

New Errands



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Welcome to New Errands!

The Eastern American Studies Association and the American Studies Program at Penn State Harrisburg are pleased to present the fifth issue of *New Errands*, an online journal that publishes exemplary American Studies work by undergraduate students.

Seeking to develop the next generation of Americanists, *New Errands*' mission is both to provide a venue for the publication of important original scholarship by emerging young scholars and to provide a teaching resource for instructors of American Studies looking for exemplary work to use in the classroom.

New Errands will be published semi-annually, after the end of each academic semester. The goal of this timetable will be to collect and publish essays produced during the previous term, so that they can be made available as quickly as possible for use in the following term. We encourage both self-submission by undergraduate students and nominated submissions by instructional faculty. They must have an American focus, but can employ a variety of disciplinary methods. Submissions can be emailed as Word documents to: newerrandsjournal@gmail.com.

Essays can be of any length, but they must have a research focus. Any visual images should be placed at the end of the manuscript, and tags should be placed in the text to indicate the intended placement of each image. Manuscripts should conform to MLA guidelines. Papers found in this volume were presented at the Undergraduate Roundtable of the Eastern American Studies Association Annual Conference in March of 2015.

New Errands Staff:

Supervising Editor– Anthony Bak Buccitelli

Co-managing Editors– Brittany Clark and Caitlin Black

Layout Editor– Ugur Ozturk

For further information about the Eastern American Studies Association, including the annual undergraduate roundtable and the EASA undergraduate honors society, please visit:
<http://harrisburg.psu.edu/eastern-american-studies-association>.

A Message from the Editors—

The essays in this volume come from student presentations at the Undergraduate Roundtable of the March 2016 Eastern American Studies Association Conference. Together, these essays demonstrate both the range of methodologies and quality of scholarship attainable by exceptional undergraduate students. Essays presented here grapple with topics that include conservative readings of the Declaration of Independence; the successes and limitations of Title IX; the role of *The Chicago Defender*, an African American newspaper, in shaping black identity; the role of medical language during the Cold War; and the relationship between Phyllis Schlafly and Transgender rights. To that end, these essays demonstrate the broad umbrella that encompasses American Studies scholarship.

Though these essays respond to a range of topics, they share key themes that reflect the richness and diversity of American Studies scholarship at all levels. First, several of these essays engage with issues of law and demonstrate the role that scholars of American Studies can play outside of traditional academia in shaping our understanding of policy and its effects on the lives of everyday people. In addition, many of the essays presented here apply an intersectional approach to topics, seeking in particular to present the voices and stories of those often left out of the historical record. These lines of inquiry show great potential for the future of American Studies scholarship.

It is the goal of *New Errands* to encourage and promote undergraduate research into issues of American culture and society. The essays included here both meet that goal and offer useful models for others seeking to conduct successful undergraduate research and writing on American Studies topics.

We hope you enjoy these essays.

Caitlin Black and Brittany Clark

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Politically Motivated Readings of the Declaration of Independence

Jessica Brand

Rutgers University

The Declaration of Independence is arguably the most important document in American politics. It is recognized by many as the founding document of the United States and lauded for continuing to have ideological significance in modern politics. However, there are others who would argue that the Declaration of Independence is certainly an important historical document, yet deserves to remain a part of history and has no bearing on modern politics, the future of American politics or continuing political ideology. Regardless of the opinions held, the Declaration of Independence undoubtedly is being used in modern politics by both conservative and liberal political thinkers as a means to justify political platforms.

The purpose of this thesis is to explore the ways in which both conservative and liberal politicians are using the Declaration of Independence as a tool to substantiate particular political positions. The first chapter discusses the historical context surrounding the drafting and signing of the Declaration of Independence; it also looks at the text and explores what is achieved through the rhetoric of the Declaration. The following chapter explores modern monuments to the Declaration of Independence, such as the meaning of the Fourth of July and how the Declaration is remembered and represented where it was written, at Independence Hall in Philadelphia, as well as where it is kept, in the National Archives in Washington, D.C. It also considers the importance of the Declaration as a document that shapes the way other countries view the United States and as a document that inspired other nations to seek independence and was the model for many other nations' calls for democracy and liberty. The second half of this thesis deals, in two separate chapters, with the ways in which conservatives and liberals have independently each used the text of the Declaration of Independence to defend and justify radically different political and social policies. The third chapter deals with conservative uses of the Declaration to promote natural law and more

traditional political ideals. While the fourth chapter considers liberal interpretations of the Declaration as a document that, above all, promotes equality as the cornerstone of American political ideology and practical law. To conclude, the limitations of each perspective and the ways in which they are flawed in their modern use of the Declaration of Independence will be discussed.

Chapter 3: Conservative Interpretations of the Declaration of Independence

Introduction

Supreme Court Justice Clarence Thomas is one of the most controversial and often criticized justices on the United States Supreme Court. However, he is much more thorough and steadfast in his Constitutional interpretations that most critics acknowledge. He is known for his generally conservative positions that, even when in agreement with the majority, are still derived from understandings of Constitutional law and are justified through rationale that is very different from that of the other justices. Justice Thomas is recognized for his particular brand of originalism, which focuses on the original intention of the Constitution, and this originalism often requires looking to the Declaration of Independence as a source of law.

In keeping with his conservative counterparts, Justice Thomas believes that it is necessary to interpret the Constitution from an originalist perspective, but in particular Thomas sees the original intent of the writers of the Constitution as important, as opposed to other originalists who base their jurisprudence on the original public meaning and *interpretation* of the Constitution as opposed to the original *intention*. Thomas believes that straying from the original intent of the Constitution chips away at the democratic ideology on which the United States was built; he believes that if modern judges do not interpret and follow the words and intentions of "we the people", as written in the Constitution, in the creation and implementation of law then American law is not truly based on the law and beliefs of the *people*. When the original intention of the Founding Fathers is not clear through the words of the Constitution alone, Thomas often looks to the Declaration of Independence for an explanation of the goals and priorities of the country's framers.

Clarence Thomas has been recognized for this use of the Declaration of Independence as a source of legal doctrine in his decisions on the Court. He has cited the Declaration as a source of law in opinions he has issued as a justice on the Supreme Court.

In the 1995 affirmative action case *Adarand Constructors, Inc. v. Peña* he directly cited the Declaration of Independence in his opinion. “There can be no doubt that the paternalism that appears to lie at the heart of this [affirmative action] program is at war with the principle of inherent equality that underlies and infuses our Constitution. See Declaration of Independence (“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness”).” Here, Thomas looks to the Declaration to highlight that the United States was built upon a foundation of equality and therefore affirmative action is contradictory to those principles.

This use of the Declaration is significant because, though logical, it brings the Declaration to the forefront of modern American law. While there is room for many interpretations of the Declaration of Independence and varied perspectives on the purpose of the language, its words are very easily used to justify conservative political platforms.

There is a great amount of natural law rhetoric in the Declaration of Independence and there are significant modern implications if this language is believed to be the most important legacy of the Declaration. Natural law requires that God’s moral laws and the laws of logic be prioritized. As a result, conservative following of the Declaration of Independence makes significant use of natural laws as the justification for adherence to many socially conservative political platforms, including opposition to abortion and gay marriage. Adherence to natural law principles also makes it theoretically possible to circumvent the Constitution, positive law and precedents and as a result interpreting the Declaration in this way is a potential threat to a great deal of American political history and progressive change. Justice Thomas sees this use of the Declaration as political doctrine as a necessary tool in adherence to originalist interpretations of the Constitution; although his method often does criticize precedent, he argues that only strict attention to original intention keeps judges from making law based on their own beliefs.

Thomas’s strict originalism and conservative tendencies come from his steadfast, and sometimes challenging to uphold, adherence to the original intent of the Constitution, which is often understood through consulting the Declaration of Independence.

Through his attempt to adhere to the original intention of the Constitution, Clarence Thomas brings the Declaration of Independence into play in modern American politics, particularly as a tool for conservative thinkers. Once this document is regarded as a source of American law, there are many significant ways in which traditional social values can be justified and promoted.

Natural Law Rhetoric and the Declaration of Independence

For some politically and socially conservative activists and legal thinkers, the human rights and political rights asserted in the Declaration of Independence are seen as having derived from the concept of natural law. Natural Law refers to principles that are viewed as part of human nature. Natural law differs from “positive law” or “common law,” in that natural law is not guided by acts of legislatures or constitutional conventions, as positive law is, or by the accumulated precedent of past decisions by judges, as is the case with common law. Rather, natural law is thought to come before human society and derives, according to its proponents, from either the plan of a divine creator or from the inherent rules of reason and logic. Adherence to natural law is the main foundation of politically conservative interpretations of the Declaration of Independence, as some of the language and ideology represented in the Declaration makes use of natural law concepts. Many proponents of conservative ideology use natural law as the basis for conservative political agendas, such as opposition to abortion and support for gun ownership, and they find the justification for adherence to natural law in the rhetoric of the Declaration of Independence.

The conviction that the Declaration of Independence was intended as statement about rights and obligations under natural law is hardly an invention of present-day conservatives. At the time the Declaration of Independence was written, belief in natural law was common. When writing the Declaration of Independence, Thomas Jefferson did not reference any specific work or body of thought, except for the sentiment of his contemporaries. In order for the Declaration of Independence to be supported by colonists, it was necessary for Jefferson to use ideas that were commonly accepted and appealing (Becker 25) in the 1770s. In a 1825 letter, Jefferson reflected that the Declaration of Independence “was intended to be an expression of the American mind... All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, etc.” (quoted in Becker 26). In *The Declaration of Independence: A History of Political Ideas* Carl Becker elaborates

that the notion “that there is a ‘natural order’ of things in the world, cleverly and expertly designed by God for the guidance of mankind; that the ‘laws’ of this natural order may be discovered by human reason; that these laws so discovered furnish a reliable and immutable standard for testing the ideas, the conduct, and the institutions of men” was commonly accepted by colonial Americans; the prevalence of this idea was what made the Declaration of Independence accessible to colonists (Becker 26). Becker also alludes to the belief held by colonists that natural law would help new Americans form laws that were in keeping with their values and ideals; using natural law as a guiding principle was supposed to insure that American law was just and in keeping with religious morals and the laws of nature. At the time that Thomas Jefferson penned the Declaration of Independence, and in that context, it was the belief of most Americans that God created a system of natural laws and morals that humans were capable of interpreting and applying in order to govern themselves in a way that was consistent with Christian teachings. Americans and the founding fathers respected these natural laws but also believed that adherence to these laws would help them create a more equitable and sustainable government.

The Declaration of Independence includes several specific references to the natural law tradition. First, the Declaration references “the separate and equal station to which the Laws of Nature and of Nature's God entitle them.” The pronoun “them” refers to colonists living in the United States and the overall emphasis of the Declaration rests on the idea that certain rights are guaranteed for all people. Here the text specifically identifies the “Laws of Nature” and “Nature’s God” as guaranteeing to individuals the rights which are required for them to have equality and which allow them to create an independent government that is more protective and better serving of their rights. The use of the phrase “Laws of Nature” is a restatement of the idea of natural laws, and the phrase “Nature’s God” emphasizes the significance of God and religion as the origins of natural law. Additionally, in enumerating the self-evident truths, Jefferson states that men are “endowed by their Creator with certain unalienable Rights.” Here God, or a “Creator” is once again invoked and said to be the source of the rights that humans possess. Religious doctrine and the belief that God entitled

humans to certain rights is an important facet of natural law doctrine and is similarly an important part of the Declaration of Independence. The qualification of certain rights as “unalienable” also suggests a belief in the existence of a higher power that supposedly endows humans with these rights; it also more significantly states that these rights cannot and particularly *should* not be infringed upon by any government whatsoever. This particular language firstly serves the purpose of illustrating that Great Britain’s failure to adhere to natural law principles, which were believed to be fundamental to civilized and moral Christian society, was a significant justification for declaring independence from the rule of King George III.

In approving of the Declaration, colonists framed natural law as the ultimate law and essentially argued that any nation or ruler that went against natural law or infringed upon the rights guaranteed by natural law was not a just ruler and did not need to be respected as the authoritative government. The Declaration of Independence asserts that in such a situation the people have a right to create a new form of government that derives its power from natural law and that aims to be fair and protective of its citizens. Moreover, through the colonist’s assertion that going against natural law and alienating the rights of citizens was unacceptable, they presented the principles of natural law as important aspects of government and as integral to creating fair laws in a new nation. As a result, natural law can be seen as an important basis for the creation of all subsequent American law and a guiding principle throughout politics; but in modern politics strict adherence to natural law and translation of its principles to all issues lends itself to particularly poignant and traditional political agendas.

The Modern Applications of Natural Law Rhetoric

In using the Declaration of Independence as the source of law, conservatives choose specific sections and text of the document that can be used to justify particular political views. The Declaration is used to advance certain political positions because of its validation of natural law, though natural law is only referenced in particular sections of the document. In keeping with natural law principles, conservatives argue that citizens are not free to create their own laws; rather law must follow from the natural laws created by God. For

conservatives it then becomes easy to oppose certain social practices that can be considered “morally wrong”, such as abortion and homosexuality. Abortion and homosexuality, among other practices, are viewed as opposed to the natural order of the world. Although most modern Americans might tolerate the legality of same sex marriage and abortion, conservatives want to remind Americans about the natural law roots of the Declaration because natural law justifies the argue that modern Americans cannot legally choose to have a “wicked” society—one that tolerates the murder of innocents and defiles God’s handiwork with unnatural sexual couplings—because laws that would allow these things conflict with the laws of nature upon which the country was built. Arguing for natural law implies that all law must derive and align with the laws of nature and moral principles and that precedents should not be regarded as law. True adherence to natural law theory means accepting that the original source of law was a “Creator,” not the ideas and decisions of citizens who might be wicked or corrupt. This idea is extremely helpful to advancing the agendas of socially conservative politicians. If this logic is followed then it is necessary to look directly to natural law doctrine in order to determine the future of politics and make judgments regarding what laws should be passed. If natural laws, ethics and the logic of rights are looked to in order to answer questions regarding legality, the most traditional interpretation of laws will generally prevail because these philosophies derive from a basic understanding of rights but do not deal with complexities of many modern issues.

One example of the application of natural law in modern politics is regarding the issue of abortion. The issue of legal abortion is something that is very important to both conservatives and liberals. However, conservatives see abortion as fundamentally wrong and immoral because it is believed to be against the “natural order” that is determined by God. Additionally, Conservatives argue that justifications that explain legalizing abortion necessarily contain contradictions regarding the understanding of the laws of logic. Abortion is particularly important issue for conservatives because it highlights the two main pillars of natural law, adherence to God’s natural order and to the logic of rights. Allowing abortion challenges the foundations of natural law and for conservatives this challenge is seen as a threat to

fundamental rights. Natural law is believed to be the source of all legal and political rights and a challenge to these rights could potentially disrupt all of society. Abortion is an issue that brings into question the fundamental ideology of natural law and as a result it is a highly contested issue. Arguing that the Declaration of Independence urges for adherence to natural law ideology is an important justification for anti-abortion platforms but also serves to defend overall adherence to similar conservative positions on social issues and the source of citizens' rights.

Natural law relates to the argument against abortion in two main ways. Firstly, abortion defies what conservatives view to be God's natural order in the world. They believe that if a child is conceived, then it must be God's will and therefore it is not acceptable for humans to decide to go against the will of God. To social conservatives, abortion is morally abhorrent. Additionally, many argue that legalizing abortion contradicts logic itself. The conservative legal scholar Hadley Arkes argues that those who defend a woman's "right to choose" contradict themselves, because in arguing in defense of the inherent right of a woman, as a human and as an individual, as a justification for her having the power to control her own body and reproduction, they ignore that the fetus should also have rights, based on the same logic of inherent rights that guaranteed rights to the mother. Arkes believes that if we adhere to the belief that women have inherent rights, which is the justification for the right to choose, a fetus should also have some inherent rights and presumably one of those rights would be life. Conversely, if citizens accept that the right to life can be taken away from the fetus, then it would not be hard to justify that the mother's right to her own life, or similar rights, could be taken away by society at large. Arkes believes that if we use the rights of the mother as a justification for abortion, the same ideology that guarantees the mother's rights should also guarantee the rights of the fetus, because they are essentially the same rights. The issue here can also be considered in terms of who confers rights to both the mother and child. If the child only gains rights when the mother chooses to bestow them on the child, the rights are not natural rights; if natural rights are ignored, then who is to say that the mother has any rights either? Technically, under these conditions (without natural rights) society as a whole could deprive the mother of all of her rights, if people collectively decided

that she was part of a group that did not deserve rights because of her race, gender or opinions. Arkes urges that "the people who sign on to the 'right to abortion' in the radical style of our current laws...set in place the logic that deprives them of all of their rights" (Gordon). In his 2002 book, *Natural Rights and the Right to Choose*, Arkes suggests that the issue of abortion and the emergence of the "right to choose" conflicts traditional American political logic, particularly natural law logic. He sees legalizing abortion as having led to a new era of rights that go against natural law logic and bring a different political ideology to the forefront of United States politics. For instance, if we as a society devalue the rights of a fetus, what stops the majority from also devaluing and subsequently infringing on the rights of other minorities, such as racial minorities? For some conservative thinkers, the issue of abortion, particularly as it relates natural law through the inherent rights debated in discussions about the legality of abortion, highlights the conflicts in allowing any set of positive laws to dictate what rights are afforded to groups of people. As a result, the abortion contest is seen as an important and fundamental debate that has bearing on the overall understanding that citizens have of the political and legal rights that American society depends upon.

In the case of abortion, Arkes argues that turning against certain natural law principles could unhinge society and he believes that legalizing gay marriage would have similar results. In the abortion example, Arkes argues that giving society the power to allow women to take away the rights of their fetus would also mean that, theoretically, society could also decide it has the power to take away from minorities the rights that should be inherent to all people. Similarly, he argues that gay marriage should not be legalized because if it were, what would stop other marriages, such as between humans and animals or between individuals who are close blood relatives, from also being legalized? (Arkes, "Supreme Court Hears Cases...") Arkes views gay marriage as morally deplorable and as a violation of the natural order of the world that God intended. Furthermore, he believes that arguments for gay marriage that assert that individuals should be able to do what they want because it will not harm anyone else or take away from the marriages of heterosexual couple, leave open the possibility of using this argument to validate other morally unacceptable marriages that even socially

progressive thinkers would not want to allow, such as marriage of adults to young children or to animals. Arkes argues that if homosexual couples are allowed to marry on the basis that their marriage will not affect anyone else's marriage, how can a mother and her son be stopped from marrying? Shouldn't the principle that a marriage between two men would not affect anyone else's life also work to support the marriage of a mother and her son, if they wish to live as man and wife? (Arkes, "Supreme Court Hears Cases...") Arkes believes that allowing certain morally questionable marriages, will open the door for all definitions of marriage to become legalized

The principles of natural law can be applied to many other situations and have been used to justify that it is important, in modern politics, to adhere to many socially conservative ideas. Overall, natural law is supposed to uphold fundamental moral principles, especially those that the founders intended the United States to be built upon. However, natural law generally ends up being used as a justification for more traditionally religious and conservative ideology.

Arkes's discussion of natural rights in relationship to abortion emphasizes the view that natural law provides the most consistent logic for legal doctrine to derive from, but is there a limit to the situations in which natural law should be applied? One potentially problematic conflict is that many rights and actions can be claimed to derive from and be protected by natural law ideology. In "The Natural Law Challenge," Arkes discusses the use of natural law to justify gun ownership. He says, "Justice Scalia has referred to the right to bear arms, the right of the innocent to protect themselves, as a "pre-existing" right, which was there before the Constitution" (Arkes, "Natural Law Challenge" 973). Many rights, such as the right to protect oneself, are easily associated with natural rights in that these rights are seen, through the rules of logic, as necessary to the preservation of order in human society and to upholding other fundamental rights. Another example of this justification for the application of natural law is the necessity of the right to life as a foundational principle of civilized society. However, it is easy to question how far these rights should be extended. Does the right to protect oneself necessarily include the right to bear arms? And even if the right of an individual to bear arms should be protected, should the type of arms that they can own as a private

individual be limited? Although most scholars would probably not go to the extreme of arguing that assault rifles with high capacity magazines should be owned by private citizens, natural law rhetoric could technically be used to justify unchecked right to protect oneself through the right to bear arms. At what point does natural law stop being applicable?

Arkes suggests that Justice Scalia and conservative scholars would argue that the Second Amendment "was meant to secure that natural right" (973); the natural right that Arkes refers to is the right to bear arms. However, it continues to beg the question, is there a point at which this right should be limited? It is possible for the rights of one individual, such as in the case of the right to bear arms, to infringe upon the rights of another individual, such as the right to live safely and securely and be afforded justice through a trial by jury? According to some natural law theorists, however, natural law guarantees the overarching right of individuals to protect themselves, therefore Second Amendment rights should not be infringed upon. Some natural law scholars go so far as to question the need for a Bill of Rights at all, because they claim that rights to "life, liberty, and property" or the freedom of speech and religious expression are inherent parts of law itself. (Rankin)

Many of the writers of the Constitution were opposed to the Bill of Rights because they felt that the rights that the Bill of Rights was meant to protect should be assumed and therefore did not need to be protected by the government. They also felt that "there was something not quite right in the notion of a Bill of Rights reserving to people rights they hadn't surrendered to the state, for that implied that they had indeed surrendered the body of their rights to the state and that they were holding back now a few that they hadn't surrendered" (Arkes, "A Natural Law Manifesto"). Like many of those original critics of the Bill of Rights, conservative advocates of natural law see the purpose of the Constitution as "the securing of those 'natural rights'" ("A Natural Law Manifesto"). Therefore, because the Constitution is a realization of the principles of the Declaration of Independence and the Declaration was built on the belief in natural, pre-existing rights that did not derive from government, there should have been no need for the government to assert that citizens had particular rights, because the government was built to protect rights, not take them away. Essentially, the Bill of

Rights is believed by some to undermine the fact that the government was built upon the principles of natural rights and never threatened the rights outlined in the Bill of Rights. Integral to this argument is the idea that even before government was instituted, “we never had a ‘right to do wrong’” (A Natural Law Manifesto) and therefore the government did not deprive citizens of any right to do mischief. Because the government was not denying any rights that individuals ever were entitled to many drafters of the Constitution and modern scholars alike do not believe that it was necessary for the Constitution to assert that it was guaranteeing rights to certain things. They argue that the American government was not depriving any individual of any rights that citizens had before the government was created, and therefore an enumerated Bill of Rights should not have been included in the Constitution because natural law and not the government established the pre-existing right of citizens, such as the right to life. Fundamental rights did not need to be enumerated because they were assumed, if natural law principles were being followed. Natural law scholars in particular are opposed to the Bill of Rights, because they see the assertion of these particular rights as taking away from the idea that all humans have “certain unalienable rights” (Declaration of Independence). If there were not a Bill of Rights, these rights would have to be seen as unalienable rights, but the fact that they are outlined in the Bill of Rights implies that if they were not enumerated they could potentially be denied. The idea that these rights could be denied is wholly contradictory to natural law ideology.

