁷. However, Moscow soon became aware of the fact that Beijing had ambitions far beyond human development. Eventually, the Soviets grew distrustful of Mao, increasingly viewing him as a competitor.

Relations grew progressively worse. Before long, the Soviet Union and China fought a border conflict in 1969, and the Soviets, realizing their mistake of aiding Chinese development and military projects, ceased supporting them. The Chinese, however, were determined to adapt. It was towards the end of this struggle that China saw shifts in the balance of power in the world as the communist block fractured and transitioned towards the United States. The perfect storm had been created for the U.S. to open up to China, or rather, for China to open up to the U.S.

A Clash of Perceptions and Triangular Diplomacy

The changes to the security environment and global order that developed in the aftermath of the Sino-Soviet split had major strategic implications, presenting risk and opportunity for both the U.S. and

the Chinese. The U.S.S.R. was undoubtedly the loser of this outcome, as it was now effectively faced with a two-front cold war where it competed with China for dominance of the Eastern bloc as well as with the U.S. for world domination. However, the end of

“America’s fixation on containing the Soviet threat helped ensure that China’s early intentions remained unrecognized and created some assumptions and tendencies that China could exploit for personal gain.”

Chinese partnership with the Soviets also transformed the relationship between the U.S. and China. This had everything to do with how each nation perceived the strategic environment at the time, as well as one another’s behavior. Overall, there were two competing strategies: the American strategy to maintain its perceived advantage and the Chinese counterstrategy to transform this advantage into the downfall of American hegemony. The two clashed, resulting in a relationship between the two countries that was one may consider a hostile friendship or benevolent rivalry.

The Sino-Soviet split was a major driving force behind President Richard Nixon’s visit to China and the subsequent movement on the path towards eventual diplomatic normalization. The U.S. saw an opportunity to deal a major strategic blow to the Soviet Union by partnering with China. Due to the fears of a communist world island, the United States pursued a triangular diplomacy strategy. As Nixon’s Secretary of State Henry Kissinger wrote in his book *World Order*, this strategy maintained the goal of balancing “China against the Soviet Union from a position in which America was closer to each Communist giant than they were to each other.”² The Nixon administration viewed this as a successful exploitation of the recession of communist solidarity across the Asian continent and the Pacific region.

Meanwhile, China was exercising its own form of triangular diplomacy. While the United States made a theoretically sound move, there was one

key mistake made that the Soviets did not make: underestimating the Chinese. This was, in fact, characteristic of China's schemes at work. Chinese military strategy is based heavily on tactics of deception, asymmetric warfare, psychological operations and strategic patience. In the Art of War, Sun Tzu wrote that "all warfare is based on deception."⁵ It is advantageous to appear strong when weak, weak when strong, and to keep the enemy complacent about his position. Chinese strategy has developed, adapted, and applied this wisdom to the modern era. China's deceptive strategy can be described as "to get someone to do something for himself that he thinks is in his own interests, but which is actually in your interests, is the essence of strategy, according to Mao."¹²

China was able to use the U.S. strategy against the Soviet Union to its own advantage and further develop national power by exploiting its position as

"While the period of the Cold War is long gone, the concepts, norms, and behaviors it created echo throughout the ages and persist to this day."

a country that the U.S. government viewed as at risk of Soviet aggression. Establishing ties with the U.S. on China's terms was made far easier by America's willingness to support any nation who opposed the Soviets. Other Eastern bloc countries made this observation as well, noting that "Peking capitalizes on the contradictions of the world, thus trying to obtain support for at least some aspects of its policy or of its overall stand while avoiding the danger of being involved in a conflict."⁹ Additionally, Czech radio broadcasts suggested that China was intentionally fanning communist disunity, with its slogans being nothing more than a mask for nationalist and chauvinistic tendencies.⁶

The opportunity presented by the Sino-Soviet split and the U.S. response allowed China to contend simultaneously with two objectives without dragging itself into a geopolitical quagmire, as was the case with the Soviet Union and, to a lesser extent, the U.S. America became more active in balancing relations with both

sides, whereas China was able to avoid needing to use its own resources at all. China played nice with the U.S. to gain support. In reality, however, China had ambitions at least as dangerous as the Soviet Union when it came to U.S. interests. The only constraint was the capability to act on them, which was far more limited and the ultimate source of America's willingness to help. Yet even as Nixon was negotiating what he thought was a path to peace, the Chinese communists were positioning themselves to use this as an opportunity to take down the U.S. Behind the scenes, China believed that the policies of "Imperialist Chieftain" Nixon were signs of U.S. weakness and aggression.¹⁰

China's Ambitions of Global Hegemony: Aided by the U.S.