In discussing the Declaration of Independence, Jefferson acknowledged that its text was not meant to promote any particular political theory. Instead the Declaration represented many common 18th century ideas about government and political theory so that the document would be accessible to colonists (Becker 25). The reason that these philosophies were significant and included in the Declaration of Independence was because they, firstly, were commonly understood in the 18th century. Additionally, these ideas were important because they could be used as an attempt to justify the treasonous act of declaring independence from Great Britain. The natural law ethic implied in the Declaration of Independence was certainly important to the purpose of the Declaration and an important political theory in colonial America,

however it is easy to question whether such a philosophy was meant to be carried into the 21st century and used as the basis for modern law. The example regarding the right to bear arms shows that natural law is significant in justifying, explaining and protecting the rights that citizens have, but Carl Becker and other scholars suggest that Jefferson used many common political philosophies to unite citizens in the call for independence and did not intend for particular ideologies to be paramount in future law. Natural law is certainly an important philosophy in early American politics, but Becker’s points out that it was not necessarily meant to be the founding principle, although it was cited with many others. Modern conservatives draw upon the natural law rhetoric of the Declaration of Independence because it allows them to justify their political positions through assumed American ideology.

The question of the importance of the Declaration of Independence has many implications. In addition to helping conservatives justify certain political positions through applying natural law rhetoric, recognizing the Declaration of Independence as a source of law could create the opportunity for individuals to ignore the law created by the Constitution. Although the year 1776, when the Declaration of Independence was signed, is regarded as when the United States was created, the Constitution is regarded as the ultimate source and origin of all law. If the Declaration of Independence, which predates the Constitution, is regarded also as a source of law, there is the possibility that laws in the Constitution could be ignored in favor of the earlier laws or ideologies outlined in the Declaration of Independence. Natural law already suggests that common law and positive law are unimportant, and as a result, looking towards the particularly natural law rhetoric of the Declaration allows for a great deal of positive law, including the Constitution, to be circumvented in favor of adherence to natural law. Although the Declaration of Independence is certainly an important document in American cultural and political history, should its text be read as law and should its words be followed as such? Conservative scholars could potentially use the Declaration of Independence to argue for adherence to natural law principles in all matters. In the example of the legality of abortion, adherence to the Declaration of Independence would mean that the issues of the Ninth Amendment and the right to privacy that are viewed as central to the decision in *Roe v. Wade*

(1973) are irrelevant, instead the central issue would be the origin of rights, the conflict between the rights of the mother and of the fetus and the determination of the point at which a fetus has rights. Interpretation of the Declaration of Independence as law could result in the circumvention of the Constitution, many positive laws, and court-established precedents. Adherence to the Declaration of Independence as a source of law would allow judges and lawmakers to ignore many important American laws and look only to the Declaration and the ideologies it presents in order to govern the United States. Using the Declaration of Independence as a source of law could lead to a significant change in the interpretation and application of American law.

Conservatives see the natural law argument as a way to defend their political beliefs. Many conservative politicians and thinkers who argue for more traditional interpretations of the Constitution use the natural law defense to take the Constitution back to its original and more traditional meanings, which they view as originating in the Declaration of Independence. Additionally, they see a more liberal and progressive view of the Constitution as allowing judges to interpret the Constitution however they would like. In the Introduction to his book, *Beyond the Constitution*, Hadley Arkes writes “the liberal commentators on the law have been willing to advance a ‘living Constitution,’ an arrangement in which judges are freer to adapt the law to the ‘sensibilities of our time,’ without being overly constrained by the text of the Constitution” (Arkes, *Beyond the Constitution* 11). The argument in favor of the importance of natural law in the Declaration of Independence serves as a tool to argue for traditional interpretations of the Constitution and American political ideology; moreover, upholding these principles also often includes interpreting the Constitution in a very traditional, originalist manner which, similarly, results in upholding conservative political views.

Although the argument for natural law is not necessarily slanted towards a conservative position, the modern extension of natural law rhetoric ends up being used to justify very specific conservative platforms. Natural law is most often used as a tool to defend traditional and conservative political positions, and more generally to defend the rights of individual citizens. In this way, natural law has the effect of being critical of government taxation for social programs and of the regulation of businesses,

among other things. Natural law is an integral part of the ideologies behind the Declaration of Independence but the application of natural law to individual political issues can also complicate issues and possibly takes natural law principles out of context; the literal application of natural law principles often creates significant conflicts when strictly applied to specific issues in modern American politics.

Clarence Thomas and Looking to the Declaration of Independence

In his essay “The Natural Law Challenge”, Hadley Arkes suggests that utilizing natural law principles in court rulings can help judges avoid getting stuck in the manipulation of law and can keep judges from bringing their own bias to rulings and statutes (Arkes 966). Arkes’s assertion highlights the overall significance of the Declaration of Independence in modern politics: many socially conservative politicians and particularly natural law scholars hope that using the Declaration of Independence as a source of law will justify the use of more traditional ideology, such as natural law, as the basis for future laws and court rulings and encourage originalist interpretations of the Constitution.

Supreme Court Justice Clarence Thomas is a poignant example of an influential individual who believes in the validity of using the Declaration of Independence as a source of law, promotes natural law principles for conservative ends and, overall, sees the role of judges as interpreting the original intention of law and avoiding clouding their decisions with personal political beliefs. Thomas’s paramount priority as a Supreme Court Justice is to uphold the original text of the Constitution. However, his reasoning for this is much more complex than most critics give him credit. Thomas believes that “[o]ne does not strengthen self-government and the Rule of Law by having the non-democratic branch of government make policy” (quoted in Baker 509). Essentially, Thomas urges that the role of the Justices is not to make law, but to interpret the law that was written in the Constitution. Thomas believes that the words of Constitution, written by the people of the United States, are important to follow closely, particularly because they illustrate the law and will *of the people*. Thomas believes that if judges stray from strict adherence to the words and intentions of the

Constitution in their interpretation, they are straying from the democratic principles of self-government upon which the United States is built (Baker). Thomas is unique on the Supreme Court because of the rationale that leads him to decisions; he often agrees with his conservative peers, however these agreements are usually the result of very different reasoning.

Thomas has developed his own unique type of “originalist” constitutional interpretation. Justice Antonin Scalia, who Thomas is often compared to, interprets the Constitution from the angle of “original public meaning”. This means that Scalia first tries to interpret the meaning of the Constitution by the language, but when the intention of the words of the Constitution are not clear through the text alone, Justice Scalia then interprets the Constitution based on historical information regarding how it would have been originally interpreted, applied and enacted. Original public meaning is distinguished by the importance of original *interpretation* as opposed to the original *intention* (Franck). In contrast to Justice Scalia, Justice Thomas’s brand of originalism is often referred to as “original general meaning”. His approach to constitutional interpretation is much more eclectic than Justice Scalia’s approach. Thomas is “more willing to examine ‘original intent’ in sources like the records of the Constitutional Convention, or ‘original understanding’ in the records of the state ratifying conventions, as well as examining dictionaries and other evidence of the common (or legally specialized) use of the words in the text of the Constitution. He seeks, by use of these various sources, the best possible contemporaneous understanding of the text that he is interpreting” (Franck). Justice Thomas is a very committed and rigorous originalist and in this pursuit, he often looks much further and deeper than other justices.

Justice Thomas also seeks to encourage restraint in judges’ interpretations of the Constitution through the promotion of adherence to its original purpose. “Thomas employs his original general meaning approach as a means of constraining judicial discretion and encouraging judicial restraint” (Rossum, “Understanding Clarence Thomas...”). Speaking about his original general meaning approach Thomas has said that it “reduce[s] judicial discretion and maintain[s] judicial impartiality”, explaining that “it deprives modern judges of the opportunity to write their own

preferences into the Constitution by tethering their analysis to the understanding of those who drafted and ratified the text” (Rossum, “Understanding Clarence Thomas...”). Thomas believes that looking to the original purpose and intent of the Constitution for guidance will make it more difficult to interpret the Constitution in ways that do not align with the goals of its writers, “the people”, and that contradict the political ideology on which the nation was founded. Thomas’s approach favors a traditional view of the Constitution and particularly uses the Declaration of Independence to do so.

Justice Thomas believes that the Constitution was a direct result of the Declaration of Independence and that the Declaration gives important insight into the intentions of government and the laws outlined by the Constitution; when the meanings of Constitutional passages are unclear, Thomas believe that the Declaration can and should be used as a source of law. “Thomas believes that the Declaration’s principles are foundational to the Constitution—they ‘preced[e] and underl[ie] the Constitution’—and he grounds his opinion explicitly in them. In a 1987 article in the *Howard Law Journal*, Thomas declared that ‘the ‘original intention’ of the Constitution [was] to be the fulfillment of the ideals of the Declaration of Independence, as Lincoln, Frederick Douglass, and the Founders understood it” (Rossum, “Understanding Clarence Thomas...”). Justice Thomas believes strongly in the ideological importance and continued relevance of the Declaration of Independence, particularly as a tool for maintaining judicial restraint; his commitment to its ideology has helped to make it a relevant document in modern politics. In attempting to discern the intention of the Constitution, the Declaration is an important source. Additionally, with the Declaration of Independence being used as a reference for judicial review, the idea of natural law clearly becomes relevant to discussion of the intention of Constitutional law and the appropriate application and extent of modern law.

Thomas’s belief that many benefits come from looking to and citing the Declaration of Independence as a reference in opinions issued by the Supreme Court is in keeping with Arkes’s argument regarding the benefit of the inclusion of natural law principles. Justice Thomas is an excellent example of natural law theory at work in modern politics and constitutional review; he proves

how relevant the Declaration of Independence is and how its ideology can be applied to modern political thinking. Moreover, he demonstrates that using the Declaration of Independence as a source of American law can have a significant effect on the outcome of law and court decisions; viewing and using the Declaration as a source of law should not be taken lightly.

Thomas's commitment to upholding the text of the Constitution leads to his frequent willingness to question established precedents. Thomas firmly believes that judges need to adhere to the original intention of the Constitution and as a result he is willing to overturn precedents that contradict his understanding of the intention of the Constitution. His willingness to overturn precedents often ultimately promotes conservative positions, however his purpose is not to promote those positions, but to uphold the text of the Constitution above all. Thomas's tendency to question established precedents is sometimes seen as contradictory to his promotion of judicial restraint, however a close examination of Thomas's logic will show that his overturning of precedents is even more in keeping with his originalist prioritization of the intent of the Constitution than not because his justification for re-evaluating established precedents is that the precedents do not align with the original intent of the Constitution, as written by the people; Thomas sees these wrongful precedents as establishing law as a result of the opinions of judges rather than based on the direct words of the people.

Clarence Thomas's thorough originalist interpretation of the Constitution includes frequent questioning of precedents and positive law, but it is also particularly characterized by Thomas's return to the text of Declaration of Independence. Of course, many of the principles of the Declaration of Independence, that Justice Thomas refers to as being foundational, are those based in natural law. However, natural law is a "natural ally" of judicial restraint (Baker). Arguments in favor of natural law easily align with judicial restraint, because judicial restraint ignores precedent and returns to original meanings and ideology, of which natural law is a dominant feature, particularly when the Declaration of Independence is interpreted as legal doctrine. Natural law has the potential to circumvent the Constitution, positive law and established precedents because following natural law requires that all laws are created and deemed to be acceptable primarily on the basis of their agreement

to the morals and theory of logic understood through natural law.

Justice Thomas has come to be recognized for his tendency to "cite the Declaration as a source of legal principle in the decision of cases" (Franck). This tendency sets him apart from other justices but also importantly brings the Declaration to the forefront of Constitutional interpretation and modern political ideology, thereby securing the Declaration's place as *the* source of American political thought and the authority on the goals of the nation, but also as a historical document that still bears relevance to modern politics. Thomas's approach to judicial restraint is significant to legal doctrine, but also significant to the conservative cause. Thomas's emphasis on the Declaration of Independence accentuates and justifies judicial restraint, which is very sympathetic to conservative causes and often lends itself to similar ideology, among judges, and validates conservatives' use of Declaration as a source of political thought in modern politics. There is no doubt that, in the Declaration of Independence, conservatives have found excellent tools to advance certain political ideas in twenty-first century America.

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Title IX: The Obstacles Still Faced in Leveling the Playing Field

Maura McKenna
La Salle University

Sports hold an immense amount of power. They have been a common passion and past time for Americans throughout the centuries, providing mutual grounds for those who may otherwise be divided. Sports are also vital aspects of American schooling- a concept that is uniquely promoted in the United States- as they are seen to be beneficial in educating the whole person. By combining the rigors of academics and intellect with sports, it was believed that a person's full character could be developed efficiently. It is no wonder, then, that sports became the central debate of an act passed under the Higher Education Act called Title IX. The provision of the act stated simply that no one, on the basis of sex, could face discrimination or be denied participation in any educational institution that received federal aid but ironically did not include the words "athletics" or "sports" anywhere in the law. Title IX changed the face of athletics for women and continues to do so today especially on college campuses. Despite the increased participation of women in sports, often promoted vociferously using statistical evidence, there are still major obstacles that need to be addressed in regards to Title IX. The deficient implementation and enforcement of the law, the lack of support it offers in increasing women in administration and coaching positions, and the focus on revenue-producing sports are all areas where Title IX falls short in ensuring total gender equality; however, these issues can be countered with a more positive promotion of women in sports in our culture and a more structured program at the federal level that will assist in guaranteeing the implementation of the law on all college campuses across America.

Signed in 1972, Title IX was an added provision of the Educational Amendments Act and aimed to prohibit gender discrimination in any education program (Helgren, 2011). It stated "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance (Title IX, 44 Fed. Reg at 71413). This

original wording, though simple, included educational areas like admissions and recruitment, comparable facilities, access to curriculum, counseling services, financial assistance, and marital and parental statuses of students (Hanson, Guilfooy , & Pillai , 2009 , p. 41). By acknowledging that these were areas in which women were being treated unfairly in, Title IX already paved the way for great change in education. However, even prior to the debates regarding Title IX's involvement with sports, the government began to dismantle the law. In 1984, the Supreme Court ruled in *Grove City College vs. Bell* that only education systems that directly received federal aid would have to comply with Title IX (Hanson, Guilfooy , & Pillai , 2009 , p. 43). Although the decision was corrected a few years later, it proved to be a foreshadowing of future debates. The language of the legislation stretches so far but remains so broad and unclear that some simply use the uncertainty to further their own specific interests and agendas. This is where the disagreements and issues regarding Title IX begin to take shape and more strict guidelines need to be outlined in order for it to achieve its original purpose of gender equality.

The inclusion of sports under an Educational Amendment provision on gender equality was more a natural process than an intentional one. Its true aim was focused on education and ironically enough, nowhere in the original provision of Title IX are the words "athletics" or "sports" even included (O'Reilly & Cahn , 2007, p. 219). Nevertheless, in 1979, the Office of Civil Rights (OCR) of the Department of Education, the agency that was given the responsibility of overseeing Title IX, issued for a Policy Interpretation that outlined the basic parts of Title IX as it applied to athletics (Yuracko, 2002). The three basic parts included implementation of Title IX through participation, scholarships, and other benefits. O'Reilly and Cahn elaborate on these aspects in the following way:

Participation: requires that women be provided an equitable opportunity to participate in sports as men (not necessarily the identical sports but an equal opportunity to play).

Scholarships: require that female athletes receive athletic scholarship dollars proportional to their participation.

Other Benefits: requires equal treatment in the provision of equipment, scheduling, travel, access to tutoring, coaching,

facilities, publicity, recruitment, and support services. (O'Reilly & Cahn , 2007, p. 328)

There was definite gains made in athletics because of these parts, which is constantly highlighted and boasted by way of statistics that prove the increase in the number of women participating in sport at all levels, including high school and college. One of the most recent studies from the NCAA Sports Sponsorship and Participation Report of 2011 outlines the jump in numbers that occurred in the years following Title IX. For example, from 1971 to 1972, there were just under 30,000 female athletes in college sports. However, in 2010 and 2011, there were just under 200,000 female athletes (NCWGE, 2012). This is almost a 600% increase in women participation, and these numbers only proved that a law like Title IX was necessary. Great changes took place in college athletics particularly because of how many colleges and universities relied on federal funding (Wilson, 1994, p. 44). They were therefore mandated to agree with, and implement, the changes that the law outlined. In addition to the changes occurring at the collegiate level of sports, families and communities also felt the effects of Title IX. Even as early as the 1980s, both boys and girls began to enter Little Leagues after courts ruled that these leagues must admit girls. By 1999, over two million U.S girls were involved with soccer which aligned with the breaking number of people worldwide who tuned into the U.S. women's soccer team take on China in the World Cup that year, forty million of those spectators were Americans (Hanson, Guilfooy , & Pillai , 2009 , p. 166). In addition to these improvements, the WNBA was made visible with the help of ABC, ESPN, and NBA TV and a small increase in the amount of women sportscasters in on-air positions could be seen. Based on these numbers and shifts, it is evident that Title IX was an imperative law both at the time of its inception and still today. The increase in participation rates must not be overshadowed, and although there are significant changes that need to be made, the positive effects must be acknowledged as well.

The improvements did not come without a fight, however, which played out for years prior. The NCAA opposed Title IX and lobbied against the idea of paying for women's sports, fearful that the increased funding would burden successful men's programs. Alan Chapman, the president of the NCAA during much of the debates, called Title IX "arbitrary government in its naked form" (Wilson,

1994, p. 44). Even in the immediate years following the passage of Title IX, there was resentment surrounding the provision as political and business interests took prominence over gender equality. The statistical evidence of the huge gains that Title IX sparked in women participation, however, only proved that when provided with the opportunity to play girls took advantage of it. Sadly though, multiple arguments and debates take place as some try reduce the power of Title IX.

Although Title IX outlines valuable guidelines to provide opportunities for women to participate equally in sports, little immediate action was taken because of the lack of enforceable means (Wushanley, 2004). In some ways, the legislation was a bill without any teeth and the enforcement of the law was left up for interpretation. The implementation of Title IX in colleges and universities still remains an important issue that needs more attention from athletic departments. At the college level, any person has the ability to find out if an institution is in compliance with Title IX because of the Equity in Athletics Disclosure Act of 1994. This required that all institutions report yearly its athletic participation, program budgets, scholarships, expenditures, and coaching salaries all by gender (O'Reilly & Cahn , 2007, p. 333) It was not until 2002 that the Department of Education announced the creation of the Commission on Opportunity in Athletics, which would head the mission of reevaluating Title IX's application in regards to sports (Yuracko, 2002). The OCR, Office of Civil Rights, however, is still in charge of enforcing the law but since the inception of Title IX in 1972, not one institution has had its federal funding withdrawn because of its lack of compliance to Title IX (O'Reilly & Cahn , 2007, p. 344). Every institution has three options in meeting participation standards of Title IX, implemented by the Commission on Opportunity Athletics in 2002. None of the requirements involve institutions meeting quotas, a highly misunderstood notion. The first option is for schools to compare the ratio of male and female athletes to male and female undergraduates enrolled. The second and third are less strict; they state that the institution must demonstrate that it has a history of continuing program expansion for the underrepresented gender as well as demonstrate that it has already effectively accommodated for the interests and abilities of the underrepresented sex (O'Reilly & Cahn , 2007, p. 332). It is obvious that especially a school that has

problems with proportioning the number of male and female athletes to undergraduates would simply choose to base its compliance off of the last two options. These options are vaguer and probably easier to abide by if they simply must “demonstrate” efforts for program expansion and accommodations. These rules, while they may appear to be an effective way of checking compliance, actually just create loopholes for schools to jump through. Stricter guidelines for the compliance and implementation of Title IX in collegiate sports must be a priority in ensuring the effectiveness of Title IX, or those who support decreasing the power of the law will find ways to evade complying with the law.

Along with the implementation of Title IX in sports programs across America, the issue of decreasing number of women sport’s leaders must be addressed. One of the biggest ironies of Title IX is that as opportunities for women in intercollegiate sports seems to be increasing, women leadership is decreasing as more and more control of women’s programs is given to men (Wushanley, 2004). Women in coaching, athletic administration, and other sports positions have yet to see equality in leadership positions like female students and athletes have seen in terms of participation opportunities on the field and court. The number of women in coaching and administration positions have not just stayed stagnant but have actually decreased, an unforeseen consequence of Title IX. In 1972, 90% of women’s teams were coached by females while today only 43% of women’s teams have a female coach (NCWGE, 2012). This decrease is not met with greater opportunities in coaching men’s teams, where women remain only 2-3% of coaches. In addition, the statistics on male and female salaries is not too promising either. The disparity that is still seen in the general workforce between men and women salaries is also reflected in the salaries for men and women in jobs dealing with athletics. In the 2000 Gender Equity report by the NCAA, it showed that women coaches were only getting paid 61 cents to every dollar that men head coaches were being paid (O’Reilly & Cahn , 2007, p. 341). The same trend is seen at the administration level of collegiate sports, where nearly 83.1% of all athletic directors are male. Title IX still needs advocates and supporters to fight for what the law stands for, and with so few women in leadership positions this goal could be threatened. The unforeseen consequence of decreased leadership

roles for women is still an issue of the law that needs to be reversed in order for its full implementation and success.

One explanation of the low numbers of women coaches may be the history of negative attitudes towards women in leadership roles, and especially in coaching roles (Habif, 2001, p. 73). The Sport Psychologist outlines one study which sought to examine the attitudes of players towards male and female coaches. It proved, even with providing competitive athletes with hypothetical coaches with the same credentials, that male athletes ranked female coaches more negatively than female athletes (Weiss, 1993). This becomes a problem especially when women with the same qualifications as men are less likely to obtain a professional job in coaching or as athletic administration. The discrimination in hiring males over females is a direct violation of Title IX’s true aims. In addition, it reflects the biases that women do not belong in the “man’s” domain of sports. In order for an increase of women in athletic leadership roles to increase, changes in the way society views women in athletic leadership roles must change as well. If this remains to be an unsolved issue, the likelihood of sports being a gender neutral domain is impossible and Title IX will be irrelevant.

The final, and perhaps the most controversial, issue surrounding Title IX deals with the business aspect of sports at the collegiate level. Today’s college sports, especially Division I sports of football and basketball for men, have millions of followers and are therefore regarded as powerful social and cultural structures. Highly valued by the program’s institution because of revenue and promotional effects, and equally as important to the NCAA for networking purposes, these big-time college sports reflect where true interests lie. For example, a \$6 billion dollar deal between the NCAA and CBS network for television rights to the NCAA DI men’s basketball championship in 2001 greatly outweighs the \$200 million dollar contract for broadcasting rights to the women’s basketball championships. A more in-depth study of expenditures further suggests the monetary disparities between women and men. For example, the average expenditures for football teams at the DI level exceed average expenditures on all women’s sports combined (NCWGE, 2012). In addition, national data highlights the lack of equality in funding with male athletes receiving

36% more college athletic scholarship money than women at institutions under NCAA control. To put it into perspective even more, for every new dollar going into athletics at the DI and DII level, male sports received 58 cents compared to 42 cents for female sports (O'Reilly & Cahn, 2007, p. 340). These numbers and figures validate how women sports are still not catching up to men's sports in a timely fashion and why Title IX still needs more strength. Because women athletics has never been identified in terms of its generating revenue, Title IX is necessary to keep them afloat. However, this cannot happen until organizations like the NCAA and institution's athletic departments are willing to distribute the revenue from men's sports equally. Male-dominated campuses and those more concerned with the business side of sports are not willing to do this yet and have proved in the past that they will do anything in order to combat these mandates.