The shift in relations between the U.S. and China caused by the Sino-Soviet split set the stage for the entanglement of economic relations, construction of norms against anti-China policy, and massive transfer of military and technological know-how to China by the United States. Learning from mistakes with the Soviet Union, China was careful to be portrayed as a benevolent country that was a victim of Western imperialism and willing to reform to meet American demands. Washington accepted this narrative without much resistance.

Seeking to maximize the potential of having China as a military counterweight to the Soviet Union, the United States approved the transfer of sensitive military technologies to China. Boeing 707s with attendant aeronautical technology, a sophisticated ground station designed to send and receive signals via satellite and the transfer of "Spey" aircraft engines were all examples of how the U.S. accelerated the growth of Chinese strategic industries in order to challenge the Soviet Union.¹¹ The close relations between U.S. and China during this time were critical in the development of normalized trade relations. The norms and customs of pro-China economic policies paved the way for later steps such as China's entrance into the World Trade Organization, which is largely what allowed China's economic growth and ability to access

other country's markets to reach the extent familiar today. The permissive system of economic relations this created allowed China to erect one-sided trade barriers, finance military buildup, and enact aggressive policies through its trade surplus with the United States. Norms and perceptions, in a general sense, played a key part in what was to come after the end of the Cold War and not just when it comes to trade. A stance towards China that was soft, at least comparatively, on other issues like territory and military capabilities were maintained by a relationship created by Cold War doctrine and perceptions. The direction of U.S. policy toward China during the Cold War had too much momentum to be turned back easily.

A Historical Take on the World of Today

Nonetheless, it is important to consider there were other factors that led to the establishment and continuation of the status quo relationship with China. China's ascension to superpower status at the fastest rate in history was a result of Chinese strategic brilliance and the U.S.'s complacency. Had the Sino-Soviet split not been exploited in the way it was, the outcome could have been quite different. However, it is undeniable that the Sino-Soviet split helped form the circumstances that allowed for this chain of events to unfold so spectacularly and so rapidly. America's fixation on containing the Soviet threat helped ensure that China's early intentions remained unrecognized and created some assumptions and tendencies that China could exploit for personal gain. The Sino-Soviet split did not cause the U.S. to decline, but it gave policymakers tunnel vision to what the world's threat environment looked like. This notion has prevailed due to the perception that the fall of the Soviet Union was a harbinger of peace – the “end of history” as some American-centric ideologues would say. Nonetheless, the problem America has with perception versus reality is clearly demonstrated in the events of this part of history, as are the doctrinal and cultural differences between the U.S. and China. The Sino-Soviet split altered the course of human history in a way few other developments have.

When reflecting back on U.S. policy of the era and contemplating whether it was a success or a mistake, the final implications in the long-term hinge on whether accepting major steps toward Chinese hegemony was really worth containing the Soviet Union. Whether China is as big a threat than the Soviet Union was, and whether the Soviet Union could have become more of a problem had it survived, are still worthy topics for discussion over foreign policy and history. Discussion over alternate timelines is mere speculation; either the rise of China was inevitable, or the U.S. made a serious miscalculation on the grand strategic level in handling the Sino-Soviet split.

Concluding Thoughts

What effect, if any, did the shifts in international relations caused by the Sino-Soviet split have on the global balance of power? Clearly, it did have effects that were indirect but substantial on the balance of power in the world. The Sino-Soviet split contributed to the circumstances that shifted what the Chinese would call *shi* (roughly translated as the propensity of things to happen)¹² in Beijing's favor. Implications beyond the present day are subject to speculation, and alternative interpretations of history are bound to exist. Nonetheless, looking back at the time period defined by the Sino-Soviet split is useful for understanding the world today. While the period of the Cold War is long gone, the concepts, norms, and behaviors it created echo throughout the ages and persist to this day. When it comes to the decisions U.S. leaders make in the future, it would serve them well to keep the past in mind.

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A Broken System: The Misclassification of Human Trafficking Victims as Criminals in the U.S.

By: Chloe Diaz

Human trafficking is a pressing issue that takes the lives of many people. In fact, a staggering estimate of 20.9 million victims of human trafficking exist globally (Trafficking Resource Center). Of these millions of victims, 80% are sexually exploited, and half are children. At a more local level, an estimated 15,000 people are trafficked into the United States and coerced into labor or sexually exploited each year (Goldberg). In many instances, sexually exploited human trafficking victims are wrongfully charged as prostitutes (HG Legal Resources). The conflict between state and federal law, unfair scare tactics, and an uninformed law enforcement all contribute toward the failure to identify and rehabilitate human trafficking victims.

Trafficking victims are often mislabeled by the justice system as prostitutes, allowing for the responsible party, traffickers, to get away (HG Legal Resources). It is difficult to remove victims from the stigma that prostitutes are in search of their own monetary gain because the term prostitution is extremely broad in the legal sense. According to US Legal, prostitution is defined as, “the commission by a person of any natural or unnatural sexual act, deviate sexual intercourse, or sexual contact for monetary consideration or another thing of value.” Due to this general definition, it is easy to lump sexually exploited human trafficking victims under the label of prostitution, because it is easy to qualify as a criminal by this definition considering motives for prostitution are not taken into account to determine if one is innocent or guilty of the crime. Often frauded, forced, or coerced into situations, human trafficking victims have even less autonomy over their bodies than prostitutes because trafficking victims are forced to sell sexual services for the benefit of the trafficker

and not themselves (HG Legal Resources). Traffickers subject their victims to physical and psychological abuse “including violence, sexual assault, deportation threats, and debt bondage with fictitious amounts of living expenses used to keep the victims vulnerable, and dependent on the wishes of the trafficker” (Sheldon-Sherman). Therefore, while traditional prostitutes may possess more of a position to dictate their situation, human trafficking victims are left with no choice but to perform the acts that the trafficker commands as a way for the victim to temporarily halt the abuse they endure.

Recently, the U.S. Department of State has begun to monitor signs of trafficking. In 1994, human trafficking received coverage for the first time in the Department’s Annual Country Reports on Human Rights Practices. In 2003, the Trafficking Victims Protection Act (TVPA) was passed. It states that, “any person under [the] age [of] 18 who performs a commercial sex act is considered a victim of human trafficking,” and based on

the U.S. Department of Health's evaluation of the underage individual's psychological state, the TVPA requires the government to provide rehabilitation services to them.

Despite the government's efforts to protect and aid victims through the TVPA, it appears that there remains a failure to recognize the distinction between prostitution and the act of being prostituted. Labeling a minor as a child prostitute holds the negative connotation that the victim is choosing a life of sexual exploitation by will. Since the average citizen holds very little knowledge over the distinction between prostitutes and trafficking victims, their ignorance plays a key role in a jury's decision to incarcerate victims rather than aid them. Therefore, many victims fall to the fate of an ill-informed jury. A huge disconnect between the way the state and the federal government handle prostitution allows for the opportunity to falsely prosecute human trafficking victims. Although the Trafficking Victims Protection Act was set in place by the federal government to address these people as victims rather than as prostitutes, the conflict remains because states are the ones who traditionally address prostitution (Souther). Instead of following the federal government's act, states continue to pursue victims as criminals by "charging and sentencing the[m] on prostitution grounds" (Souther). In fact, according to the Texas Juvenile Probation Commission, "...throughout the nation, law enforcement efforts tend to focus on prosecuting the crimes committed by the victims of sex trafficking (prostitution, runaway) rather than crimes committed by the solicitor/trafficker (sexual assault of a minor)" (7). Significant lack of state support is attributed to the hardships that come with acquiring strong enough proof that the victim was truly subjected to severe trafficking by the guidelines of the TVPA (Sheldon-Sherman). Consequently, prosecutors assume an upper-hand in trafficking cases, because the state frequently views defendants' cases for the innocence of trafficking victims as poorly founded.