One lobbying effort by a Texas senator named John Tower sums up the selfish interests that exist in intercollegiate sports. Tower introduced an amendment that would have exempted revenue-producing sports from complying with Title IX (Wilson, 1994). Tower and his supporters would say that because football and basketball bring in the most money, they should also receive the largest portion of the budget. Staying in compliance with the proportional ratio to women's sports would, therefore, be impossible. A former coach of University of Alabama's men's football program, however, admitted that this may not be entirely factual. With only 20% of all college football programs actually producing a net profit, or the amount of money the program makes in a year after expenses, he states that football could "cut some of the stupid expenditures" (Boyce, 2002). This inside source has seen first-hand where the money goes in a big time football program and suggests that perhaps money is being spent in the wrong places. Instead of conglomerating the money in football and basketball programs, this money could be evenly dispersed to both men and women sports and schools would not have to worry about being out of compliance with Title IX.

In addition, if this practice of distributing money equally was adopted by schools, common issues that have arisen in the past regarding the cutting of both men and women sport's teams, would occur less frequently. Unfortunately, there are recent examples of these practices, including one

occurrence at Temple University in 2013. In this situation, which replicates other decisions made by colleges and universities across the nation, Title IX is wrongly used as a scapegoat. Temple University made national headlines when they slashed five men's teams and two women's teams. Title IX was blamed as well as insufficient funds to sustain the programs. Like examined previously, nothing in Title IX requires for schools to spend the same amount of money on male and female teams but it does require proportionality. However, it does make one question as to why a female rowing team, which rows out of two makeshift tents on the bank of the Schuylkill River, was slashed at the same time as a \$10 million indoor practice facility for Temple's football team was being built (Zimmerman, 2014). Title IX is blamed as schools keep spending on football and basketball while having less expensive men's sports compete against women's teams to duke it out. These educational institutions chose to cut the non-revenue sports; a move that speaks loud and clear about where the school's priorities lie. Only when these practices end and revenue-hungry athletic administrators shift their priorities to gender equity in all areas, can Title IX be considered a true success.

Acknowledging continuing problems that Title IX has yet to successfully solve is the first step in advocating change on a large scale. The three issues that are outlined throughout this paper are evidence that there is still work to be done before Title IX is considered a complete success. These issues include the proper implementation of the law, the lack of women in leadership positions within athletic departments, and the overwhelming interest in revenue rather than true equality. However, many future practices and changes could help in closing the gender gap on the playing field and resolving the matters discussed. The first solution is to change the cultural biases that exist in society. When looking at the future of Title IX, the question of "Does law create the culture or does culture create the law?" comes into play. There is no doubt that Title IX was a necessary law and also inevitable. However, no amount of government intervention will alter how boys and girls are still socialized to think about gender roles in sports. Culture changes still need to take place to rid the biases that have infiltrated society's beliefs on where women belong in the sports world. The proper place for women in sport has always been defined by ideas about health, beauty, femininity, and the distinctive physical

nature of women (Wilson, 1994). Sports, however, were identified closely with masculinity and women were discouraged from entering this “territory.” These male-biased attitudes towards sex roles can be traced back to the Victorian Age of the nineteenth century, when the domestic sphere was the only domain in which women could fully participate in (Wushanley, 2004, p. 7). Even physicians supported this type of thinking by promoting the idea that a woman’s physical condition would not allow for them to partake in physical activities like sports because of puberty and menopause, which would periodically weaken their physical capabilities (Wushanley, 2004). A term known as “moderation” came to be practiced in the 1920’s that continued well into the 1960s that held the belief that women should be able to be involved with sports, however, it was only in the context of activities that allowed for women to remain “feminine” because of her supposed “frailty” (Staurowsky, 2012). The typical characteristics of male athletes including competitiveness, toughness, and strength were, and sometimes still are, translated into negative terms when connecting them to female athletes. John Wilson explains further that “Women athletes [...] must ‘come to terms’ with the possibly masculinizing effects of sport participation, with the homophobia it generates amount both men and women, and take countermeasures to assert their femininity.” (Wilson, 1994). These challenges that a female athlete must face when she decides to join and compete in athletics could dissuade any young athlete who may fear being associated with undesirable stereotypes. Title IX, then, plays an important role in changing the view that society has on this subject. By obligating that institutions recognize and create an environment that supports gender equality in sports, it made gender equality a legal issues and not just a philosophical one. Title IX has given women the opportunity to disprove some of the patriarchal views on gender roles, however, there is still work to be done in guaranteeing false cultural biases disappear.

The solution to combating the ideological struggle concerning women’s place in sports is to change the minds and opinions of younger generations who have yet to be exposed to the conventional ideas of the past. Physical education in public and private schools is one area where society can start to model more positive values and opinions of women in athletics. American culture

has always valued physical exercise, however, educators in the late nineteenth and twentieth century particularly began to see the importance of physical education for young people (Wushanley, 2004, p. 11). It was the decade of the 1890’s that a shift in physical education occurred; when regular gym exercises gave way to exciting games and sports. Nearly every institution of higher education offered some sort of physical activity for women at the turn of the century and the growth of intercollegiate athletics for women in America began (Wushanley, 2004). By looking at the pattern of physical education and its correlation on women sports, a solution to how America can better implement Title IX can be offered. Regardless of skill and ability, it is important to expose both girls and boys to equal opportunities for participation in physical activities and sports during physical education. These opportunities can be offered at the elementary, middle, and high school levels which align with the unique American model of linking sports to educational institutions. Once this step is taken in ensuring that all students receive ample opportunities to play, a positive effect on women sports will be seen. The early exposure to physical activity combined with the positive lessons enforced in teamwork and cooperation, and the development of positive relationships between girls and boy will promote participation to young girls while also moving children away from traditional biases on gender roles.

Nowhere are these misconceptions highlighted more dominantly than in the media. Title IX made opportunities for female athletes to play more accessible and, therefore, provided females with an opportunity to improve athletic performance, closing the gap between men and women. However, these strides are overshadowed and neglected to be shown in the mass media (O’Reilly & Cahn , 2007). Media is one of the first areas that need to address when discussing the cultural biases of women in sports. Television coverage of women sports, movies, as well as magazines dictate and have the power to influence not only the popularity of sports and sports figures, but also which sports related stories are even significant, and why they are newsworthy. This power greatly influences the way cultures view women in sports, but they unfortunately promote a message that is discriminatory and harmful. The first example of this discrimination can be seen on live television coverage of women sports, where a gender-biased

language was discovered to be used by sportscasters. Whether consciously or unconsciously, studies have shown that commenters tend to trivialize or sexualize women's sports and athletes and "gender mark" women's and men's events differently (Messner, Duncan, & Jensen, 1993). The 1989 U.S Open tennis tournament was used to compare and analyze this debate as well as the NCAA final four basketball tournament from this year as well. Camera angles were seen to be subtly frame women athletes as sexual objects that were not symmetrical with the way in which male athletes were framed (Messner, Duncan, & Jensen, 1993, p. 268). In addition, gender was constantly marked both verbally and graphically to distinguish between men and women's championship games of the final four. Some examples of this distinction include commenters saying that "these were some of the best women's college basketball teams" or that "this NCAA women's semifinal is brought to you by..." (Messner, Duncan, & Jensen, 1993, p. 268). Though the use of the word seems to be used innocently, however, the women's events were gender marked an average of 59.7 times per game while the men's games were simply referred to as "the national championship games." Therefore society subconsciously viewed the women's game as unusual, or divergent from the norm, while the men's games remained superior. Even these small details that appear to be irrelevant and unimportant can negatively affect societies opinion on women's sports, therefore, these practices must be reversed and constantly monitored by those who work in the field of sports broadcasting.

Another aspect of media that can adversely affect the biases regarding women in athletics is sports film. The rise of women's sports film began in the 1990s and it has generally been looked at as a positive step to crediting female athletes with the success and praise that they deserve. However, harmful and underlying themes pervade these movies as well that only further societies conventional attitudes towards women in the sports sphere that Title IX works towards diminishing. By looking at sports films in two angles; first, movies that include a male athlete as the protagonist and then second, movies that include a female athlete protagonist, these conventional themes of a patriarchal society especially in the sports domain can be seen. Take a film like Rocky, where a male boxer is featured as a "heroic individual who overcomes obstacles and achieves success through

determination, self-reliance, and hard work [he] defines and proves himself through free and fair competition modeled on American society" (Baker, 2003). At the same time, these films juxtaposition a wife or supportive girlfriend next to the start athlete. She is simply a love interest, totally separate and cut off from even entering the sports world herself, bearing "the traditional values ascribed to [them]: truth, fairness, and home" (Tutor, 1997). On the other hand, women's sports films that include a female protagonist take a different approach to sports. These woman characters must simply defend their desire to play sports, having to overcome the stigma of being "mannish" in a society that is male dominant (O'Reilly & Cahn , 2007, p. 285). This character is often forced to choose between two desires: sports or love? A League of Their Own is one film that follows this storyline, highlighted by the female character of Dottie Hinson. Her husband is away fighting in World War II when she becomes known as one of the best players in the All-American Girls Professional Baseball League. However, in the end, she is torn when her husband comes back from war resulting in her decision to stop playing the game she loves. Ironically, she ends up losing her last championship game. A League of Their Own epitomizes how films can highlight women success, but only in relation to the man's world. A new type of storyline must be utilized in sport's films to enhance basic change in thoughts and biases regarding the role of women in the sporting world.

The third and last way in which media must be altered in order to change pre-existing cultural views on women in sports is in the way female athletes are portrayed, photographed, and presented in magazines and other mediums. While women athletes have proven to be strong, tough, and talented, they are not always portrayed to be this way. Instead, women athletes are presented as "trivial, romantic, and hypersexualized. [...]What we see often are pictures of women athletes presented out of uniform" and in roles that are stereotypically feminine (Hanson, Guilfooy , & Pillai , 2009). It furthers the stereotype that women cannot be strong and competitive or meet the demands of sports and that this sphere is meant for males only. This is a particularly harmful message displayed to young girls and adolescence, as well as to men and boys in society as well. One only has to look at Sports Illustrated to find the alarming disparities between how male and female athletes

are represented. Out of its 508 issues, only 34 of them featured women on the cover and one-third of these issues were the swimsuit issue. The success that women have been able to prove with the passing of Title IX, therefore, is now overshadowed by the sexual appeal that media buys into. The laws and provisions like Title IX that have been pushed through Congress in an effort to achieve gender equality cannot be completely successful without first adapting the way society views women and gender roles. The first way in which this shift can be helped along is by featuring female athletes as athletes first and foremost, as women second. This is not because gender does not matter, but because a woman's athletic success does not depend on her gender. The future generation of female athletes must be able to see successful sports stories of women presented in the media, rather than pictures of female models in swimsuits. By altering the narrow portrayal of women in media, society can begin to reshape how they perceive women in sports. When society starts crediting women for their talent, instead of their sexuality, the marginalization of females in sports can start to diminish as well.

In addition to combating the way society is predisposed to thinking about gender and sports, changes need to be made within all athletic departments across America. This change will help to aid in the issues surrounding how Title IX is implemented, as well as hopefully keeping revenue and money in its proper place. This solution replicated how the NCAA has representatives stationed at all universities who are members under the NCAA in order to check on compliance of athletes. These representatives are knowledgeable about thousands of rules and regulations that are placed on student-athletes. Like this model, a Title IX representative should be positioned at each school to monitor the school's compliance of the law. This person would be well equipped to handle discrepancies and issues so that problems with compliance could be handled immediately and effectively. This monitoring would reduce the amount of schools who have had to cut sports in order to stay in compliance, as drastic reactionary measures would not need to be taken. These Title IX representatives could also very well be women who could represent and advocate for women and girls in athletics while also increasing the number of women in leadership positions within athletic departments. This measure could successfully

support how Title IX is enforced and implemented in schools and would be a positive step in the right direction in closing the gap between men and women sports.

By evaluating the participation levels of women in intercollegiate sports, it can be proven that when given the opportunity to play females will take advantage of those opportunities. This not only shows that women can successfully compete in physical activities and sports at a high level, but also that the argument claiming women are inherently less interested in sports is not valid. Another approach that could be taken when proving a law like Title IX is necessary and important for American society is highlighting the benefits that come from girls and women competing in athletics. These benefits are health related as well as long lasting benefits that have a great impact on society as a whole. For example, female participation in sports slows down the obesity epidemic that is of widespread concern across America. One study found that women who played sports had a 7% lower risk of obesity 20-25 years later in life (NCWGE, 2012). The regular physical activity can also have effects on reducing health issues like heart disease, breast cancer, and osteoporosis. In turn, America may find that health care will be positively affected when women are given more opportunities to participate in sports. In addition to these health care advantages to Title IX, academic success and leadership skills are also benefits of women participation. A statewide, three-year study in North Carolina found that athletes achieved a higher grade point average by one full point compared to their non-athlete peers as well as higher graduation rates (NCWGE, 2012). Lastly, society reaps the benefits of women athletic participation because of the leadership and teamwork skills that are transferred to the working world. For example, 82% of female business executives were involved with sports at some point in their lives (NCWGE, 2012). Title IX only helps in creating opportunities for women and young girls to learn these beneficial skills and take advantage of the health benefits that result from involvement in athletics.

The passage of a law like Title IX in 1972 proved to be a catalyst for women equality in all areas of life- both in sports and education. This is evident in the increased participation rate of women in athletics at both the high-school and collegiate level. However, women athletes have yet to see a totally leveled and modern playing field compared

to their male counterparts. Obstacles still need to be addressed and broken down before Title IX is considered fully effective and successful. The three main obstacles include the loopholes that allow for improper implementation of Title IX on college campuses to occur, the decreasing number of female coaches and administration even with the increase of opportunities for athletic participation, and the unfair practices that occur to protect the interests of revenue over equality. All of these obstacles prohibit women, in some way, in fully receiving equal opportunities in sports. Regardless of these obstacles, Title IX remains both a necessary and valuable law that all American education institutions should abide to. There are a variety of reasons to validate this, however, none speak as loudly as the benefits that girls gain when they participate in athletics. The skills that are learned are valuable and transferrable to the professional world, and therefore effect all of society. In order for Title IX to be properly utilized for its true purpose, two solutions for the future can be looked at. The first aims to place a Title IX representative at each institution to ensure the compliance of the school. The second, and perhaps the most challenging one to implement is changing the traditional views of gender roles found in society. Sports are essentially a reflection of American culture, but the power of a law like Title IX should not be underestimated in its ability to reverse society's viewpoint on women's rightful place in the picture.

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The Chicago Defender: Its Representations & Uplift Project During the First World War

Emilie Woods

Franklin and Marshall College

The same American war narrative has been repeated to students for generations. In studying the world wars, we learn about the young, white male soldiers training in American camps before being shipped overseas to Europe. We learn about the young white females in the Red Cross, working in hospitals at home and distributing donuts to the soldiers abroad. We learn about the mobilization efforts in America--the food conservation campaigns and the patriotic anthems. These are the stories that show up on the covers of American history textbooks--the ones that have remained prominent in the American narrative. In order to find alternative narratives, one must look to sources that have gone unnoticed by the majority. One must look to the histories not just about the people on the margins of society, but also to the histories told by marginal and minority folk. With this purpose in mind, I have set out to researching an unsung narrative of American history during World War I.

The Chicago Defender, the most popular black American newspaper by the first world war, was founded in 1905 by Robert S. Abbott.¹ The weekly paper was not just read by black Americans in Chicago, but throughout the United States, with most of its copies delivered to the South.² Communications scholar Alan D. DeSantis and historian James R. Grossman argue that the *Defender* was an agent in driving people from the South to the North during the period of flight known today as the “Great Migration.” In 1900,

¹ James R. Grossman, *Land of Hope: Chicago, Black Southerners, and the Great Migration* (Chicago, IL: The University of Chicago Press, 1989), 74.

Charlene Regester, *Robert S. Abbott*, in *Writers of the Black Chicago Renaissance*, ed. Steven C. Tracy (Champaign: University of Illinois Press, 2011), 17.

² Alan D. DeSantis, “Selling the American Dream Myth to Black Southerners: The Chicago *Defender* and the Great Migration of 1915-1919,” *Western Journal of Communication* 62:4 (1998): 477-478.

black Americans began to leave the southern states for the North.³ From 1900 to 1910 alone, 170,000 black Americans departed the South.⁴ It was not until 1916, though, that the Great Migration really soared,⁵ prompted by poor agricultural conditions⁶ and the extreme violence at the hands of the white citizenry.⁷ In describing the state of the South during this period, journalist Isabel Wilkerson notes in *The Warmth of Other Suns* that, “southern state legislatures began devising with inventiveness and precision laws that would regulate every aspect of black people’s lives, solidify the southern caste system, and prohibit even the most casual and incidental contact between the races. They would come to be called Jim Crow laws.”⁸ Passed from hand to hand in the rural South,⁹ the *Defender* helped to mobilize black Americans away from these conditions.¹⁰ It is with this framework that I have researched and analyzed *The Chicago*

³ Stewart E. Tolnay and E. M. Beck, *Rethinking the Role of Racial Violence in the Great Migration*, in *Black Exodus: The Great Migration from the American South*, ed. Alferdteen Harrison (Jackson: University Press of Mississippi, 1991), 22.

⁴ Tolnay and Beck, *Rethinking the Role of Racial Violence in the Great Migration*, in *Black Exodus*, ed. Alferdteen Harrison (Jackson: University Press of Mississippi, 1991), 20.

⁵ Carole Marks, *The Social and Economic Life of Southern Blacks During the Migration*, in *Black Exodus*, ed. Alferdteen Harrison (Jackson: University Press of Mississippi, 1991), 36.

⁶ Tolnay and Beck, *Rethinking the Role of Racial Violence in the Great Migration*, in *Black Exodus: The Great Migration from the American South*, ed. Alferdteen Harrison (Jackson, MS: University Press of Mississippi, 1991), 23.

⁷ Tolnay and Beck, *Rethinking the Role of Racial Violence in the Great Migration*, in *Black Exodus: The Great Migration from the American South*, ed. Alferdteen Harrison (Jackson, MS: University Press of Mississippi, 1991), 26.

⁸ Isabel Wilkerson, *The Warmth of Other Suns: The Epic Story of America’s Great Migration* (New York: Random House, 2010), 40.

⁹ DeSantis, “Selling the American Dream Myth to Black Southerners,” *Western Journal of Communication* 62:4 (1998): 478.

¹⁰ DeSantis, “Selling the American Dream Myth to Black Southerners,” *Western Journal of Communication* 62:4 (1998): 476-477.

Defender in the year 1918, searching for the impact that it had on black Americans who, at the time, were the most degraded citizens in the United States. In chronicling the worst of white brutality while, at the same time, endeavoring to elevate black America, *The Chicago Defender* disseminated a new black identity. Far beyond printing the news, this newspaper envisioned black Americans as occupying a more dignified position in society.

The Chicago Defender and the Mutilation of the Black Body

1918 was a formidable time for black Americans, especially in the South, and *The Chicago Defender* did not shy away from reporting case after case of white-on-black brutality. In doing so, it informed its readers that whites threatened both black men and women, albeit sometimes in different ways. As Wilkerson writes, “Across the South, someone was hanged or burned alive every four days from 1889-1929.”¹¹ White southern newspapers at the time promoted mob lynchings as thrilling public events wherein “festive crowds of as many as several thousand white citizens” would gather to watch black folks hang from trees or burn right in front of their eyes.¹² In contrast, the *Defender* displayed these brutalities for the horrors that they were. In the first week of February, 1918, the front page of the *Defender* reads in big letters, “Man’s Head and Foot Found.” In the subsequent story relating the death of Herbert Brown of Orange, Texas, one learns that a pair of white men had dismembered Brown’s body because Brown happened to witness a previous crime of theirs. Additionally, the paper reported that these perpetrators have attacked black females before, such as when one “seized a young woman...and kissed her.” In this extra detail, the *Defender* illustrates how not only “Race”—as the *Defender* typically called black Americans—men are in danger, but also how “Race” women are equally in danger. Additionally, the man who attempts to guard his sister in this supplementary anecdote is “severely beaten and cut about the body with a razor.” While the black female body is sexually assaulted and the black male body is mutilated, the *Defender* illustrates that both genders are at risk of

attacks by barbaric white men.¹³ In doing so, it presents how white America viewed and treated black bodies.

In printing shocking articles related to white brutality, the *Defender* makes it clear that white violence also affects young people of “the Race.” In a short piece from August 30th entitled, “Body of 15-Year-Old Girl Found Mutilated in Swamp,” another case of bodily mutilation is represented. Similar to Brown who was taken from his home, Eva Roy, aged fifteen, was “dragged over rough surfaces to the woods” in Burke county, Virginia, and then “terribly mutilated in the swamps and tied to a tree.”¹⁴ This story only takes up a small section of a middle section of the paper, displaying the unfortunate prevalence of these brutal cases. On the other hand, on September 28th, it is the front page of the paper that features a picture of a young boy, James Manous, who was “hurled...from his bed” in Chicago when white residents set a bomb to an apartment building in an effort to force the newly-arrived black residents from their homes. The photo of Manous, encircled under the headline, “Belgium Line Extends to Vincennes Avenue” incites fury in the humane reader.¹⁵ These cases, although one in the South and one in the North, portray hate crimes inflicted upon young members of the Race. In featuring one as a side story and the other as a main article, the *Defender* reveals both its horror over the cases and its numbness to them. The newspaper thus acts as a medium to warn black America of the frequent danger that even its young people are in. With the youngest black Americans in peril, the *Defender* shows how “the Race” itself is vulnerable to collapse.

The depiction of white American savagery continues when the *Defender*, in an editorial article from the end of February entitled, “And a Lady Applauds” comments on the state of white “civilization” today in detailing the un-ladylike qualities of white southern women. The article tells the story of the burning of an unnamed black man in

¹³ “Man’s Head and Foot Found: Two White Men Jailed, Charged With Crime,” *The Chicago Defender*, February 1, 1918, late ed., 1.

¹⁴ “Body of 15-Year-Old Girl Found Mutilated in Swamp,” *The Chicago Defender*, August 30, 1918, late ed..

¹⁵ “Belgium Line Extends to Vincennes Avenue,” *The Chicago Defender*, September 28, 1918, late ed., 1.

¹¹ Wilkerson, *The Warmth of Other Suns* (New York: Random House, 2010), 39.

¹² *Ibid.*

Tennessee, but the journalist chooses to focus on describing the white crowd who has come to watch. The journalist, also unnamed, writes, “The crowd has gathered to see the fun...the ladies (?) present makes a speech requesting that the torch be applied.” While the word “fun” adds a layer of sarcasm to the horrifying text, the question mark demonstrates the journalist’s view that these white southern belles are anything but “ladies” as they participate in the monstrous murder of a human being. The journalist then goes on to note how “these highest examples of modern American civilization watch a fellow creature writhe in agony and cry out in despair till hushed in death, without a dissenting voice.” Here again, sarcasm is used to note how absurd it is that these ruthless people view themselves as the some of the most advanced members of society. With the words “modern savages,” the journalist clearly states his opinion on the event and on the present state of American society.¹⁶ In depicting this savagery, the *Defender* presents the horrifying world in which black America finds itself. This is a world in which white brutes rule and horrific acts like human burnings occur--without a hint of remorse--on a weekly basis.

The *Defender* frequently presented how black Americans were lynched under false accusations. As Wilkerson notes in *The Warmth of Other Suns*, these “alleged crimes” that black southerners were too often accused of included “stealing hogs” and “trying to act like a white person.”¹⁷ In November, a small article entitled “Boy’s Failure to Aid in Crop Harvest Causes Lynching” details the death of yet another young person, Sandy Ray of Blackbear, Georgia. Taken from prison by a white mob and hung “to a tree,” Ray had at first been sentenced for “criminally assaulting a 3-year-old white girl.” These charges, though, according to the *Defender*, were false. Instead, Ray’s offense was his unwillingness to “to help a white farmer harvest his crop” due to threats he received with a whip. The fear of black male violations of white women was pervasive in the South at this time, especially within “the planter class,”¹⁸ and so this accusation does not come as a

surprise. The article goes on to describe how Ray was “dragged from his cell,” noting that some of his clothes were later discovered along the road along which he was taken to hung. These details imply that Ray was stripped by the mob after being stolen from jail, and thus, the occurrence of more white brutality. In addition to these horrific facts, the mob gets away with the deed, and ““unknown parties”” are reported by the jury to be responsible. The facts of the case, though, suggest instead that the state was involved with the lynching of the victim, for the mob had the keys to the prison from which they took Ray. Whether or not this hypothesis is true, the important matter is that a black person was once again mutilated--this time, under a false accusation--and no justice was brought to his death by the law.¹⁹ In this way, the *Defender* demonstrates the complete humiliation of black bodies and the disregard of black rights in the country.

Along these lines, the *Defender* points to the prevalence of Southern states failing to punish lynchers and mobs in an article from the end of March entitled, “Louisiana’s Unpunished Lynchings.” The journalist (unnamed) asserts that the National Association for the Advancement of Colored People (NAACP) would like to know ““what steps Louisiana proposes to take to vindicate her law in face of the fact that five Negroes have been lynched in Louisiana within seven weeks.”” This statement indicates that this state has not taken steps at all in seeking justice for these citizens.²⁰ Time and time again, the law does not seem to exist when these white individuals and mobs participate in the barbarous killing of black Americans, and the *Defender* displays this lawlessness without hesitation. For instance, in an article from April entitled “Widow and Daughters Brutally Beaten by Whites,” the attack of “white hoodlums” on an entire family in Turnbull, Mississippi is reported. The family consists of a twelve year old girl, two teenage girls, and their mother. Although these citizens have been “whipped...unmercifully” and “terribly beaten over the head with sticks,” it is apparent that no legal justice has been taken against the white criminals. The journalist (unnamed) describes that the white people acted in this

¹⁶ “And a Lady Applauds,” *The Chicago Defender*, February 26, 1918, late ed..

¹⁷ Wilkerson, *The Warmth of Other Suns* (New York: Random House, 2010), 39.

¹⁸ Wilkerson, *The Warmth of Other Suns* (New York: Random House, 2010), 40.

¹⁹ “Boy’s Failure to Aid in Crop Harvest Causes Lynching,” *The Chicago Defender*, November 1, 1918, late ed..

²⁰ “Louisiana’s Unpunished Lynchings,” *The Chicago Defender*, March 29, 1918, late ed..

uncivilized manner because of the “progress” that the black family had achieved in renting a large plantation. The brutality inflicted on them was thus an expression of resentment towards their advancement.²¹ The journalist employs a number of tactics here. By noting the savagery of the perpetrators, he raises an emotional reaction in the reader. By failing to mention any legal consequences of the act, the journalist demonstrates that such justice is hopeless for black Americans in the deep South. Finally, by mentioning the cause of the crime, he provides a chilling example of the white attempt to pull the black American away from progress. In displaying the lack of state response in the face of white brutality, the *Defender* demonstrates how blacks were constantly dehumanized. In so doing, white America is demonized and black America is portrayed as occupying a vulnerable position, one in which advancement in white society was difficult.

In addition to the mutilation of the black body that the *Defender* represented, the newspaper displayed the rampant discrimination occurring all over the country, especially within the workplace and in the military. For instance, in an article from February entitled “Segregation of Race Patients is Ordered,” a journalist relates how a hospital ward in Texas is now to be segregated.²² The absurdity displayed here is that black and white soldiers are expected to fight together in Europe, but when they are sent back home to recover, they must remain apart. Similarly, in an early November editorial called, “Help Wanted--White,” the paper points out the kind of “dementia” that is occurring in the United States, as the Chicago Telephone Company will not accept black female employees. One unnamed journalist states, “If the fathers and brothers of our young women are good enough to fight and die for the country surely their children are good enough to be employed.”²³ However, this is not the case, and black Americans continue to be denigrated, barred from “white” employment and segregated in hospitals. In detailing these various and frequent occurrences, the *Defender* adds to its

depiction of the ways that white Americans view black Americans. In mutilating them in public burnings and hangings, in setting fire to their places of residency, and in refusing them at doors of employment, it is clear that black Americans are regarded by the majority of the country as non-citizens without freedom or rights of any variety.

The Chicago Defender and the War Abroad

As is evident above, *The Chicago Defender* time and time again represented the defeat and humiliation of black America. If the stories of lynchings, burnings, and lack of state intervention made up the entirety of the newspaper, the *Defender* would most likely not have been as successful as it was. What, then, caused such excitement for the paper that 250,000 copies each week during the late 1910s were distributed?²⁴ Where did this interest come from, and what was the *Defender* trying to do if not incite sadness in the hearts of its readers all over America? The newspaper’s purpose more clearly manifests itself when one looks to the non-violent news stories--most significantly, to the news of the war abroad and the political climate of the age. These aspects of the paper, when paired with the above depiction of black mutilation and vulnerability, drive home the *Defender*’s objective as “the world’s greatest weekly.”²⁵

Newspapers often take political stances in order to reel in their audiences. When reading the first pages of *The Chicago Defender*, one might be surprised to find that the paper was a strong proponent of World War I. In fact, an air of patriotism emits from many of its pages, and as 1918 goes on, the patriotic articles and advertisements seem to increase. With the exception of a few outliers, the *Defender* makes clear that it supports the war because of the members of “the Race” who are participating in the fight abroad, for these black American soldiers were a source of pride for the entire African American community.

When the Selective Service Act in June 1917 ordered all young, “able-bodied men” to enlist, black Americans could no longer be denied access to the front lines as they had been before.

²¹ “Widow and Daughters Brutally Beaten by Whites,” *The Chicago Defender*, April 5, 1918, late ed..

²² “Segregation of Race Patients is Ordered,” *The Chicago Defender*, February 1, 1918, late ed..

²³ “Help Wanted--White,” *The Chicago Defender*, November 1918, late ed..

²⁴ DeSantis, “Selling the American Dream Myth to Black Southerners,” *Western Journal of Communication* 62:4 (1998): 477.

²⁵ Register, *Robert S. Abbott*, in *Writers of the Black Chicago Renaissance*, ed. Steven C. Tracy (Champaign: University of Illinois Press, 2011), 18.

Within the next month, African Americans constituted “13 percent of all U.S. draftees.” While the all-black 92nd Division of the Army was an American division, the all-black 93rd Division was, instead, led by the French.²⁶ Despite these differences in nationality, *The Chicago Defender* equally supported both divisions. Fortunately for these troops, in October of 1917, Emmett J. Scott became the “special assistant for Negro affairs to Secretary of War Newton D. Baker.”²⁷ Even with a governmentally-appointed advocate for enlisted black men, though, racial inequality still affected American participants of war. As demonstrated above with the segregation of soldier hospitals in Texas, the black soldier faced discrimination daily. In November 1917, Secretary of War Baker stated, “As you know it has been my policy to discourage discrimination against any persons by reason of their race...At the same time...there is no intention on the part of the War Department to undertake at this time to settle the so-called race question.”²⁸ Thus, by putting blacks in its ranks, the War Department was not trying to advocate black equality. Such is the war setting in which *The Chicago Defender* finds itself in by 1918. As will be expounded on in the pages to come, the newspaper’s patriotic stance and support of black Americans in the European war was, in many ways, a refutation of Baker’s statement, for indeed the war and the “race question” were very much intertwined.

Contrasting the harshness of white brutality representations throughout the *Defender*, generally positive sentiments about the war in Europe were presented. One of the most prevalent narratives here was the newspaper’s constant reminder to their readers of the success of “our boys over there.”²⁹ Throughout the paper, this word “our” is employed. When related to the war, the word brings the reader closer to the task at hand, speaking to the entire black American community. For instance, in the article “Send the Defender to Our Boys Over There,” the *Defender* urges the reader to support not just the paper, but also their friends and family

²⁶ Buckley, *American Patriots* (New York: Random House, 2001),166.

²⁷ Buckley, *American Patriots* (New York: Random House, 2001),178-179.

²⁸ *Ibid.*

²⁹ “Send the Defender to Our Boys Over There,” *The Chicago Defender*, March 23,1918, late ed..

members who are fighting overseas.³⁰ Similarly, black soldiers are constantly featured for their bravery and their accomplishments. Entire pages titled “What Your Boy is Doing at the Training Camp” cover general information about Army training as well as individual stories of soldiers who have proven their worth. One story, on the college athlete Binga Dismond, the paper states, “the greatest runner that Chicago University has ever seen, has been promoted to a lieutenancy in the Three Hundred and Seventieth infantry.”³¹ Under a smaller heading and photograph, a journalist proudly reports, “The whites of this section are marvelling at the record made by one of Nashville’s young Race men who left the city several months ago a private and returned a captain in the United States army.”³² Although whites were not reading this paper, to mention how the success of these black soldiers would be viewed by the white constituency must have been an incredible source of pride for the newspaper. And indeed, such advances for black soldiers were occurring. In October 1917, over 600 black officers were brought into the Army, making history for the African American divisions.³³ Thus, pointing to Dismond’s and other promotions carried weight at this time, for their accomplishments spoke for the advance of black America. To place photographs and descriptions like these on a page following articles detailing the mutilation of the black body was to show that uplift of the “Race” was possible--that despite all of the horror, the black community could advance to a higher and more dignified level of society.

Like the soldier success stories in the “What Your Boy Is Doing at the Training Camp,” sections of the paper, the *Defender* would also print long articles about African American soldiers who had excelled in the line of duty. One of the most memorable recognitions in 1918 is displayed on the front page of a November newspaper with big letters, “New York Honors Neadham Roberts, Famous Hero.” The article relates the homecoming story of Roberts, a French “Croix de Guerre Medal

³⁰ *Ibid.*

³¹ “Binga Dismond Is Now An Officer in the U.S.A.,” *The Chicago Defender*, January 18 ,1918, late ed..

³² “Captain H.H. Walker a Nashville Visitor,” Jan 18

³³ Buckley, *American Patriots* (New York: Random House, 2001), 178.

Winner” who has been furloughed on account of battle wounds. In offering the utmost praise of the soldier, the article speaks of the banquets thrown for Roberts in New York, one of which the *Defender* contributed to. Roberts, called “our hero,” was responsible for beating “off 24 Germans alone,” along with another black soldier. Author Gail Buckley points out that Needham Roberts and Henry Johnson “were the first American enlisted men to win” this honorable French war award.³⁴ After singing the soldier’s many praises, the newspaper presents the discrimination that he has met with. Roberts has not been promoted to captaincy, even though “nearly every wounded white hero” who comes back to the United States wounded has been honored in this way. Finally--and the statement of the article that holds the most weight, is when the journalist asserts, “Our people should and must rally around in some concrete manner to make this hero--our hero--what he should be.” That is, despite the race barrier that prevents Roberts from attaining an official degree of dignity at home, the *Defender* calls upon its readers--and in general, all members of “the Race”--to honor this man.³⁵ In this manner, the newspaper acts as a call to action for black America to help elevate their soldiers. The country may dishonor even the best of “our” black soldiers, but in fighting for his dignity--perhaps by advocating for his promotion, but the journalist does not say--the reader will help to uplift the entire black American community. In using the word “our” once again to make its readers feel a part of a collective group, the *Defender* is successful in asserting itself an advocate for the dignifying of black America.

In addition to the individual praising of African American soldiers in the war, the patriotic advertisements that praised the African American troops as a whole point to the *Defender*’s uplift agenda. These advertisements mostly came from publishing companies that printed posters of black soldiers in the war. For instance, an advertisement by the Art Publishing Company is a common one. With the title, “Colored Troops in a Hand to Hand Battle,” this advertises the different kinds of

Colored troop photographs that are for sale. The advertisement proudly proclaims, “You have heard and read of the Colored Heroes...but you have never seen the pictures. These pictures give a vivid idea of what our boys are doing in the great war. You will want these pictures because this war is an end, also a beginning.”³⁶ Displaying an advertisement of this sentiment, the *Defender* is, too, stating that World War I is a beginning--that is, a beginning for black America. Fighting bravely on the battlefield, the black soldier proves his worth to his country. When his image is then printed on a poster for people to purchase and to display, “the Race” has made a statement of its beauty, bravery, and general advancement. Additionally, in featuring these advertisements, the *Defender* calls again for action by the African American community by encouraging them to display these posters in their homes. To do this is to uphold “the Race” by flaunting its bravery and heroism for all to see.

In a similar advertisement that same month, the publishing company asserts that, “Every card [is] an inspiration to those who have the Race at heart.”³⁷ Thus, to buy this item is to show one’s loyalty to the entire black American community. Each one of these advertisements sings pride, and does not just praise the young black men abroad, but also the young women--although less frequently than the men. This gendered aspect of the advertisements can be read in a number of ways, but I view it as the companies’--and thus, the *Defender* that is displaying their advertisements--utilization of their available resources to uplift black America. That is, with black men fighting in the trenches just as white men were doing--an act that symbolizes the greatest patriotism and bravery--the companies, and thus, the *Defender*, harnessed these images to promote the honor of black Americans. In advertisement after advertisement asking people to buy posters featuring “our boys,” the *Defender* closed the door on negative images of black Americans in proclaiming that “the Race” was strong enough to kill Germans and honorable enough to be displayed on picture posters.³⁸

³⁴ Buckley, *American Patriots* (New York: Random House, 2001), xvii.

³⁵ “New York Honors Neadham Roberts, Famous Hero: Croix de Guerre Medal Winner Is Here on a Furlough; Expects Discharge,” *The Chicago Defender*, November 9, 1918, late ed., 1.

³⁶ “Colored Troops in a Hand to Hand Battle,” *The Chicago Defender*, November 9, 1918, late ed..

³⁷ “Charge of the Colored Divisions ‘Somewhere in France,’” *The Chicago Defender*, November 1, 1918, late ed..

³⁸ “A New Picture: Our Boys,” *The Chicago Defender*, July 5, 1918, late ed..

Through this tactic of racial uplift, the *Defender* proclaimed how worthy it was of equality with white America.

In articles that displayed the work of the Colored divisions in the training camps, the *Defender* also bestowed honor upon African American soldiers. In a March article entitled “Camp Funston Men and Officers Making History for the Race,” the happenings of a training camp in Kansas are described. Camp Funston, home to both a Colored division (the 9nd) and a white division (the 89th), discusses the improvement of the young men. Although it does not, at first, refer to black soldiers in particular, the reference to them is implied with the words, “You can fairly see the change which has been wrought from the slow ungainly farmer, the swaggering callow dude, or the ordinary chap whom we all know into the soldier, erect, soldiers thrown back, an air of purpose on his face.” In using the word “we,” the article employs the same inclusive tactic as when it employs “our.” Additionally, with the journalist’s (unnamed) note of the soldier as a newly-made “fighting machine,” the progress of the African American is displayed. It is also important to note that the article notes the segregation of the camp. For instance, the “amusement zone” in the 89th’s area of the camp is off-limits to the men of the 92nd. However, the journalist does not let this information stand without opposition, and he counters this discrimination with words of uplift by noting the achievement of the new black officers. The article reads, “Their bearing, their efficiency, their perfect poise, the respect which they command from their men and yet the helpful friendly spirit...merits only the highest praise.”³⁹ When soldiers are dishonored by whites in the training camps, the *Defender* challenged these injustices by noting how noteworthy and honorable these men in fact are. In holding up these Colored troops for its readers, the newspaper asserts the dignity of the entire African American community.

By featuring the accomplishments of African American soldiers throughout 1918, *The Chicago Defender* presented its own version of patriotism. In its nearly unfaltering support of the black soldiers both in training at home and in the trenches abroad, it urged its readers to also support

the Colored troops. Doing so would not exactly support the total American effort in the war, but instead, the black American effort in the war. In this way, the *Defender* demonstrated a kind of black nationalism. To assert the black American as a war hero through poster advertisements and front page images of, for instance, an infantry training was to demonstrate the accomplishment of the African American community.⁴⁰ Furthermore, by encouraging its readers to support their fellow black citizens in the war by purchasing Colored troop posters or attending a “Patriotic Evening” in honor of their troops overseas, the *Defender* acted as a promoter of “Race” pride.⁴¹ In a late November article, the speech of the activist Roscoe Simmons at the Eighth Regiment Armory of Chicago is given in-full. Praising the African American effort in the war throughout, his words share the sentiments of the *Defender* and its patriotic agenda. With the skills of a great orator, he states, “Permit me to forget my chains. Permit me to forget for a moment the torch and the mob. Let me find repose for the briefest hour in the thought that as men have risen I, too, shall rise.”⁴² Through the *Defender*’s constant commendation of the black troops in the war and its appeal to its readers to in turn, support them, the newspaper raises the black American community. By extolling these men--and at times, the women--of the war effort, African Americans are marked for their bravery. In the face of such oppression and dehumanization at home, to present its readers with patriotism and devotion to the black soldier was to uplift the African American community as a whole.

⁴⁰ “The Buffaloes (367th Infantry) Preparing for “Over There,”” *The Chicago Defender*, April 13, 1918, late ed., 1.

⁴¹ “Patriotic Evening: For the Benefit of the Circle for Negro War Relief, Inc.,” *The Chicago Defender*, November 1, 1918, late ed..

⁴² Roscoe, Speaking to Thousands, Defines Hopes: Great Spokesman Thrills Big Crowd at Eighth Regiment Armory,” *The Chicago Defender*, November 1918, late ed..

³⁹ “Camp Funston Men and Officers Making History for the Race,” *The Chicago Defender*, March 15, 1918, late ed..

***The Chicago Defender* and Representations of Politics and Political Participation**

In line with its objective to elevate the African American community, *The Chicago Defender* promoted the political participation of its readers. As a staunch advocate of the Republican Party, the newspaper endorsed certain candidates for office and denounced others. In fact, the *Defender*'s political statements were so frequent that one can easily forget the political circumstances of the many southerners who were reading the paper. That is, although the Fifteenth Amendment was to protect every man's voting rights, the South bypassed it⁴³ with various measures that "effectively curtailed the black vote."⁴⁴ Many African Americans south of the Mason-Dixon line were thus disenfranchised, and in this light, the black community was set back politically. In allowing politics to play a significant role in its weekly papers, the *Defender* responded to this disenfranchisement by raising the political awareness of its northern and southern readers alike and by encouraging its Chicago readers to vote properly along the Republican Party line. In doing so, the theme of African American citizenship filled the paper, and members of "the Race" became politically involved no matter where they resided. Thus, the newspaper's resolve to uplift the entire black community continued.

Throughout 1918, the *Defender* participates in criticizing Oscar DePriest, a black Chicago politician. In its anti-DePriest rhetoric, asserting that the politician did not support "the Race" properly, the *Defender* increases the political awareness of its readership while at the same time emphasizing how important it is to keep the African American community in mind whilst voting. In explaining how DePriest did not consider the needs of his fellow African Americans, the newspaper condemns him of cheating black Americans in his Chicago

real estate business. In this way, he has exhibited "poor Race friendship." Similarly, the newspaper presents examples of how DePriest has rejected his African American identity while in white company. In response to one of these disloyal instances, a journalist (unnamed) writes, "This is how this shifty politician, DePriest, loves his Race."⁴⁵ In expressing the importance of politician race loyalty, the *Defender* declares that for its readers—that is, those who can vote—to be proper voters, they must be aware of politicians' backgrounds and motives, and they also must vote with "the Race" in mind. In this manner, the paper promotes the advance of the African American community, for when its members vote intelligently, the needs of the community will be more thoroughly met. The condemnation of this politician, too, perhaps encouraged more African Americans to go out and vote in order that such a man would not be elected to represent Chicago's Second Ward. In these ways, black America is elevated by becoming more politically aware and active.

While denouncing DePriest, the *Defender* also discourages its readers from voting solely along "the color line."⁴⁶ Although this idea may seem counterintuitive at first glance, it becomes clear in the various anti-DePriest articles that to vote for only black candidates will detriment the black community, for politicians such as DePriest would be elected. Additionally, in backing the Republican Party through political candidates like Robert R. Jackson, the newspaper asserts the need for black Americans to fully assume their positions as citizens.⁴⁷ For instance, in an advertisement from November entitled "To Colored Men of Tennessee," readers of Tennessee are called to vote for specific Republican candidates for Governor, U.S. Senator, and Congress. Although the advertisement surprisingly disregards the state of black voting rights in Tennessee, it is important to note that the Republican ticket is vouched for here. In stating, "Nothing is more important in the present than breaking our political chains," the *Defender* stresses that by voting along party lines and voting in general, black Americans will help emancipate

⁴³ Wilkerson, *The Warmth of Other Suns* (New York: Random House, 2010), 38.

⁴⁴ Tolnay and E. M. Beck, *Rethinking the Role of Racial Violence in the Great Migration*, in *Black Exodus: The Great Migration from the American South*, ed. Alferdeen Harrison (Jackson, MS: University Press of Mississippi, 1991), 25.

⁴⁵ "DePriest's Race Loyalty Set Forth," *The Chicago Defender*, February 1918, late ed..

⁴⁶ "Ignoring the Color Line," *The Chicago Defender*, April 1918, late ed..

⁴⁷ "Mayor Jackson Wins," *The Chicago Defender*, February 26, 1918, late ed..

themselves.⁴⁸ Likewise, in one of the main editorial articles from April entitled “Ignoring the Color Line,” the journalist asserts that to merely vote for a black American candidate because of his race “is unwise, mischievous, and dangerous,” because then this kind of voting would also be acceptable for white persons.⁴⁹ This would result in the faltering of the American democratic system. Rather, in voting the true American way along party lines, black Americans will elevate themselves and assert their citizenship in the process. The assertion of a Republican Party ticket and voting without regard to race represents the *Defender*’s promotion of black citizenship in response to white America’s undermining of that citizenship.

In promoting both the importance of race loyalty and telling its readers to not vote along the “color line,” the *Defender* seems, at first, to contradict itself. However, when analyzed more closely, one can see that both tactics have the same end-goal in mind. In asking that African Americans remain aware of candidate attitudes towards “the Race”—no matter what the candidate’s race himself—the newspaper represents its concern for the treatment of the black community by politicians, but it also advocates smart voting. If one is a smart voter, a candidate’s race should not hold importance over his policies and past actions. By consistently presenting this idea of being an aware and intelligent voter, the *Defender* treats its readers as politically-active citizens. It cannot be forgotten that no American woman had the right to vote in 1918 and many black men were barred from voting in the South. In this context, the *Defender* not only encouraged its readers to be full-fledged citizens, but also treated them as such—no matter where they resided. In presenting political responsibility as one of its major themes, the *Defender* contributed to its mission of racial uplift.

***The Chicago Defender* and the Whitening of the Black Body**

Perhaps the most jarring thing that a contemporary reader experiences when reading *The Chicago Defender* is the incredible number of skin whitening and hair straightening advertisements that each weekly paper features. Whilst upholding the

⁴⁸ “To Colored Men of Tennessee,” *The Chicago Defender*, November 1918, late ed..

⁴⁹ “Ignoring the Color Line,” *The Chicago Defender*, April 1918, late ed..