Scare Tactics in the Courtroom

It is contrary to our current justice system to assume that trafficking victims are not innocent until proven otherwise considering

that the American justice system follows the presumption of innocence, meaning that "a defendant is innocent until proven guilty" (Legal Information Institute). The use of scare tactics in the courtroom is another factor that contributes to trafficking victims suffering lengthy, undeserved consequences. Due to mandatory minimum sentences, prosecutors wield an upper hand in the court because they can choose from a wide range of sentences to pursue (Barkow). Prosecutors often use this advantage to threaten the defendant with the longest sentences in order for the defendant to accept the prosecutor's plea deal for a seemingly lesser sentence in jail (Barkow). Rachel Barkow, New York University law professor, explains how victims tend to plead guilty to crimes they did not commit as a result of scare tactics, which causes an unfavorable turnout for the victim.

In addition to the use of scare tactics, little emphasis is put on identifying traffickers and victims on behalf of the justice system. In the *Journal of Interpersonal Violence*, 3 researchers put forth a system to screen children within the Clark County Juvenile Court, and out of 535 kids, "47 reported risk factors of previously being sexually exploited...and 6 were confirmed commercially exploited sex victims." Without this newfound research-tested screening system, these children would not have been removed from the juvenile system and would continue serving time for a crime they did not perform. With this being said, identifying victims within the court should be a major priority.

The Miseducation of Law Enforcement

Another issue of poor identification is through local officers. Reportedly, local law enforcement comes into contact with traffickers and victims frequently because this is where traffickers operate and are apprehended for other crimes (Sheldon-Sherman). In fact, 68% of individuals previously apprehended were eventually linked and charged with trafficking (Sheldon-Sherman). A study done on human trafficking in the Tampa Bay region, where nearly one-fifth of human trafficking hotline calls come from, argues

that “law enforcement agencies are spending too much money and resources focusing on prostitution” rather than funding additional training on human trafficking for local police (May). Evidently, training law enforcement to recognize and report signs of sexual exploitation and trafficking within the court and the outside world is a necessary step needed to take action against human trafficking and bring victims to safety.

The Reform Necessary to Help Victims

Due to scare tactics, uninformed juvenile courts and juries, and untrained local officers, human trafficking victims are deprived of the opportunity to undergo rehabilitation, allowing for victims’ mental instability to fester as they serve their undeserved sentences in a hostile environment: jail. Meanwhile, traffickers continue to remain under the radar with no repercussions. Trafficking victims are physically and mentally worn by the various forms of abuse they endure and often suffer from “post-traumatic stress disorder, depression, anxiety, and eating disorders” (Stop Violence Against Women). Without the proper psychological care, it is likely that human trafficking victims’ existing mental issues will worsen. In fact, the “high-stress environment” of incarceration has proven to induce post-traumatic stress disorder and various other mental issues on women especially (Villines). Evidently, reform is necessary to help identify and provide mental and physical care for victims before they are criminalized and neglected.

In an attempt to the fight against human trafficking and prevent victims from false convictions, there are many different problem areas that need to be addressed. The general population should be more informed on the issue of human trafficking so that, in the event that an ordinary civilian is a jury member for a victim’s trial, they can make a more informed choice concerning the victim’s fate. Awareness of human trafficking can be spread throughout the general public by airing commercials that educate people on the signs of human trafficking, or even by posting fliers around commonly

frequented areas such as university lounges or bus stations. Additionally, screening systems, like the one utilized in the Clark County Juvenile Court, should be placed in juvenile facilities, so that victims who are already in the system as criminals can be exonerated from their institution. Furthermore, the federal government should allocate money towards training programs that teach local law enforcement to recognize victims and perpetrators, not only so more traffickers can be put on trial for their crimes, but also so victims can receive proper care sooner rather than later. Lastly, while scare tactics and plea bargains are used in cases outside of prostitution convictions as well, it is necessary to reexamine these acts and challenge them due to the negative effects they bring. To remedy the current unfair use of scare tactics, perhaps the government should consider requiring “that the prosecution’s plea offers be presented to a jury or judge before sentencing. Jurors might then wonder why they are being asked to sentence a defendant to 20 years without parole when the prosecution was willing to settle for 5. 15 years in jail seems a rather stiff punishment for making the state undergo the bother of a trial” (Friedersdorf).

Ultimately, while there are numerous issues that contribute to victims’ false convictions, such as ill-informed juries, disconnect between the federal government and state, overzealous prosecutors, lack of screening systems, and untrained police, this does not mean that progress cannot be made towards the liberation of trafficking victims. Future research should use the problem areas identified in this research to further explore potential solutions to help aid human trafficking victims.

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