African American community through patriotic articles and political participation, the *Defender* presented a standard of beauty on multiple pages each week that seemed to contradict its entire agenda. While this section of my research paper is perhaps the one most confusing and unclear, I believe that some advertisements in particular offer an explanation for the frequent attempts by the paper to whiten the black body. As the *Defender* has consistently demonstrated its goals for black America, I believe that these advertisements have not merely been placed here for funding purposes. With the other themes of my research in mind, I have made my way through pages of advertisements to find a reason for this incredible amount of whitening in the most popular black American newspaper of the day.

In general, the advertisements for skin whiteners and hair relaxers publicized the idea of beauty for both men and women, but more frequently for women. For instance, in a blatant advertisement in which the words “Girls, Be Pretty! Men, Be Handsome!” jump off the page, “Black and White Ointment” is promoted. This product enables one to bleach “Dark or Sallow Skin,” in addition to its more useful functions of healing acne and other skin issues.⁵⁰ With these words, the company sells the idea of beauty in a jar. Although it claims to be for both black and white folks, the advertisement is certainly not aimed toward people with pale skin, for white skin is the beauty feature that it is attempting to market. Similarly, a common advertisement for “Plough’s Dressing” states that its product will work on hair “No matter how coarse, kinky, snarly, ugly or unmanageable” it is. In other words, natural black American hair is ugly, and straight, flowing caucasian hair is beautiful.⁵¹ Finally, in an advertisement by Kashmir appearing in November, affluent black American women are pictured alongside black American captains in the war, and the margins read, ““The best looking women in America’ would be a fitting title for these clear skinned, pretty haired Colored women who use Kashmir.”⁵² This image of successful black Americans and the description of their

⁵⁰ “Girls, Be Pretty! Men, Be Handsome!,” *The Chicago Defender*, April 18, 1918, late ed..

⁵¹ “Plough’s Dressing,” *The Chicago Defender*, November 1, 1918, late ed..

⁵² “Kashmir Preparations: For Hair and Skin,” *The Chicago Defender*, November 1, 1918, late ed..

attractiveness represents the core of the *Defender's* purpose with these advertisements. While the women look prosperous, the men look honorable--thus, this is the kind of advancement that the black American community should strive for. While these advertisements, in many ways, encourage black Americans to acquire white physical features, the beauty theme here also suggests that ability of "the Race" to attain a level of sophistication and attractiveness that white America understands. In other words, the standard of beauty at this time includes flowing hair and pale skin--as it remains today--and thus, these advertisements create an avenue for African Americans to achieve it. In placing these advertisements on its pages, then, the *Defender* asserts black refinement—or what was viewed by white America as refinement--in opposition to the white degradation and humiliation of black America.

In addressing the ability of the consumer to make physical changes by simply purchasing these products, these advertisements asserted African American agency. A Madam C.J. Walker advertisement, for instance, states, "Every Woman Can Have Beautiful Hair," meaning that no matter who you are or where you come from, a woman can improve her beauty.⁵³ Another, entitled, "Bleach Your Skin," points to the ability of the consumer to take control her appearance. This do-it-yourself theme can be persuading in the power that it puts in the individual. One has to simply, "Apply as directed on label," and all her hair and skin imperfections will be solved.⁵⁴ During an era in which agency for black Americans was slim, to put forth advertisements that granted them individual power was significant. In doing so, the *Defender* contributed to its uplift purpose.

While these skin bleachers and hair products were already on the market, they were not the only products around, and so their appearance on multiple pages of each weekly paper seems, to me, to carry other purposes. Despite their racist implications of beauty, when viewed with a more contextual lens, these products and their advertisements can be viewed as instruments of advance and individual power. In writing about the manner in which the *Defender* brought black

Americans to the North, Professor of Communication at the University of Kentucky, Alan D. DeSantis, claims that these whitening advertisements demonstrated how "Chicago was 'sold'...[as a] a place where blacks could transform themselves."⁵⁵ Indeed, transformation is depicted in these ads that at first seem--to the twenty-first century eye, at least--to offer nothing but derision. However, if we view these advertisements as presenting African Americans with the option to mold themselves to fit the standard idea of beauty--and on their own terms--*The Chicago Defender's* whitening theme is more justifiable. Although the disturbance brought on by this plethora of beautification advertisements remains, perhaps I have--by drawing connections to the newspaper's overall purpose--begun to help explain the *Defender's* greatest perplexity.

Conclusion

What began as a quest to discover how *The Chicago Defender* brought black Americans to the North ended as an in-depth analysis of the newspaper's function during both a world war and a more turbulent war at home. In printing for an all-black American readership, the *Defender* had unique goals, especially during a period in which African Americans were not catered to by the white media. The "policy of veiled slurring against the Race" that editorialist Ben Baker notes regarding the white newspaper, the *Chicago Tribune*, did not make white newspapers suitable for black Americans. "We, too, have a home and a country," he writes, but in the white media, black Americans were not recognized as citizens of that country.⁵⁶ Hence, black media intervention became necessary, and this is the context in which *The Chicago Defender* of 1918 finds itself.

In employing the terms "the Race" and "our" frequently, the *Defender* helped tell its readers that no matter their place of residence, they had a national community to which they could turn to and a medium that would voice its concerns. In connecting people from North to South, the

⁵⁵ DeSantis, "Selling the American Dream Myth to Black Southerners," *Western Journal of Communication* 62:4 (1998): 493.

⁵⁶ Ben Baker, "Must All work Together to Get Somewhere," *The Chicago Defender* July 6, 1918, late ed..

⁵³ "MME. C. J. Walker's Hair Grower," *The Chicago Defender*, January 1918, late ed..

⁵⁴ "Bleach Your Skin," *The Chicago Defender*, January 1918, late ed..

Defender created, in many ways, a black national identity. In its content, it was able to reinforce this identity.

By detailing white brutality and the downtrodden condition of the black American community, the *Defender* presented its readers with the reality of their present state. In representing white southerners as utterly cruel beings and a threat to black America, the newspaper sought not to sadden or frighten “the Race,” but to put forth--without censorship--how disgraced the black community was by whites.⁵⁷ By both uplifting “the Race” through its images and words and calling upon “the Race” to take various measures in elevating itself, *The Chicago Defender* responded with force to the shame that white America bestowed upon it.

Professor of African American Studies at the University of North Carolina, Charlene Regester, writes how in “working to prevent the moral decay and decline of the community,”⁵⁸ Robert S. Abbott, the paper’s founder and editor,⁵⁹ “recognized that his paper had become a vehicle of empowerment.”⁶⁰ Indeed, this power has been displayed in the above uplift and demonstration of black American progress. In its patriotic fervor for the Colored troops, its promotion of complete black citizenship through politics, and its constant display of whitening possibilities for “the Race,” Abbott and his *Defender* team raised and empowered black America.

I believe it is wise that we look to *The Chicago Defender* today as a way to make our study of the American past more inclusive. While the story of black America has been told, it has too often not been told by black American voices. In an

⁵⁷ DeSantis, “Selling the American Dream Myth to Black Southerners,” *Western Journal of Communication* 62:4 (1998): 487.

⁵⁸ Charlene Regester, *Robert S. Abbott*, in *Writers of the Black Chicago Renaissance*, ed. Steven C. Tracy (Champaign, IL: University of Illinois Press, 2011), 18.

⁵⁹ Regester, *Robert S. Abbott*, in *Writers of the Black Chicago Renaissance*, ed. Steven C. Tracy (Champaign, IL: University of Illinois Press, 2011), 15.

⁶⁰ Regester, *Robert S. Abbott*, in *Writers of the Black Chicago Renaissance*, ed. Steven C. Tracy (Champaign, IL: University of Illinois Press, 2011), 18.

age in which white power continues to trump minority groups, this hidden history is necessary. In listening to the various voices of *The Chicago Defender*, we can bring meaning to silenced American history.

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Disease Dialogues: How Medical Language Impacted the Lavender Scare

David Ward

Ramapo College of New Jersey

Disease is a fickle thing, often it silently slips from person to person, casually stalking just below the radar and calculating the next victim. Before long an epidemic is on hand and containment becomes the primary focus. A silent, paralyzing fear of illness is an arguable hallmark of the Cold War period. In this era, dialogues on disease and infection permeate every facet, from social developments, to cultural artifacts, to medical research, and most notably to politics. In this era, the prevalence of medical vernacular and disease dialogues became ever present in political discourse, as leaders from Roosevelt to Eisenhower discussed the threat of “ailments” that could cripple the United States. But in the 1950s, a new threat so great, yet so undetectable, threatened to infect the healthy body politic. Political discourse filled with dread over the development of Communist States and the threat to the United States’ vitality. As the dialogue developed, an association between communism and disease formed in the early stages in of the Cold War. This view held that the American capitalist system was a healthy body being threatened by the “communist disease.” The United States was understood to be under attack by the nefarious disease of communism. Keeping within a medical framework, the immune system of the United States needed to be secured, through identification of threats, shoring up protection, and keeping vital functions safe. Therefore, the alignment of medical and political dialogue in the early part of the century arguably laid the framework for the Lavender Scare, which acted as a treatment to protect the United States against the new threat of communism.

The spike in medical dialogue surrounding the Cold War permeated into almost every facet of American life. Buzzwords such as condition, quarantine, disease, contagious, cure, strength, suffering, and epidemic appeared in dialogues from the Senate Floor to the White House, and into New York Time’s columns of the day. Prior to the period leading into the Cold War this type of language tended to remain within the field of medicine, but

something in this era precipitated a change in attitudes and dialogue. The first extensive reference to medical vernacular that appears in the national dialogue comes from Franklin Roosevelt, in his 1937 Quarantine Speech. Roosevelt gets to the vital heart of the matter in his speech by noting, “unjustified interference in the internal affairs of other nations or the invasion of alien territory in violation of treaties” (Roosevelt) and within this claim, two very important words stand out. The first is invasion and the second is alien. Invasion obviously connotes an attack and alien connotes an unfamiliarity, thus the attack of an “unknown” was at the forefront of the European conflict. While this is not directly related to medicine, this assessment of the situation sets the stage for Roosevelt’s further comment on the European situation.

As he progressed, Roosevelt noted, “it seems to be unfortunately true that the epidemic of world lawlessness is spreading” (Roosevelt) as he described the situation in Europe. In essence, he stated, the epidemic is spreading, and this is a phrase that is meant to incite fear. It acknowledged a quickly spreading threat and warned of the future consequences. Knowing the danger in the spread of an epidemic, Roosevelt noted, “When an epidemic of physical disease starts to spread, the community approves and joins in the quarantine of the patients in order to protect the health of the community against the spread of disease.” (Roosevelt) Roosevelt then makes a comparison between physical disease and the spread of another disease, and this hints at fascism as the epidemic that is spreading over Europe. Craftily, Roosevelt ties medical language to the political dialogue, as he warned, “War is a contagion, whether it be declared or undeclared” (Roosevelt) and he underscored the risk of entering the war. But he proposed a solution, laced in a warning that the United States may not be able to hide forever from the spread of the latest conflict. Roosevelt warned, “We are determined to keep out of war, yet we cannot insure ourselves against the disastrous effects of war and the dangers of involvement. We are adopting such measures as will minimize our risk of involvement” (Roosevelt) and with this Roosevelt again ties medical language to political language. What Franklin Roosevelt also does in this speech is bring medical vernacular into the political spectrum, with his use of language such as contagion, minimization of risk, alien, invasion, epidemic, and most importantly quarantine.

Effectively, Roosevelt makes what was once medical, political and brings the language of medicine into politics.

Later in the Twentieth century, after the United States became “infected” and entered World War II, other politicians and leaders were still utilizing medical vernacular when discussing politics. The successor of Roosevelt, Harry Truman, continued this trend in his inaugural address. While discussing the next threat to the world, Truman claimed, “Communism is based on the belief that man is so weak...that he is unable to govern himself” (Truman 518) and this creates a distinct image. Truman’s understanding of Communism thought that a lack of strength presented a perfect victim for opportunistic Communism. Further, while discussing the Third World, Truman noted, “their poverty is a handicap and a threat to both them and to more prosperous areas” (Truman 520) and again there is a use of medical language. Truman’s claim notes that a handicap of poverty afflicts the up and coming nations and that this poverty is a threat to areas of prosperity. Implied is the spread of poverty, which could move from already impoverished areas and debilitate prosperous ones with their handicap. But, most interestingly, Truman noted that, “for the first time in history, humanity possesses the knowledge and skill to relieve the suffering of these people” (Truman 520) and this suggests that a “cure” is available to immediately remove the affliction of the Third World. Thus, in the early stages of the Cold War, there is a permeation of medical language and ideology in the United States’ global interactions.

But moving into the decade of the 1950s, the dialogue began to shift slightly as the focus of the United States turned inward. This was problematic, however, according to Senator Margaret Chase Smith (R-ME) who attempted to bring national attention to a national ailment. Speaking in 1950, Smith stated, “I would like to speak briefly and simply about a serious national condition” (Smith 522) and her use of condition is suggestive of a prolonged, if not chronic, ailment. Speaking further, Smith noted that the condition developed due to the “shield of congressional immunity” (Smith 523) and this had the effect of sapping, “the strength and unity it [the nation] once had when we fought the enemy instead of ourselves” (Smith 527). Smith’s use of medical language suggests that due to congressional immunity the national condition had

festered, and therefore, it was attacking the internal vitality of the United States. The condition which Smith sought to identify was the fight against communism, which in the period of 1947-1955 became a national “epidemic” per se. In various places, the national dialogue became filled with articles, such as a 1952 New York Times article titled, *The One Cure for Communism*, or a 1953 editorial which suggested, “the real antidote for communism is this nation” (Harlow) and both of these news articles, plus Smith’s speech make a point evident. The use of medical terminology and ideology that started with Roosevelt and by the 1950s, had been applied to the fight against communism.

In this fight against communism, the state of national health became a primary concern and all precautionary measures were taken. One such measure carried on the use of medical terminology as it identified a great threat to the international operation of the United States. Speaking before Congress in 1950, Representative Arthur L. Miller (R-NE) suggested the following about employees of the State Department, “Some of them are more to be pitied than condemned, because in many it is a pathological condition” (Miller) and Miller persisted in identifying “them” in the name of national vitality. Continuing to make his point, Miller stated, “I realize there is some physical danger to anyone exposing all of the details and nastiness of homosexuality” (Miller) and so the homosexual became a matter of national concern. In the 1950s, the homosexual presented the utmost threat to the health and vitality of the United States in the face of the threat of the spread of Communism. In his article *National Security and Personal Isolation: Sex, Gender, and Disease in the Cold War United States*, Geoffrey Smith identified a, “nexus between the Communist menace, disease, and illicit sexuality” (Smith 313) and so at the intersection of these three themes stood the homosexual government employee, whose “pathological condition” created great danger.

The identification of this triumvirate of worry led to a period of Cold War history known as the Lavender Scare, which took Washington, D.C. by storm between the years of 1950-1960. Led by figures such as Arthur Miller (R-NE), Joseph McCarthy (R-WI), and others, such as Roy Cohn, this was the systematic removal of homosexual government employees in what appeared as an attempt to shore up the national immunity to

communism. Early in the decade, in a 1950 speech given at Wheeling, West Virginia, Joseph McCarthy identified 205 “known communists” (McCarthy) that worked in government. More details regarding this claim came to light when Arthur Miller took up the gauntlet laid down by McCarthy in a late 1950 speech. Miller noted, “the Russians are strong believers in homosexuality, and that those same people are able to get into the State Department and get somebody into their embrace, fearing blackmail, will make them go to any extent” (Miller) and this suggested that homosexuals were susceptible to blackmail. This lends itself to Geoffrey Smith’s assertion that, “individual behavior in sensitive places might have extreme international consequences” (Smith 315). Essentially, the perceived threat of Soviet spies blackmailing homosexual government employees created a terror that played into the earlier dialogues of disease that had permeated into the tissue of American life.

This permeation of fear and the continuation of disease dialogues can be seen in David Johnson’s book, *The Lavender Scare*, especially as Johnson reports, “The Republican Party campaign [in the 1952 election] slogan ‘Let’s Clean House’ promised to rid the bureaucracy of a host of problems” (Johnson 121) and this promise to clean house suggests a need to disinfect Washington, as if it had been unsanitary. Further, Johnson indicated that the release of Alfred Kinsey’s report on human sexuality in 1948 had created a national stir. Johnson wrote, “psychiatrist Edmund Bergler warned, ‘if these figures are only approximately correct then ‘the homosexual outlet; is the predominant national disease’” (Johnson 54) and so a national epidemic was hand. Thus, as the Lavender Scare developed, there was discussion of a need to disinfect, or clean Washington, D.C. as a way to counteract the national epidemic being endured. Geoffrey Smith identified that this problem was so pressing because it had always been easier to identify the contaminants, or subversives of society. In his article, Smith noted and wondered, “It had been easy to identify and single out for discriminatory treatment Blacks and ethnic minorities; how though, might one identify ‘Communists’ within- men and women who might undermine national security” (Smith 311) and this underlying fear amped up concerns. With a political dialogue laden with medical terminology, the threat of an undetectable epidemic that could cripple the fortitude of the government prompted swift action.

As demonstrated by earlier politicians and those contemporary to the time, the use of medical vernacular included words commonly used to describe illness and epidemics. Translated into the period of the Lavender Scare, the use of these words can be used to explain why the Lavender Scare occurred. The announcement of McCarthy’s list of Communists in government could be considered the “patient zero” in this crusade to shore up the immune system of the government. Arguably, the homosexual working in government acted like an open sore, prime for communist infection. Geoffrey Smith pins this idea down as he noted the presence of what was identified as the, “all powerful, super secret inner circle of highly educated, socially highly placed sexual misfits in the State Department” (Smith 318) who according to claims, were, “easy to blackmail, all susceptible to blandishments from homosexuals from foreign nations” (Smith 318) and so this opened the State Department up to threats. In addition, Andrea Friedman, in her article *The Smearing of Joe McCarthy* notes that masculinity had much to do with this assessment of the State Department and its protection against the infection of communism. She described that many players in government held the notion that, “what made a real man overlapped with McCarthy’s in certain ways; all valorized physical strength and toughness, ‘warrior heroism’ and virility” (Friedman 1109) and so masculinity was key. Unlike the effeminate men of the State Department, a real man was thought to possess the strength that was needed to fight the infection of Communism. Essentially the masculinity and strength of a man were the necessary ideological immunizations against the threat of the communist disease. Conversely, the “sexual misfits” of the State Department, and by default, any other homosexual employees of the government did not have these necessary immunizations and thus were perceived as a risk of infection. Lacking these immunizations, “an emergency condition” threatened the nation’s capital” (Johnson) as an alarming event occurred. According to reports, the Russians had acquired a list of homosexuals throughout the world that had been compiled by Hitler as an espionage tool. Using this list, Russians were prying secrets out of government employee’s.” (Johnson 80) and so the perceived threat became a perceived reality.

Additional developments in the medical realm impacted the development of the Lavender Scare in

this time period. The men and women reviled by McCarthy, Smith noted, were suggested “[to operate] outside the law, proselytizing effectively among the disgruntled, the downtrodden, the emotionally unstable, and the young” (Smith 314) and therefore, threatened the nation’s most vital weapon, says Smith, which was the family. The consequences of having homosexuals in places of power, where they could influence the nation’s children, appears to have aligned with another development of the time, the final resurgence of the poliovirus. As Geoffrey Smith wrote, the last infection of the poliomyelitis virus emerged in 1952. Additionally, Smith noted that there was a reemergence of venereal disease around the same time. Thus, “anguish at the concealed, infectious, and obviously capricious poliovirus with its clear presentation of physical decay, was in the national scope” (Smith 323) and the combination of venereal diseases constituted “a significant public health problem” (Smith 323). As the threat of polio aimed to wreak physical decay on children, the homosexual threatened the family structure, and both threatened the vitality of the nation. Thus, the United States, politicians and citizens alike, operating within a medically charged framework needed a cure for this ill.

The ideology of Truman’s inaugural speech reappeared, strengthening the ties between communism, homosexuality, and disease, and the connection between political language and medical language. In an age where medically charged language surrounded political conversation and the development of modern health sciences was gaining speed, the emergence of panaceas for ailments came into focus. For the two health concerns of 1952 there were cures and immunizations. As Smith noted, the Salk and Sabine vaccines were widely available after 1952 to quell the poliovirus. Additionally, to handle the nasty venereal diseases, there was penicillin, which as Smith noted, “[had] been hailed as a ‘magic bullet’” (Smith 323) and these cures effectively treated these illnesses. This then left the threat of the communists and homosexuals, and as Johnson noted, “The constant pairing of “communists and queers” led many to see them as indistinguishable threats” (Johnson 31) and this presented a serious national health concern to the nation. Still working with the framework of medical terminology, the usual tactics of curing medical ills of the 1950s were not applicable to this “condition” that was presenting itself to the nation.

Therefore, a wide range of “treatment” was employed to accomplish a few different things. The first was to shore up the American immune system, the second was to quarantine and remove those who promulgated the ills plaguing America. Encapsulated as a treatment, the Lavender Scare promised to cure the ills America was experiencing and it sought to do so quickly.

In meeting the first end, the Lavender Scare shored up the American immune system through two means. First, it led to the production of Executive Order 10450, which updated the requirements of Civil Service which had last been updated by Truman. In the new order, Dwight Eisenhower established a groundwork for employment with the Federal Government, stating, “Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, sexual perversion.” (Executive Order 10450) would be terms that would prevent employment in government. Further, “Any illness, including any mental condition, of a nature which in the opinion of competent medical authority may cause significant defect in the judgment or reliability of the employee, with due regard to the transient or continuing effect of the illness and the medical findings in such case” (Executive Order 10450) were also reasons for blocking employment. But finally the order also noted, “Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of the national security” (Executive Order 10450) would be another reason for denial of employment. Thus with Executive Order 10450, the employment of homosexuals was expressly forbidden and tied into this prohibition of homosexuals were provisions to prevent the hiring of communists, as well as anyone deemed “unwell” by the government. Thus, Executive Order 10450 appeared to act as an immune boost to the government’s white blood cells as it neutralized the chance of introducing additional threats caused by homosexuals.

As the government shored up its immune system, it also systematically removed any and all homosexual employees that could be found, as a method of restoring healthy leaders to the ledgers of the Federal Government. An example of such an employee is Madeleine Tress, who was employed by the Department of Commerce. Co-workers in the

Department of Commerce had noted that Tress was “‘unstable’ in dress and thinking, ‘bohemian’ in lifestyle, and received calls from many single women” (Johnson 148). Perhaps more damaging though, Tress was categorized as “‘mannish,’ ‘a tom boy,’ or had personality problems.” (Johnson 149) and most searingly, “a Georgetown professor charged that ‘she is a homosexual admittedly and known’” (Johnson 149) and this effectively sealed the fate of Madeleine Tress. Due to her homosexuality, she was investigated and forced to resign. Effectively, under the framework of the time, this would have removed a serious security concern from the Department of Commerce and prevented further spread of the insidious, silent threat of communism, vis a vis, homosexuality.

Given the efforts to shore up the United State’s immune system and cure it of its homosexual and communist condition, the Lavender Scare could be argued to be a product of these actions. Surrounded by concerns of the spread of the Communist menace and the presence of homosexuals who lacked the vitality to fend off such afflictions, there needed to be a treatment to neutralize that threat. Thus, the Lavender Scare presented itself almost as a “lavender pill” which, in the age of an advancement of medical dialogue and research, could effectively protect the nation from succumbing to the direst of epidemics. The metaphor of a “lavender pill” derives from the medical advances which were seen in the decade of the 1950s. These advances had tremendous effects which, when combined with fierce advertising, created a medical mentality in the American mind.

The metaphor of a miracle cure, for homosexuality in government and other diseases, developed early in the decade of the 1950s. In fact, there was a tremendous acceleration in the development of screening and treatment of many pesky, persistent, and resilient diseases that plagued the nation. As Geoffrey Smith noted, the poliovirus was easily quelled by the Salk and Sabine vaccinations. Not long before the development of these vaccinations, the causes and treatments of the poliovirus were unclear, as a 1950 New York Times article reported. The article noted, “While this Morris County area has its worst polio outbreak in years, publicity concerning open sewage is bringing more attention to the situation than is warranted by the facts” (“Sewage Absolved,” 1950) and thus, this article sets an interesting premise. Reporting on the conditions of Morris County, New Jersey, the

article notes that. “most cases [of polio] have come from the recently developed Beechcrest section of Florham Park” (“Sewage Absolved,” 1950) thus the article provides an environment for an outbreak of polio. The disease broke out in a newly developed area of suburban New Jersey, thus showcasing that the disease did not discriminate in terms of socioeconomic status or settlement density. Rather, the article proved that the disease developed in an up-and-coming suburban locale and the article further noted that in at least two cases, the disease was fatal. Moving back to Geoffrey Smith’s point, however, the Salk and Sabine vaccinations proved capable of eliminating a virus which seemed to strike indiscriminately. Thus, in the early portion of the decade of the 1950s, the prevalence of crippling disease was still incredibly high, even in newly developed suburban neighborhoods, which would cast shadows on the “advanced status” of United States medical prominence.

Yet, given this grim prognosis, another report emerged from the New York Times in 1950 which provided a glimmer of hope. In a report, dated November 22, 1950, one month after the Florham Park polio outbreak, it was found that, “Antibiotics have shortened the length of time that patients spend in hospitals” (“Hospital Care,” 1950) and this reduction in time spent in hospitals had substantial benefits. The benefit of the reduction in time needed for hospital care, the article reported, was that more patients could be treated, despite the fact that, “hospital bed space had only increased 18 percent.” (“Hospital Care,” 1950) Therefore, the use of antibiotics had the effect of quickly and effectively treating the needs of patients and maximizing the effectiveness of medicine. But even further, there was a marked increase in the production and advertisement of prescription or pharmaceutical drugs in this same timeframe. For example, in December 1950, the drug company Pfizer announced that it would be increasing its citric acid output and freezing the price of said item. (“To Lift Citric Acid Output,” 1950) In addition to that advancement, Pfizer also announced that its findings on terramycin, which was added into the category of “wonder drugs” according to the New York Times. With the release of terramycin, the British Medical Journal noted, “to those manufacturers whose efforts have been fortunate must now be added the name of Pfizer and Co..for terramycin is their product.” (British Medical Journal 1209) The overall idea is that Pfizer had

much success in the development of terramycin, which the British Medical Journal noted, was effective in treating a wide variety of ailments. Therefore, the decade held a great deal of medical advancement, providing faster and more effective treatment for the diseases which had haunted the United States for decades or more.

The most important factor in this increased in development of pharmaceutical drugs and the cures to ailments that plagued society was the technology and resources afforded by the decade. An important note in the British Medical Journal's 1950 review of terramycin stated, "has been said that several hundred thousand cultures may be examined in order to find one or two worthy of going forward to the pilot-plant stage, that is, production on a scale adequate for thorough experimental and possibly clinical trial. Such work involves a large and continuous outlay, which may or may not reap a gigantic reward"

In effect, the British Medical Journal is claiming that in order to produce a drug of value from soil samples, Pfizer or any company would have needed a tremendous workforce, ample scientific resources, and a market for such a product. In terms of technological development, Kristie Macrakis, author of *Technophilic Hubris and Espionage Styles During the Cold War*, noted, "The rise of large-scale technical intelligence in the United States was part and parcel of Cold War science and technology" (Macrakis 378) yet, it is questionable how a rise in intelligence technology could equate to medical advances. Macrakis also noted, "Intelligence needs stimulated and accelerated the development of Cold War technology like spy satellites, high-altitude planes, and nuclear powered submarines" (Macrakis 378) and thus intelligence needs stimulated technological development. In a similar sense, medical needs, such as the late outbreaks of polio demanded the attention of the advancing field of scientific research. In examining Pfizer's development of terramycin, it was found that the field of pharmaceuticals had the resources to develop a labor intensive drug that proved to be highly effective.

When examined from afar, the decade of the 1950s could be described as decade of unprecedented medical advancement. Within ten years there was an outbreak of polio in an up-and-coming suburb in New Jersey and what would become a pharmaceutical giant, produced a "wonder drug"

that was highly effective. Further, as Geoffrey Smith noted, the development of the Salk and Sabine vaccines effectively eliminated the poliovirus. When collectively viewed, these advancements all combine to create a mental set in the American mind which could rationalize that any and all viruses, diseases, and illnesses could easily be cured. This mindset of easy cures, when coupled with a medically twinged political dialogue, could be argued to rationalize the use of the Lavender Scare as a cure for the nation's vulnerability to invasion by the "communist disease." The association of communism and homosexuality to disease, epidemic, and contagion were deeply entrenched in the socio-political dialogue of the time. Therefore, because political dialogue included medical terminology and ideology, and modern medicine had seen explosive development, it seems natural that a national threat would be defined within a familiar framework.

Thus, when the use of medical language was brought into the political spectrum by Franklin Roosevelt, a trend began. This re-appeared in 1948 as Harry Truman took office and discussed the suffering of the world and the ability to relieve (or treat) the suffering given the great advances of modern science. In a similar sense, Margaret Chase Smith warned of a national condition that had emerged under a cloak of immunity, and various news sources of the 1940s and 1950s applied medical vernacular and disease dialogue to their articles. But most prominent to the development of the Lavender Scare is the pairing of homosexuals and communists that David Johnson identified in *The Lavender Scare* and the identification of the triumvirate of peril that Geoffrey Smith introduced in *National Security and Personal Isolation* which effectively cemented the idea of the risks associated between homosexuality, communism, and disease. It is to this effect that medical vernacular and disease dialogue had a hand in the dialogue of the Lavender Scare. As the risks of communist infection mounted, leaders feared an epidemic that attack the vital body of the United States due to its lack of strong leaders who could fend off disease, real or otherwise. Therefore, the dialogues of disease and the rise of modern medicine permeated American society. Thus the cause of the Lavender Scare may be argued to rest in the need to shore up the American immune system and cure the ills that threatened the United States during the Cold War,

therefore, assuring the United States' global health and security.

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The Women Who Said “NO!”

A Look at the Women, the Language, and the Images Surrounding the United States Anti-Suffrage Movement

Samantha Muller

Rutgers University– Camden

Long before the likes of Susan B. Anthony and Elizabeth Cady Stanton began their rally cries of equality and freedom at the Seneca Falls Convention in 1848, women did have the right to vote in the United States. During the early Republic and the formation of its territories suffrage was limited to certain states such as New Jersey and later Utah. However, women that once had the right to vote were systematically stripped of that right through legislation. In New Jersey voting that was given to all “free inhabitants” by the original state constitution of 1776 became limited to free white males by 1807. Meanwhile in Utah, voting for women ended in 1887, with the passage of the Edmunds-Tucker Antipolygamy Act. In response to the lack of access to the franchise and other rights, suffragettes advocated vociferously for the vote over many decades into the early 20th century. They believed their cause was just and necessary for every woman. For them it was a civil right.

Yet, perhaps surprisingly, not every woman wanted the franchise. Many women were not interested in voting. In fact, many adamantly opposed a woman’s right to vote. Who were these women? What drove them to want to remain in the domestic sphere? Why did they ultimately venture out into a world of electoral politics that they felt was out of their domain? Why did it become an extremely important and at times an all-consuming mission to stop the vote?

Many historians have focused on the suffragettes and their fight to gain enfranchisement. This paper examines the women on other side of the suffrage argument. These women were not the quiet and docile “backwards traditionalists” they were often characterized as in suffragist literature.⁶¹

⁶¹ Marshall, Susan E. Preface. *Splintered Sisterhood: Gender and Class in the Campaign against Woman Suffrage*. Madison, WI: U of Wisconsin, 1997. Xi. Print.

Instead, anti-suffragists were women with strongly held conservative beliefs including notions about their citizenship that were gleaned from the concept of “republican motherhood”⁶² and the need to maintain a separate private domestic sphere apart from the public dealings of men.⁶³

The anti-suffragists, or “antis” as they were sometimes called in their day, were important political actors in their own right. Antis were intelligent, well educated, and had a keen understanding of the rhetoric of the time that they used to their advantage. These savvy women understood the power of mass media and employed it proficiently to support their cause. These women believed in the unique power of womanhood – a power that was more effective because women were assumed to be naturally more virtuous than men.⁶⁴ It was their definition of citizenship through republican motherhood that made them uniquely qualified to effect change without the need for enfranchisement. Also, they argued that as disinterested members of society, they could effectively rise above party politics when championing a cause.

These women who are often viewed as having been on the wrong side of history nevertheless held a widespread point of view deserving of study by scholars. After all, if we are to truly study the history of women’s path to becoming a voting citizenry we have to take a serious look at all women, even those with unpopular, complex, and divergent points of view. The historiography of women has often discounted the voices of those that said “No!” to the vote to the detriment of having a complete understanding of women’s history.

Women Versus Women: The Suffragists’ View of the Anti-suffragists

Suffragists often painted anti-suffragists in an unflattering light. Weak-willed and easily led by men according to suffragists, anti-suffragists were seen as puppets stripped of their agency. Antis were regularly portrayed in poetry and cartoons in suffragist periodicals as lazy, vapid, and only interested in vain subjects like fashion. One poem,

⁶² Kerber, Linda K. (1988). "Separate Spheres, Female Worlds, Woman's Place: The Rhetoric of Women's History". *The Journal of American History* (University of North Carolina Press) 75 (1): 9–10.

⁶³ Kerber, 20

⁶⁴ Marshall, 11

“The Anti-Suffragists” by feminist Charlotte Anna Perkins Gilman, written in 1898, goes so far as to say anti-suffragists are:

Selfish women, — pigs in petticoats, —
But all sublimely innocent of thought,
And guiltless of ambition, save the one
Deep, voiceless aspiration — to be fed!⁶⁵

By wanting to maintain the domestic sphere anti-suffragists were viewed as submissive followers, without thoughts of their own, or as having no ambitions outside of the home. They were certainly not the leaders they should be in the minds of the suffragists. In suffragette Ida Sedgwick Proper’s cartoon “The Anti-Suffrage Parade” (Figure 1) anti-suffrage women are tied to anti-suffrage men through their common “false beliefs.”⁶⁶ They are caricatures of fancily dressed women who “do nothing for society” or they are “backwards”, “old fashioned” women who are stuck with these unfavorable backwards men.⁶⁷ One woman depicted in the top of the cartoon is a representation of an actual notable individual of the time – Mrs. Gilbert Jones. She is drawn in an oversized hat that has her blinded to what is happening around her. Allusions are made to her siding with or throwing her hat in the ring for the anti-suffrage movement along with her husband Gilbert E. Jones. Jones’ father owned the New York Times and in the late 1800’s and early 1900’s it was a paper clearly opposed to suffrage.⁶⁸ Mrs. Jones often wrote pieces advocating the anti-suffrage position and was the chairman of the National League for the Civic Education of Women. Lectures arranged by this group to encourage women’s involvement in reform outside of the political arena were eventually canceled due to threats of protest by suffragists wielding eggs.⁶⁹

Being a voiceless entity was also common accusation leveled at anti-suffragettes. In her poem

⁶⁵ Perkins Gilman, Charlotte Anna. "Anti-Suffragists." *She Wields a Pen: American Women Poets of the Nineteenth Century*. Ed. Janet Gray. Iowa City: U of Iowa, 1997. 22. Print.

⁶⁶ Sedgwick Proper, Ida. "The Anti-Suffrage Parade." Art Responds to Women's Suffrage: Pro and Con. Web. 10 Dec. 2015.

⁶⁷ Ibid.

⁶⁸ Goodier, Susan. *No Votes for Women: The New York State Anti-suffrage Movement*. Urbana: U of Illinois, 2013. 59. Print.

⁶⁹ Goodier, 61

“A Suggested Campaign Song” suffragette Alice Duer Miller suggests that women who were against the franchise were “ladylike and quiet/ never speeches, bands or riot” and “no one knows/what we [anti-suffragettes] oppose / for we never speak for print.”⁷⁰ In both instances the imagery of silent docile women used was false. Contrary to how they were portrayed by suffragists, as women who were acted upon, anti-suffragists regularly took action by writing editorials and sharing their views at conventions.

The True Profile of a Woman Who Says “NO!”

So who were these anti-suffragists anyway? If they were not the women that the suffragists claimed they were than who were they? Who were the women who headed organizations like the National Association Opposed to Women’s Suffrage? Who were these women with ideas and beliefs that seem so foreign to current feminist ideas? First, anti-suffragists were almost always women of significant means and significant social standing. Some of these women were wealthy before they married and many married well in order to retain their high social standing. Historian Susan Marshall’s study on the Anti-Suffrage movement in Massachusetts shows that the women who held leadership positions in the organizations were of the “Brahmin” status.⁷¹ They came from old, well-established families, like the Lowells, Lymans, and Coolidges that exercised significant social, economic, and political influence in their city. For example the Massachusetts’s association president was Cora Lyman Shaw, who was the granddaughter of Boston’s mayor Theodore Lyman.⁷² Other members, such as Mrs. Robert C. Winthrop, were married to the wealthiest and most powerful men in the Boston area. Winthrop’s husband, who served in the legislature, was a distinguished Harvard-educated lawyer whose family dated back to the founding of the colony.⁷³ A similar pattern was found in many other east coast states’ anti-suffrage organizations.

Many anti-suffragists were not only wealthy but also well educated, with a little less than half of

⁷⁰ Duer Miller, Alice. "A Suggested Campaign Song." *Are Women People? A Book of Rhymes for Suffrage times*. New York: George H. Doran, 1915. 30. Internet Archive. California Digital Library, 2 May 2006. Web. 10 Dec. 2015.

⁷¹ Marshall, 29

⁷² Marshall, 31

⁷³ Ibid.

those in the Massachusetts association having a college education.⁷⁴ While they were not as educated as the suffragists of the time (most suffragists in the United States—especially their leadership—had a college education or even advanced degrees in the late 1880’s) they were not idle housewives. According to the listed occupations of women in the different organizations they were attorneys, poets, journalists, and authors.⁷⁵ Yet, for them their first duty was their family and the keeping of their home.

The anti-suffrage platform did not devalue education nor seek to keep other women from obtaining an education. On the contrary, these women valued education as long as the learning reinforced and prepared a woman for her unique role as a virtuous republican wife and mother. Famous educator and anti-suffragist Catherine Ester Beecher posited that women needed access to an education more than they needed the vote. “Higher education for women, as articulated by Beecher, was an extension of women’s domestic role...”⁷⁶ and with a “liberal education” women could gain employment “in their appropriate profession.”⁷⁷ That appropriate profession was essentially wife and mother. “In 1869 Beecher argued that any ‘wrongs’ involving women would be solved by promoting and supporting education for women on par with men, fully negating the need for the ballot.”⁷⁸ Education, not enfranchisement, was the key to a woman’s happy, healthy, and fulfilled future according to the anti-suffragists.

What did the NO Vote Women Believe?

Why was education and not enfranchisement so important to the anti-suffrage cause? To understand the mindset of the anti-suffragists one has to go back to the beginnings of republican motherhood and the language surrounding the creation of a space for women to be good citizens. After the Revolutionary War, the ideal of womanhood was formed in the establishment of the good republican mother.⁷⁹ During the war women

were engaged outside of the home in non-traditional ways. They took over planting, dealing with finances, and acted publicly on behalf of their husbands. They were also acting in political ways that challenged the household traditional male hierarchy. To regain the balance of power and restore order after revolution, men established the idea of republican motherhood thereby further entrenching women in the private domestic sphere. In order to achieve their new roles as the cultivators of the new and future pro-republic citizenry they had to be literate and educated to the extent that would help them fulfill their new calling.⁸⁰

In the ensuing century, prior to the passage of the 19th Amendment, most women subscribed to their given gender and social roles that evolved from republican motherhood. Many enjoyed the respect that was gained from the newer similar ideas of the “cult of womanhood” and the “separate sphere” ideology.⁸¹ These ideologies emphasized the superior virtuous characteristics of women—“piety, purity, submissiveness, and domesticity” that women and society used to judge who was a “true woman” and who was not.⁸² If a woman behaved in ways that were not seen as virtuous they were becoming “unsexed” or “masculine” or behaving like “new women.”⁸³ True womanhood was the ideal according to anti-suffragists and enfranchisement would directly threaten to unseat women from their unique feminine power.

This level of female virtue gave women great power within the domestic sphere. They were in charge of the running and keeping of households. They wielded their economic power in the marketplace as they procured the family’s necessities like food and clothing. They also exercised their social power that extended outside of the home (but comfortably within the woman’s domain) in their civics clubs and reform movements. Anti-suffragists participated in moral reforms that supported a healthy citizenry including temperance movements. Historian Susan Goodier

the Institute of Early American History and Culture by the U of North Carolina, 1980. 10-12. Print.

⁸⁰ Ibid.

⁸¹ Welter, Barbara. "The Cult of True Womanhood: 1820–1860." *Domestic Ideology and Domestic Work* (1992). Web. 3 Dec. 2015.

⁸² Ibid., 152

⁸³ Marshall, 10. Suffragists were often seen as “new women” that would ruin womanhood with their ideas of enfranchisement.

⁷⁴ Marshall, 49

⁷⁵ Ibid.

⁷⁶ Goodier, 19

⁷⁷ Harriet Beecher as quoted by Goodier, 19.

⁷⁸ Ibid.

⁷⁹ Kerber, Linda K. "The Women's World of the Early Republic." Introduction. *Women of the Republic: Intellect and Ideology in Revolutionary America*. Chapel Hill: Published for

writes, “While there were divisions in both suffrage and anti-suffrage organizations regarding temperance and the benefits of prohibition, prominent antis opposed liquor.”⁸⁴ These women wanted to preserve their femininity (as they and most of society defined it) while engaging with their community.

As political actors they behaved in ways that reaffirmed their positions in the private sphere. They often remained behind the scenes and participated passively by supporting their husbands and fathers by acting as hostess within the home during political functions. With the suffrage moment there came all of these ideas that challenged their views. Anti-suffragists saw public politics as an affront to womanhood. In their minds, only women who were not beholden to party politics could lobby for social good. Also, participation in the dirty world of politics would soil women or worse, unsex them. In 1853 a newspaper covering the national woman suffrage convention labeled the women participating as “unsexed in mind” and “all of them publicly propounding the doctrine that they be allowed to step out of their appropriate sphere to the neglect of those duties which both human and divine law have assigned them.”⁸⁵ To the anti-suffragists this “stepping out” of their sphere—especially politically—would lead to calamity and social upheaval.

Many antis vowed to end the enfranchisement movement and maintain the power distribution that they were comfortable with between the sexes. Miss Alice Chittenden, the president of the Association Opposed to Woman Suffrage in 1915, had this to say in an editorial about their organization’s beliefs and resolve to end the suffragists’ cause:

Opposition to woman suffrage is not merely an effort on the part of a few women to keep other women from voting, as is sometimes foolishly said, but that it is based upon principles which are so fundamental that women have organized a movement which is daily growing in strength, and which is directed wholly against the enfranchisement of their sex.⁸⁶

⁸⁴ Goodier, 48

⁸⁵ Goodier, 17. She quoted it from Catt and Schuler, *Women Suffrage and Politics*, 27.

⁸⁶ Hazard, Sharon. "Women's Anti-Suffrage Movement." *The Ultimate History Project*. Web. 1 Dec. 2015. <<http://www.ultimatehistoryproject.com/womens-anti-suffrage-movement.html>>.

It was these deeply engrained beliefs held by highly organized women that gave the suffrage movement a lot of trouble.

Anti-suffrage Rhetoric Reflected both Men’s and Women’s Views in Print

Women opposed to suffrage understood the importance of getting their message spread to as many supporters and new recruits as much as those that wanted suffrage. Often they spoke out on lecture circuits and debated the suffragettes. They had petitions signed by prominent men and women and had them sent to legislators. These petitions and letters reiterated their opinions about keeping women from being burdened by politics and that their true role as citizens was in raising up young men and women that would assume their proper roles in their proper spheres. In a letter to members of the Illinois legislature dated April 1909 (Figure 2) the officers and executive committee of the Illinois Association Opposed to Women’s Suffrage reminded their elected officials that they trust that “It is our fathers, brother, husbands, and sons that represent us at the ballot-box...we are content that they represent us...” and that they have conviction that, “God has wisely and well adapted each sex to the proper performance of the duties of each.”⁸⁷ Antis were very aware of the power of a good petition and letter from their social reform work and they had very little difficulty in transforming them into pieces with a political tone.

Anti-suffragists were fortunate in that the dominant culture supported their beliefs. What they produced in print for their cause was important but what others produced was also influential in spreading their message. The rhetoric of the day was often in their favor. Many cartoons of the day displayed disdain for suffragists and the common beliefs about what suffrage would mean for the nation.⁸⁸ The most common themes depicted were

⁸⁷ Illinois Association Opposed to Women’s Suffrage. "Woman's Protest against Woman Suffrage." Letter to Members of the Illinois Legislature. Apr. 1909. *Dissent and Democracy in Modern American History*:. Newberry Library. Web. 14 Dec. 2015. <<http://dcc.newberry.org/collections/dissent-and-democracy-in-modern-american-history>>.

⁸⁸ I did a small sample survey of cartoons, broadsides, and pamphlets (30) and tried to read the rhetoric from each of them. Often they conveyed multiple meanings. Over half were about the ruining of families from enfranchisement and the

the emasculation of men and unsexing of women (Figures 3 and 4) as well as how badly the family would suffer if “mother went off to vote.” (Figures 5, 6, 7, and 8). In the cartoon “Down with Men” (Figure 3) we see the laughing suffragettes as jilted women using their power to throw a man from a home. He believes he is fortunate that he did not marry one of these “new women.” In “What Will Men Wear?” (Figure 4) the question of “What will men wear if women wear the pants?” speaks to the fears of women becoming masculine if they gain the vote (in fact, suffragists sometimes did wear pantaloons) while men lose an object that defines their masculinity. The cartoons “Everybody Works but Ma” (Figure 7) and “Election Day!” (Figure 5) are examples of the concerns of women abandoning their families, sloughing off their domestic household duties, and going out to vote. They are clear role reversals visually. In “Everybody Works” the husband is caregiving to a child while he wears a woman’s apron. He has put on the feminine persona and his wife has stopped the women’s work of childrearing to go off to behave publicly and in a masculine fashion by voting. Similarly, in “Election Day!”, a man is comforting two distraught children while wearing a symbol of womanhood and domesticity—the apron. His wife on the other hand wears a masculine looking dress and carries a newspaper under her arm along with her reading spectacles. She is wearing them presumably so that she can read the ballot much like the one on the bottom of the drawing.

Other cartoons had different themes but all were variations of arguments why women should not vote. Their leitmotifs were: women were not up to the physical task of being protectors so therefore they should not vote; voting and politics make women impure and dirty; only homely and ugly women wanted to vote (real women could get husbands); women should remain in their sphere and politics were too much for them; and lastly women really do not want the vote any way. These cartoons illustrate the talking points anti-suffragists repeatedly used to support their cause against the expansion of the franchise.

Women also understood the importance of the pamphlet, broadside, and occasional editorial in disseminating their views. There was an expense to printing and many organizations had line items in

their budgets to create pamphlets that gave both men and women reasons why voting would be detrimental to both the country in general and women specifically.⁸⁹ (Figure 12) In a survey of pamphlets produced by the anti-suffrage organizations historians can see similar rhetoric as that employed by the cartoons featured in magazines and newspapers.

Many of the pamphlets created gave women household tips for cooking and cleaning along with their anti-suffrage views (e.g. Figure 9). A pamphlet entitled “Housewives/Household Tips” was created around 1910 to encourage women not to want to vote and was produced by an organization called the National Association OPPOSED to Women’s Suffrage. It employed the trope that entering the political sphere was dangerous and it would sully women. They needed to keep clean by remaining in the domestic sphere and here were some household cleaning tips to help them with their true job of maintaining the home and hearth. It even provided handy “spot removers” to help women be clean again.

The broadsides manufactured would be posted around cities for both men and women to see. “Man’s Government by Man” (Figure 11) and “America When Feminized” (Figure 10) are two typical pieces of propaganda produced by the movement. The first is a poster list created in 1915 by the New Jersey Association OPPOSED to Women’s Suffrage. This poster used severe language regarding the cuckolding of men by women who wanted to embark from the domestic sphere into the public political realm. It, like other pieces, asserted that since women could not physically uphold the vote or the law they should not vote. The second shows an actual cuckolded rooster having to sit on his nest full of eggs while mother hen proclaims “My country needs me!” and by this she means of course, that the country needs

⁸⁹Miller, Elizabeth Smith, and Anne Fitzhugh Miller. Digital image. “New York State Association Opposed to Woman Suffrage Thirteenth Annual Report”. *Miller NAWSA Suffrage Scrapbooks, 1897-1911*. The Library of Congress. Web. 06 Oct. 2015. If you add all the printing payouts it totals \$444.96 or a quarter of their expenditures. With inflation it would cost \$11,549.47 in 2014. That is a significant amount of money in printing costs.

emasculation of men. I counted 7 different themes or variations in just this small sample.

her to vote! She is content to cheat on her “husband” with her politics. The poster at the bottom reads “The effect of the social revolution on American character will be to make ‘sissies’ of American men. . . women suffrage denatures men and women.” These ideas that men will be feminized and unable to defend the country were a popular concern for both male and female anti-suffragists.

Both of these pieces deal with gender norms and expectations society has placed on both men and women as citizens. These roles are clearly defined. Men are public, political, and powerful. They are able to defend and die for the country if necessary. Women are soft and nurturing “hens” that care for their “chicks.” No rooster should ever be stuck home doing the work of a hen. And hens should most certainly not be doing, nay cannot do the work of roosters. The eggs symbolize the fragility of the whole system if women gain enfranchisement.

Seeing and Reading the World Differently

These visual and written statements from society (and the anti-suffragists specifically) strongly reflected the deeply held beliefs of many men and women at this time. Interestingly, the rhetoric may have been different but suffragists and anti-suffragists did have similar views on many values that they held in common. Each side took opposing views from a common branch of thought – women were unique and had special abilities in being women. They were the pure citizens that could bring about moral reform and save the nation from the horrors it was facing—one of the greatest threats being war. The suffragists too “placed the canons of motherhood at the core of women’s political personality.”⁹⁰ Suffragists wanted women to change the world by becoming more politically involved. Their hopes for their sex in having better access to education, healthcare, and wages were wrapped up in the ballot. These women believed in legislating a better country. Electoral politics was their key to unlocking full citizenship.

Conversely, the anti-suffragists believed that the very same femininity and exceptionality would be soiled by overt political actions taken by women. It was only in their capacity as wives and mothers that they could ensure the continuation of a great

nation—a nation of men in the front acting politically, with women behind them supporting them and encouraging them to always do what is virtuous and good. Moral reform or reform of any kind would be best brought about from women who had no party agenda and were disinterested in politics.

The Women Who Both Lost and Won

The anti-suffragists were one of those rare bodies of protestors that both lost and won. While enfranchisement for all women was gained on August 18, 1920 with the ratification of the 19th Amendment, some women were not happy. For decades anti-suffragists kept the spread of the franchise in check through their use of mass media campaigns and the dominant culture’s rhetoric. Before the 19th Amendment was passed only eleven states had given women full voting rights, underscoring their ability to be effective political actors at the state level.⁹¹ It was only at the national level that they were ultimately unsuccessful. These wealthy and well-educated women had deeply held beliefs that came from the separate sphere ideology and the language of republican motherhood. In studying their actions and words historians can glean a more complete picture of the fight for women’s suffrage.

Intriguingly, the anti-suffrage movement did not end on that day in 1920. Women were still rallying to stop the vote for years thereafter. Eventually though, those that fought the hardest against voting became among the most politically active citizens. For decades women battled against women to stop what is now viewed as a commonplace. Sadly, it is a right that is often not exercised, nor cherished and struggled over in the way these women once did.

⁹¹ "National Constitution Center - Centuries of Citizenship - Map: States Grant Women the Right to Vote." *National Constitution Center - Centuries of Citizenship - Map: States Grant Women the Right to Vote*. Web. 14 Dec. 2015. <http://constitutioncenter.org/timeline/html/cw08_12159.html>.

⁹⁰ Marshall, 11

**ILLINOIS ASSOCIATION OPPOSED TO THE EXTENSION
OF SUFFRAGE TO WOMEN**

WOMAN'S PROTEST AGAINST WOMAN SUFFRAGE

TO MEMBERS OF THE ILLINOIS LEGISLATURE, APRIL, 1909:

We acknowledge no inferiority to men. We claim to have no less ability to perform the duties which God has imposed upon us than they have to perform those imposed upon them.

We believe that God has wisely and well adapted each sex to the proper performance of the duties of each.

We believe our trusts to be as important and sacred as any that exist on earth.

We believe woman suffrage would relatively lessen the influence of the intelligent and true, and increase the influence of the ignorant and vicious.

We feel that our present duties fill up the whole measure of our time and ability, and are such as none but ourselves can perform. Our appreciation of their importance requires us to protest against all efforts to infringe upon our rights by imposing upon us those obligations which cannot be separated from suffrage, but which, as we think, cannot be performed by us without the sacrifice of the highest interests of our families and of society.

It is our fathers, brothers, husbands, and sons who represent us at the ballot-box. Our fathers and our brothers love us; our husbands are our choice and one with us; our sons are what **we make them**. We are content that they represent us in the corn-field, on the battle-field, and at the ballot-box, and we **them** in the school room, at the fireside, and at the cradle, believing our representation even at the ballot-box to be thus more full and impartial than it would be were the views of the few who wish suffrage adopted, contrary to the judgment of the many.

We do heretofore respectfully protest against any legislation to establish "woman suffrage" in the State of Illinois.

OFFICERS

MRS. CAROLINE F. CORBIN,
President.
MRS. S. M. NICKERSON,
1st Vice-President
MRS. R. J. OGELSBY,
2nd Vice-President
MISS J. C. FAIRFIELD,
Secretary

EXECUTIVE COMMITTEE

MRS. GEO. W. SMITH
MRS. RALPH N. ISHAM.
MRS. A. T. GALT.
MRS. WM. ELIOT FURNESS.
MRS. FRANCIS LACKNER.
MISS MARY POMEROY GREEN.

Figure 2

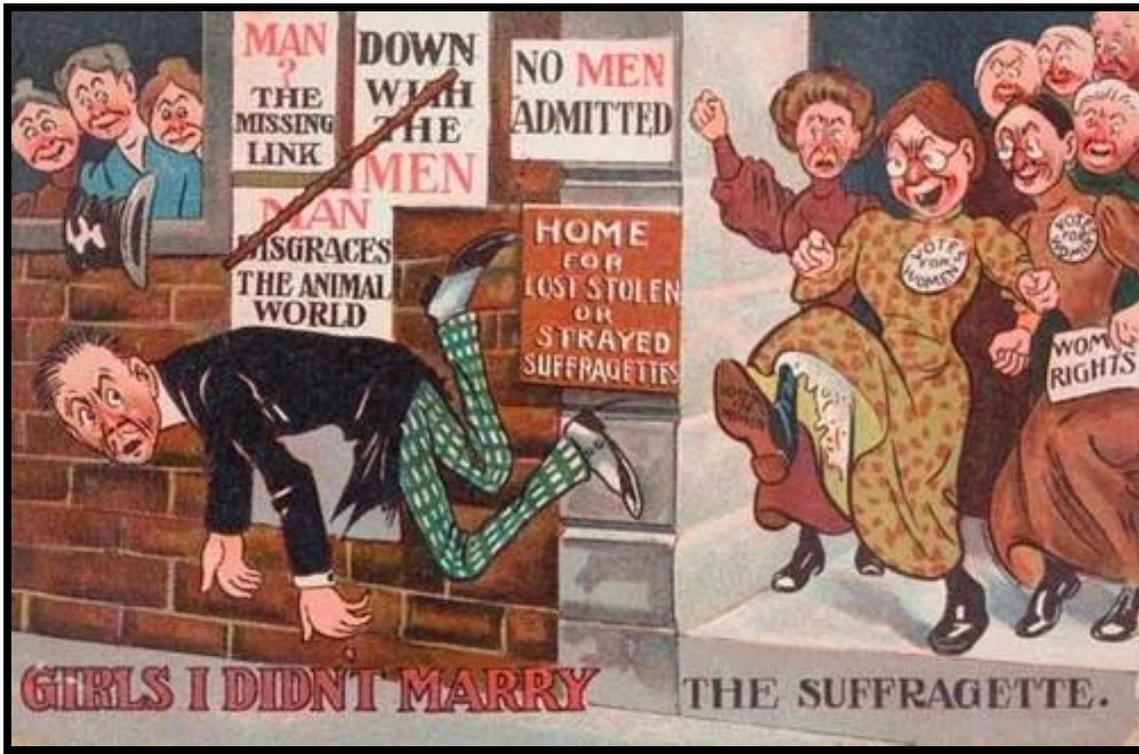


Figure 3

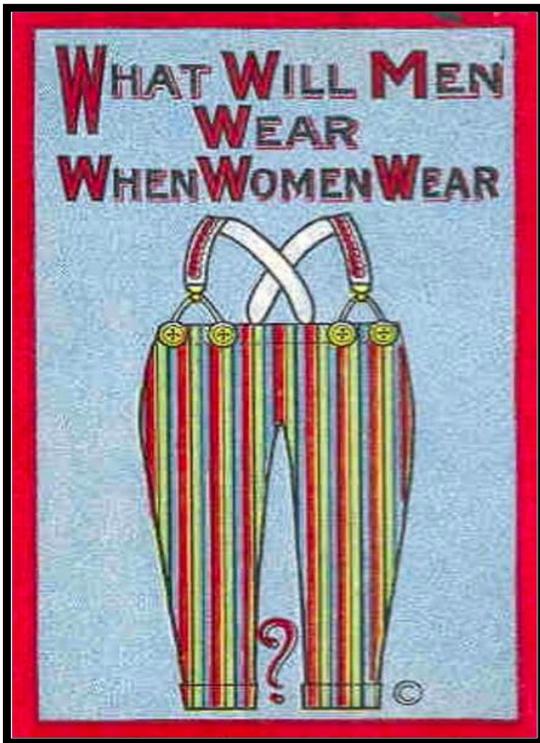


Figure 4



Figure 5



Figure 6

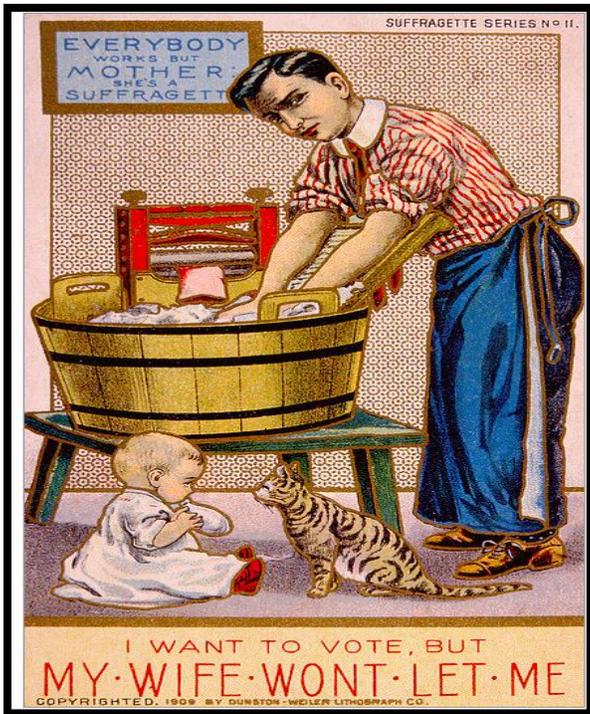


Figure 7

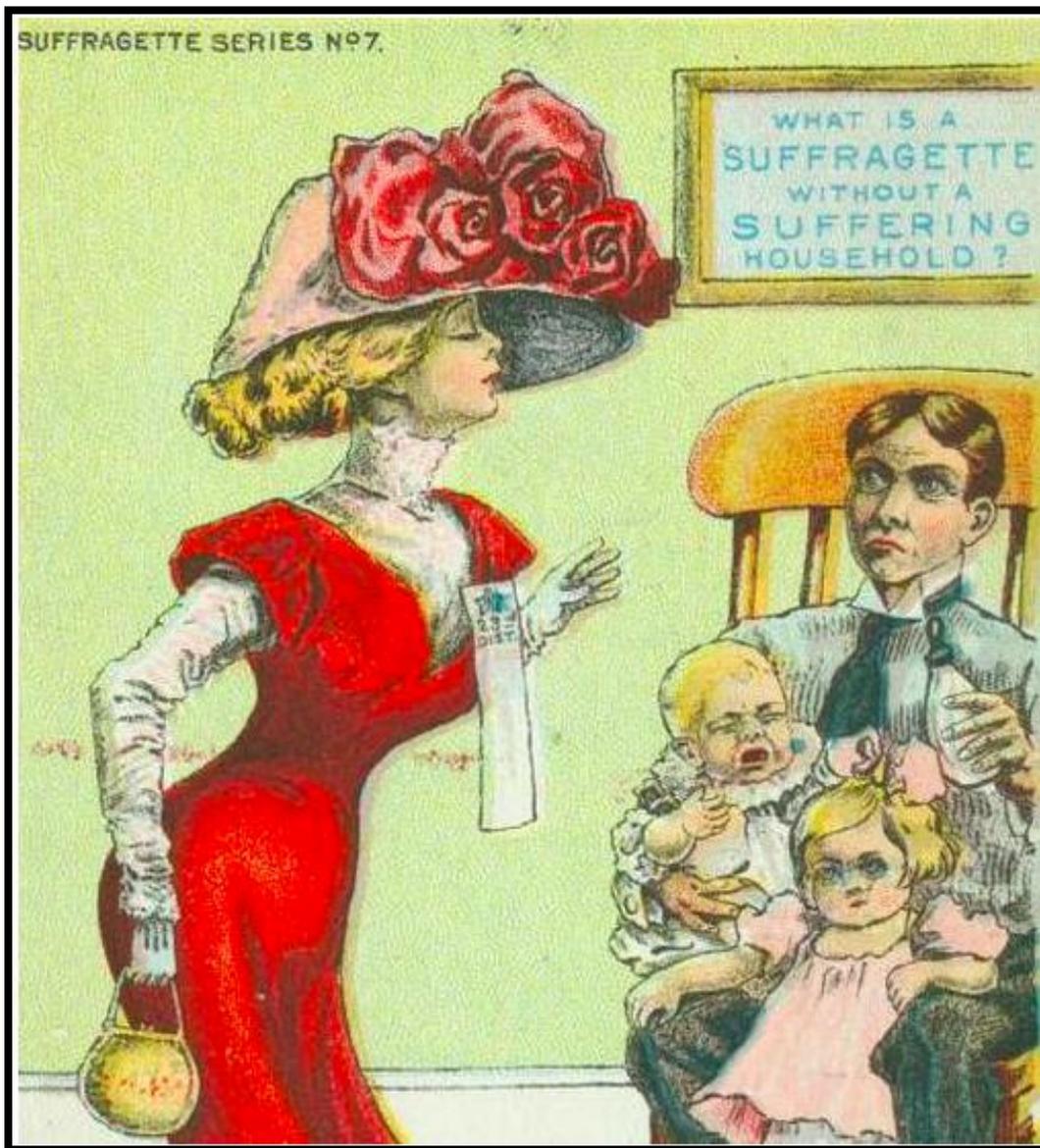


Figure 8

Housewives!

You do not need a ballot to clean out your sink spout. A handful of potash and some boiling water is quicker and cheaper.

If new tinware be rubbed all over with fresh lard, then thoroughly heated before using, it will never rust.

Use oatmeal on a damp cloth to clean white paint.

Control of the temper makes a happier home than control of elections.

When boiling fish or fowls, add juice of half a lemon to the water to prevent discoloration.

Cafery can be freshened by being left over night in a solution of salt and water.

Good cooking lessens alcoholic craving quicker than a vote.

Why vote for pure food laws, when your husband does that, while you can purify your ice-box with saleratus water?

Common sense and common salt applications stop hemorrhage quicker than ballots.

Clean your mirrors with water to which a little glycerine has been added. This prevents steaming and smoking.

Sulpho naphthol and elbow grease drive out bugs quicker than political hot air.

To drive out mice, scatter small pieces of camphor in cupboards and drawers. Peddlers and suffs are harder to scare.

To remove shine from serge, sponge with hot water and vinegar and press in usual manner.

Clean houses and good homes, which cannot be provided by legislation, keep children healthier and happier than any number of uplift laws.

Butter on a fresh burn takes out the sting. But what removes the sting of political defeat?

Clean dirty wall paper with fresh bread.

When washing colored hosiery, a little salt in the water will prevent colors from running.

If an Anti swallows bichloride, give her whites of eggs, but if it's a suff, give her a vote.

Spot Removers

The following methods for removing spots and stains will be found efficacious.

Grass stains may be removed from linen with alcohol.

Fruit stains may be removed in the same way, but hot alcohol works quicker.

To remove axle grease, soften first with lard.

Kerosene removes vaseline marks.

Sour milk removes ink spots.

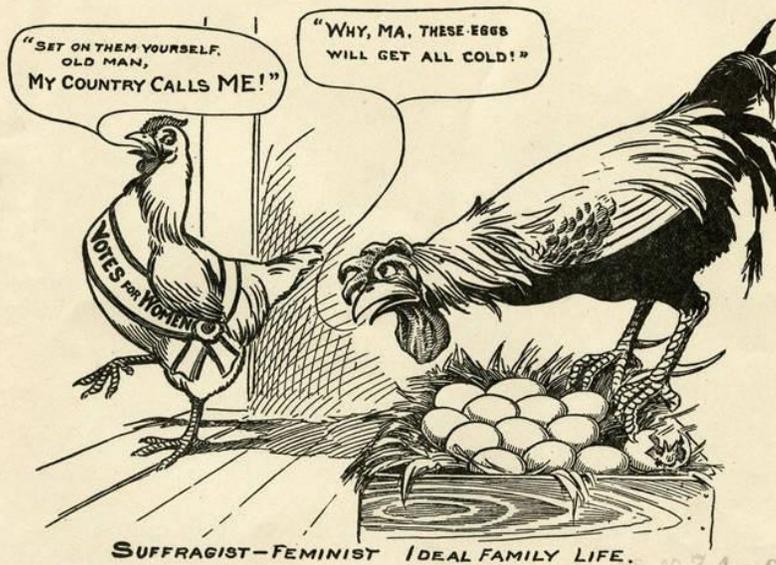
Discolorations and stains on bath enamel may be removed by turpentine.

Leather stains on light colored hosiery may be removed by borax.

There is, however, no method known by which mud-stained reputations may be cleansed after bitter political campaigns.

Figure 9

America When Femininized



The More a Politician Allows Himself to be Henpecked
The More Henpecking We Will Have in Politics.

A Vote for Federal Suffrage is a Vote for Organized Female
Nagging Forever.

"American pep which was the result of a masculine dominated country will soon be a thing of the past. With the collapse of the male ascendancy in this country we can look forward to a nation of degeneration. The suppression of sex will ultimately have its harvest in decadence, a phenomenon already beginning. The effect of the social revolution on American character will be to make "sissies" of American men—a process already well under way."—Dr. William J. Hickson, Chicago University.

WOMAN SUFFRAGE denatures both men and women; it masculinizes women and femininizes men. The history of ancient civilization has proven that a weakening of the man power of nations has been but a pre-runner of decadence in civilization.

Will you stand for this? Prove that you will not by voting to Reject the Federal Woman Suffrage Amendment to the Constitution of the United States.

**SOUTHERN WOMAN'S LEAGUE FOR REJECTION OF THE
SUSAN B. ANTHONY AMENDMENT**

WE SERVE THAT OUR STATES MAY LIVE, AND LIVING, PRESERVE THE UNION

Brandon Nashville

Digital image © 2014, Tennessee State Library & Archives. All rights reserved.

Figure 10

MAN'S GOVERNMENT BY MAN

Every woman knows that the INTERESTS OF WOMEN—wives, mothers, sisters, daughters—ARE DEARER TO THE MEN THAN THEIR OWN.

EVERY SUFFRAGIST, by demanding the vote, practically DECLARES THAT THE HUSBANDS, FATHERS, SONS AND BROTHERS ARE NOT TO BE TRUSTED BY THEIR WIVES, MOTHERS, SISTERS AND DAUGHTERS.

Should strife and conflict come to our shores, as come they may, TO WHOM BUT OUR MEN CAN WE TURN FOR PROTECTION?

If men alone can protect and govern in times of storm and strife, shall we not PLACE EQUAL RELIANCE UPON THEM WHEN WE ARE AT PEACE?

The power of the BALLOT RESTS ENTIRELY UPON THE POWER TO ENFORCE THE LAW.

Man's government by women would be A GOVERNMENT WITHOUT THE POWER TO ENFORCE ITS DECREES.

Government without force behind it would be government merely in name, because unable to command obedience or respect.

Unless there exists behind the ballot the power to enforce its mandate, THE BALLOT DEGENERATES FROM POWER TO WEAKNESS AND WEAKNESS SPELLS ANARCHY AND RUIN IN GOVERNMENT.

THE MAINTENANCE OF PEACE, THE PROTECTION OF LIFE AND PROPERTY, DEPEND UPON THE EXERCISE OF PHYSICAL FORCE WHEN NECESSARY, AND BY MAN ALONE CAN IT BE EXERCISED.

Vote NO on Woman Suffrage, October 19th, 1915

New Jersey Association Opposed to Woman Suffrage
Headquarters
137 East State Street
Trenton, New Jersey

Figure 11

TREASURER'S REPORT.
FROM DEC. 2, 1907, TO DEC. 2, 1908.

RECEIPTS.	PAYMENTS.
Balance from last Report \$10.88	Salaries \$584.00 *
Annual Dues 222.00	Printing Pamphlets 248.40
Annual Subscriptions 465.00	Other Printing and Stationery..... 158.07
Contributions 672.00	Telephone 42.65
Contributions Emergency Fund..... 25.00	Addresses..... 80.00
Contributions Publication Fund..... 241.00	Traveling Expenses 133.50
Sale of Pamphlets 31.90	Legislative Information 43.00
\$1,667.78	Rent 215.00
	Office Furniture, etc. 24.78
	Press Clippings 65.00
	Postage 57.30
	Expressage, Telegrams, etc. 8.26
	\$1,659.96
	Balance on hand 7.82
	\$1,667.78
BILLS AND ACCOUNTS PAYABLE.	
Printer \$38.49	
Office Rent 33.00	
Telephone 2.85	
Press Clippings 5.00	
\$79.34	

HELEN W. BANGS,
Treasurer.

Figure 12

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Phyllis Schlafly: Transgender Hero

Elisabeth Wilder

Eastern Mennonite University

The woman who is widely credited as the successful champion of the anti-Equal Rights Amendment campaign in the 1970s is the hero that the transgender community needs. Yes, Phyllis Schlafly, conservative Republican activist and founder of the Eagle Forum and STOP-ERA movement, has inadvertently articulated the importance of transgender rights through her many years as a gender privilege activist. Ultimately, Schlafly and transgender activists have been saying the same thing for years: men and women deserve the legal right to be celebrated and validated in their gender category. The main distinction between these two parties, however, is a different interpretation of gender and what it means to be male or female.

A novice Republican politician and radio commentator during the 1950s and 1960s, Schlafly's political career and advocacy for gender privilege truly began with her STOP-ERA movement during the 1970s.⁹² Originally written by Alice Paul and Crystal Eastman and introduced to Congress in 1923, the Equal Rights Amendment (ERA) proposed ending laws that excluded women from legal opportunities, rights, and responsibilities.⁹³ The three sections of the ERA state:

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.⁹⁴

⁹² Donald T. Critchlow, *Phyllis Schlafly and Grassroots Conservatism: A Woman's Crusade* (New Jersey: Princeton, 2005), 4.

⁹³ Graham Noble, "The Rise and Fall of the Equal Rights Amendment." *History Review* no. 72 (March 2012), 30-33.

⁹⁴ Barbara Brown and Thomas Emerson. "The Equal Rights Amendment: A Constitutional Basis for Equal Rights for Women." *The Law Yale Journal* 80, no. 5 (1971), 871-985.

Many of these laws, such as alimony and the exemption of women from the military draft, were originally designed with the intent to give women special benefits and protections. Reintroduced in 1972, the ERA was passed by the House, Senate, and President of the United States and was seemingly on its way to being ratified; then Schlafly stepped in. On July 7, 1972, Phyllis Schlafly began an uphill national campaign against the ERA—twenty-eight of the thirty-eight states needed to ratify the amendment had already voted to support it.⁹⁵ Just two months after launching her anti-ERA campaign, Schlafly's movement gained traction. In St. Louis on September 26, 1972 one hundred prominent women gathered from across the country to discuss anti-ERA strategies, which gave birth to the Stop Taking Our Privileges (STOP-ERA) movement.⁹⁶

Schlafly's STOP-ERA movement, primarily composed of middle-aged religious housewives, focused and led a serious backlash against the ERA. The STOP-ERA movement insisted that ratification of the ERA would lead to homosexual marriage and taxpayer-funded abortions.⁹⁷ The core of the STOP-ERA movement, though, was that gender privileges for women would cease to exist upon ratification of the amendment. Ratification, Schlafly argued, would lead to women in combat, unisex bathrooms, elimination of social security benefits for widows, and would have drastic consequences for housewives as they lacked skills necessary for the working world.⁹⁸

By using what would today be defined as traditional gender symbols, such as women cooking and cleaning, Schlafly was able to rally support for her anti-ERA movement. Her supporters were known for taking homemade goods to state legislators and using slogans such as "Preserve us from a congressional jam; Vote against the ERA sham" and "I am for Mom and apple pie."⁹⁹ Ultimately, Schlafly's 'womanly' rhetoric was

⁹⁵ Critchlow, *Grassroots Conservatism*, 215-216, 219.

⁹⁶ Ibid.

⁹⁷ Rosalind Rosenberg, *Divided Lives: American Women in the Twentieth Century*. (New York: Hill and Wang, 1992), 225-229. Critchlow, *Grassroots Conservatism*, 218.

⁹⁸ Carol Felsenthal, *The sweetheart of the silent majority: the biography of Phyllis Schlafly* (Doubleday, 1981), 243-245.

⁹⁹ Critchlow, *Grassroots Conservatism*, 224-225. Rosenburg, *Divided Lives*, 225.

successful. The ERA died in 1982 ten years after the House, Senate, and President of the United States had passed it. Even though the deadline for ratifying the amendment had been extended an additional three years and 63% of Americans were in support of the amendment, Schlafly's arguments and charm proved too compelling.¹⁰⁰ To this day the ERA has yet to be passed, even though it has been reintroduced to Congress several times.

Pro-ERA groups such as the National Organization for Women (NOW) couldn't withstand Schlafly's army of mobilized housewives. Schlafly enticed women to join her movement by turning the ERA, which was truly a battle about economic inequality surrounding women, into a battle over womanhood and what it means to be a woman. The women who were the most vocal leaders of the pro-ERA movement, though from all different socioeconomic backgrounds, were predominantly single, career women, making them targetable to the STOP-ERA women who were primarily married housewives.¹⁰¹ STOP-ERA demonized the pro-ERA movement by extrapolating what had been traditionally associated with womanhood, being a wife and mother, and portraying the ERA and its supporters as the farthest thing from these values. The heart of Schlafly's arguments can be summed up in her commentary on the *Today Show* in 1977, "(The ERA) would treat women exactly the same as men, and women don't want to be treated exactly the same as men."¹⁰²

What Schlafly defined as 'woman' during the 1970s and 1980s and what is defined as 'woman' today is not totally congruent, though. 'Woman' during the 1970s and early 1980s would have generally only referred to one's sex as opposed to one's gender. Until the 1950s, gender and sex were synonymous terms that both referred to one's biological being.¹⁰³ It was psychologist and sexologist, John Money, who first suggested that sex referred to one's biology and that gender referred to one's emotional identity. In his journal articles published in the 1950s, Money explored the

biology of gender and sex based on his research on Hermaphroditism.¹⁰⁴ Gender, Money argued, is a social response to one's identity, which is the view widely accepted today in the United States.¹⁰⁵

In essence, Money and most other gender researchers agree that sex is something that *we are* while gender is something that *we do*.¹⁰⁶ Individuals are born with male or female genitalia, but to truly become a man or a woman, they must achieve that gender status. Gender roles, a term coined by Money himself, are our own response to sex and identity. Gender, too, is not choosing Barbie dolls over trucks or pink over blue. We are constantly doing gender; we are responding to an innate desire to be identified as we see ourselves. As Simone de Beauvoir, an influential contributor to the second wave of feminism, wrote in her book, *The Second Sex*, "One is not born, but rather becomes, woman."¹⁰⁷

John Money's research on the distinction between sex and gender was pushed out even further during the 1960s by the work of sexologist Harry Benjamin, who was one of the first to study transsexualism in depth. Benjamin's book *The Transsexual Phenomenon*, published in 1966, popularized the term "transsexual."¹⁰⁸ Transsexual during the 1960s was synonymous for what is today defined as transgender, referring to people whose gender is not identical to their sex.¹⁰⁹ The term transgender also became popular during the 1960s as psychiatrist John F. Oliven, who coined the term, noted that sexuality did not necessarily dictate gender.¹¹⁰ It wasn't until the 1970s when the term

¹⁰⁴ Ibid.

¹⁰⁵ Rebecca F. Plante, *Doing Gender Diversity: Readings in Theory and Real-World Experience*. (Boulder: Westview 2010), 5-8.
Janet Saltzman Chafetz, *Masculine, Feminine or Human? An Overview of the Sociology of Sex Roles*. (Itasca, IL: F.E. Peacock Publishers, 1974), 2-15.
Sarah L. Crawley, Lara J. Foley, and Constance L. Shehan. *Gendering Bodies*. (Lanham: Rowman & Littlefield Publishers, 2008), 1-25.

¹⁰⁶ Ibid.

¹⁰⁷ Simone De. Beauvoir, *The Second Sex*. (New York: Knopf, Reprint 2010), 283.

¹⁰⁸ Charles L. Ihlenfeld, "Harry Benjamin and Psychiatrists," *Journal Of Gay & Lesbian Psychotherapy* 8, no. 1/2 (January 2004): 147-152.

¹⁰⁹ Jack Drescher, "Queer Diagnoses: Parallels and Contrasts in History of Homosexuality, Gender Variance, and the *Diagnostic and Statistical Manual*," *Archives of Sexual Behavior* 39, no. 2 (September 2009): 427-260.

¹¹⁰ John Oliven, "Book Reviews and Notices: Sexual Hygiene and Pathology". *American Journal of the Medical Sciences* 250, no. 2 (August 1965): 235.

¹⁰⁰ Marlee Richards, *America in the 1970s*. (Minneapolis, MN: Twenty-First Century Books, 2010), 63.

¹⁰¹ Critchlow, *Grassroots Conservatism*, 221.

¹⁰² "Phyllis Schlafly and the ERA" *NBC Today Show* (TV show), New York, NY: NBC Universal, (August 8, 1977.)

¹⁰³ Vern L. Bullough, "The Contributions of John Money: A Personal View," *Journal Of Sex Research* 40, no. 3 (August 2003): 230-236.

became more mainstream thanks to Virginia Prince, a transgender woman herself.¹¹¹

Today, as opposed to what was happening during the major push for the ERA, there are two primary and well-known classifications of people in regard to sex/gender categories. Transgender, as previously mentioned, refers to one who has a gender that is not the same as their sex. The other, and by far the most common classification of people by sex and gender, is cisgender, people whose gender and sex are congruent with one another. First used in an essay of German sexologist Volkmar Sigusch in 1998, cisgender is still a relatively new classification for gender for one whose gender and sex are the same.¹¹² The term didn't become popular in the United States until 2007 with writer and activist Julia Serano's book *Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity*.¹¹³

Adhering to the culture and language of her time, when Schlafly launched her gender privilege crusade she would have only been referring to 'woman' in cisgender terms, assuming that sex and gender are aligned so fully that they are synonymous terms. To this day, Schlafly still advocates for gender privilege under the guise that sex and gender are one and the same. Given the understanding of gender commonly held today in the United States and the discrimination and prejudice surrounding the transgender community, Schlafly and the STOP-ERA's rhetoric towards the importance of gender privilege is even more pertinent.

Schlafly's claim that women don't want to be treated exactly the same as men is absolutely correct. Legally protected gender privilege is a necessary and affirming aspect of culture that validates identity, especially for those who have a harder time reaching the achieved status of gender, such as transgender people. Institutions, clubs, and organizations that grant gender privilege, truly on the basis of gender and not just sex, allow transgender people to be recognized and celebrated

in the gender that they know they are. In an era where female gender no longer just refers to the female sex, perhaps Schlafly statement from the *Today Show* could be rephrased as "transwomen don't want to be treated exactly the same as men, they want to be treated as women."

The influence of in-group and out-group dynamics reinforce the importance and significance of gender privilege as a means of validation of identity for transgender individuals. In essence, humans have two basic groups of people: in-group and out-group. Typically, in-groups and out-groups work on a fairly straightforward basis: if you're like me you're in the in-group and if you're unlike me, you're in the out-group.¹¹⁴ Being a part of an in-group, particularly those that are well-known and respected, is beneficial for individuals participating. By associating themselves with a group, one is attempting to improve their self-esteem by surrounding themselves with people who like them.¹¹⁵ Consequently, individuals will then attribute more positive characteristics to the members of their in-group, which is known as the in-group bias.¹¹⁶ Therefore, if transgender people are accepted and integrated into in-groups of their gender, such as all female or all male groups, there will be a more positive perception of them, which will come both from the in-group and from within themselves.

The positive perception of people within one's in-group is also supported by the psychology of the ethnocentric attribution bias. Essentially, the ethnocentric attribution bias states that people like people more who look and act like them, born out of an evolutionary response to form groups for survival.¹¹⁷ The preference for people in one's in-group, too, is physiological. Research conducted by social psychologists De Dreu, Greer, Van Kleef, Shalvi, and Hadngraaf has shown that when exposed to oxytocin—a hormone released in the body by touch and interaction that increases bonding—people respond more favorably to

¹¹¹ Drescher, *Archives of Sexual Behavior*, 435-436.

¹¹² Volkmar Sigusch, "The Neosexual Revolution." *Archives of Sexual Behavior*, (August 1998): 331.
Drescher, *Archives of Sexual Behavior*, 438.

¹¹³ Julia Serano, *Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity*. (Seal Press, 2007.), 164-165.
Drescher, *Archives of Sexual Behavior*, 447.

¹¹⁴ Elliot Aronson, Tim Wilson, Robin Akert, *Social Psychology*. (New Jersey: Pearson Education, Inc., 2013), 371, 437-466.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ Joseph G Weber, "The nature of ethnocentric attribution bias: Ingroup protection or enhancement?." *Journal Of Experimental Social Psychology* 30, no. 5 (September 1994): 482.

members of their in-group.¹¹⁸ Oxytocin, the “love drug” or “cuddle drug” as it is often affectionately referred to, consequently aids in the bonding of groups. Therefore, the legal incorporation of transgender individuals into their desired gender groups will once again increase acceptance among cisgender individuals.

Individuals in one’s respective out-group, however, are deemed homogenous with the other members of the out-group and are viewed less favorably than members of the in-group—a phenomenon social psychologists call “out-group homogeneity.”¹¹⁹ People like individuals who are in their group more and people who are outside of their group less, in essence. The response, once again, is physiological as well as psychological. As oxytocin increases favor for members of one’s in-group, it also increases contempt for one’s out-group.¹²⁰ For the transgender community, that means that as long as they are viewed as a third category of people rather than as male or female, there will continue to be prejudice and discrimination against them. Simply acknowledging the identity of a transgender individual is not enough; only integration and public acknowledgement of their in-group status will increase favoritism and acceptance of transgender people.

Members of the transgender community who are seeking to be identified as male or female don’t want to be treated as an “other,” out-group, or a third category of people, they want to be treated as the gender they identify with, which is how they see themselves. Intentional places where transgender people can be a part of their gender in-group, such as sororities, locker rooms, dormitories and housing will generate a more positive response to members of the trans community, which will ultimately increase favoritism and acceptance.

Just recently the importance of in-groups, gender privilege, and their validation for the transgender community were brought to the public

eye when transgender activist Caitlyn Jenner became one of *Glamour* magazine’s women of the year. In 2015, the Olympic hero who appeared on Wheaties boxes for years as the male super-athlete, Bruce Jenner, transitioned into the female, Caitlyn Jenner, which she had known herself to be for years.¹²¹ Although a controversial figure for many reasons, the response to Jenner’s transition, both positive and negative, has illustrated the importance of gender privilege and the inclusion of transgender women in the in-group of women.

The very nomination of Jenner for the award illustrated the power of gender privilege for the transgender community. An award that could only be given to someone of the female gender, being honored as one of *Glamour*’s women of the year, showed the power of intentional recognition of gender. It was a defining moment that validated Jenner’s identity as the woman that she is. That, in essence, is what gender privilege should look like and what it has the power to do for the transgender community. In that moment, Jenner was treated and identified as a woman and not like a man.

After receiving the award, however, Jenner came under fire when in an interview with the social news hub *Buzzfeed*, she said that, “the hardest part of being a woman is deciding what to wear.”¹²² Enraged, men and women alike condemned Jenner for her comment, claiming that she lacked a real understanding of what it means to be ‘woman’. The award itself, too, was controversial as Jenner’s primary claim to fame is her transition, which many would also argue lacks a certain understanding of being a woman.

Like Schlafly’s use of traditional gender symbols in her crusade to stop the ERA, Jenner’s use of traditional gender symbols are validating, yet met with opposition. Dresses, makeup, and long hair, things that are traditionally associated with womanhood, while affirming for Jenner as they confirm her status as a woman, conflict with feminists who seek to do away with traditional gender symbols. To Schlafly’s glee, it is also why

¹¹⁸ Carsten K. De Dreu, Lindred L. Greer, Gerben A. Van Kleef, Shaul Shalvi, and Michel J. Handgraaf. "Oxytocin Promotes Human Ethnocentrism." *Proceedings of the National Academy of Sciences of the United States* 108, no. 4 (January 10, 2011): 1262-266. doi:10.1073/pnas.1015316108.

¹¹⁹ Aronson, Wilson, Akert, *Social Psychology*, 437-466

¹²⁰ Ibid.

¹²¹ Katy Steinmetz, and Daniel D'addario. "Caitlyn Jenner." *Time* 186, no. 25/26 (December 21, 2015): 144-150.

¹²² Katia Hetter, "Glamour Woman of the Year Award Returned by 9/11 Widower - CNN.com." CNN. November 17, 2015. <http://www.cnn.com/2015/11/16/living/widower-911-officer-glamour-award-caitlyn-jenner-feat/index.html>.

transgenderism has the potential to undo the work of feminists, who are ironically also the transgender community's biggest proponents. As the feminist movement has fought for decades to eradicate the lower status of women in society, which is often perpetuated by traditional views of women, the transgender community is able to find strength and comfort in traditional gender symbols and scripts as their distinction leaves no ambiguity and provides a concrete representation of their gender.

Women and men undoubtedly want and deserve to have the same economic, political and social rights, regardless of sex or gender, which is something that both feminists and anti-feminists should agree on, but often don't. But women and men alike want to be treated differently. The problem lies in achieving equality while honoring difference, which is why feminists and anti-feminists are so frequently in conflict with one another. By losing gender privilege, men and women lose an aspect of culture that is affirming to their identity. Yet when gender privilege exists, it is incredibly validating for some, but excluding for others. Humans have a paradoxical need in which they want to be treated like everyone else, to have equality and fairness, but at the same time desire to feel unique and special.

In regard to the ERA, the failed ratification of the ERA is not something that is to be celebrated nor condemned. No law or amendment can truly guarantee equality under the law, especially since it is difficult to quantify what is equal. Even if the ERA were ratified today, it still would not guarantee protection to all women. Section I of the ERA states that:

“Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.”¹²³

Transwomen, women who have a male sex but a female gender, are not protected from discrimination given that they may still be marginalized on account of their gender. If ratified, the ERA would extend to women by sex only, which means that transgender people can still be targets of discrimination. True equality for women must extend beyond the basis of sex; it must be on the basis of gender as well.

¹²³ Brown and Emerson, *The Law Yale Journal*, 871.

There are claims, including from Schlafly herself, that gender must always be congruent with sex as dictated by biology.¹²⁴ These claims marginalize the transgender community and pose the notion that their identity is a “phase” or a persona. Part of the confusion and hostility comes from the misidentification of drag kings and queens in relation to transgender people. Drag kings and queens are cisgender individuals who choose to dress in clothing of the opposite gender as a form of theatre or performance.¹²⁵ Transgender individuals, however, choose to dress in clothing that is considered to be misaligned from their sex as a means of claiming and expressing their identity. In essence, drag is a performance put on by cisgender individuals, while transgender individuals choose to dress in clothing counter-intuitive to their sex to express identity. One is a performance and the other is a response to identity.

As a relatively new field of study, there is still much that is unknown and misunderstood about gender. Undoubtedly, there is evidence that biology plays a role in the construction of gender as Schlafly and other STOP-ERA members would argue, which is evident by the effects of sex, testosterone, and estrogen on a person's character. Aggression, for example, which is a characteristic most often associated with men, is linked to testosterone, the male sex hormone. When both male and female individuals have higher levels of testosterone, they become more aggressive.¹²⁶ On the other hand, when men are in roles such as child-caring, testosterone decreases; child-caring is a characteristic often associated with womanhood.¹²⁷

In addition, there is increasing evidence from neurological data that estrogen plays a role in shaping the prefrontal cortex—the portion of the brain that contributes to memory, which could explain why men can never remember that

¹²⁴ Brian Tashman, "Phyllis Schlafly On Trans Rights: 'It's Just Plain Nuts'" *Right Wing Watch*. (February 23, 2015): <http://www.rightwingwatch.org/content/phyllis-schlafly-trans-rights-its-just-plain-nuts>.

¹²⁵ Stephen L Mann, "Drag Queens' Use of Language and the Performance of Blurred Gendered and Racial Identities." *Journal Of Homosexuality* 58, no. 6/7 (July 2011): 793-811.

¹²⁶ Aronson, Wilson, Akert, *Social Psychology*, 399.

¹²⁷ Bonnie Rochman, "Why Fathers Have Lower Levels of Testosterone | TIME.com." Time. September 13, 2011. <http://healthland.time.com/2011/09/13/why-do-dads-have-lower-levels-of-testosterone/>.

anniversary, birthday, or special event.¹²⁸ Beyond hormones, the results of a 2015 twin study published in the *International Journal of Transgenderism* revealed that 20% of the identical pairs of twins participating in the study *both identified as transgender* while 0% of the fraternal twins participating identified as transgender, which suggests that one's response to gender may have some biological influence.¹²⁹

The role of biology in the construction of gender is also evident by the use of hormone replacement therapy to treat gender dysphoria, another conundrum in the debate over the role of nurture over nature in regard to gender. Gender dysphoria refers to the anxiety and stress that one feels in regard to their sex and gender, most commonly referring to transgender individuals. Although currently classified as a mental health disorder in the 5th edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-V), many are petitioning that gender dysphoria be removed from the list, claiming that the dysphoria one feels is a social response rather than a biological one.¹³⁰ Social activists argue that individuals feel gender dysphoria, in essence, because the gender binary is too strict and that labeling it as a mental disorder only contributes to the stigma surrounding the transgender community.¹³¹ Thus, activists argue that broader acceptance of transgender individuals from society is the cure to gender dysphoria rather than a physiological anecdote.

What is clear is that gender—how one knows whether they are male or female—is not totally a biological or a social response, which is

¹²⁸ Sarah J. Duff and Elizabeth Hampson, "A Beneficial Effect of Estrogen on Working Memory in Postmenopausal Women Taking Hormone Replacement Therapy." *Hormones and Behavior* 38, no. 4 (December 2000): 262-76. doi:10.1006/hbeh.2000.1625.
Rosemarie Krug, Jan Born, and Björn Rasch. "A 3-day estrogen treatment improves prefrontal cortex-dependent cognitive function in postmenopausal women." *Psychoneuroendocrinology* 31, no. 8 (September 2006): 965-975.

¹²⁹ Milton Diamond, "Transsexuality Among Twins: Identity Concordance, Transition, Rearing, and Orientation." *International Journal Of Transgenderism* 14, no. 1 (January 2012): 24-38. doi: 10.1080/15532739.2013.750222

¹³⁰ *Diagnostic and Statistical Manual of Mental Disorders: DSM-5*. Washington, D.C.: American Psychiatric Association, (2013.) 451-461.

¹³¹ Drescher, *Archives of Sexual Behavior*, 444-445.

evident by the presence of the transgender community. If gender is totally a social response and has nothing to do with biology, then how can one feel "trapped in the wrong body" as so often many transgender people do? If gender is totally a social response, then one could simply choose to identify or reject the gender of their choosing on a whim, and who wouldn't choose to respond to the gender that matched with their sex and avoid prejudice and discrimination? On the other hand, if gender is only a matter of biology and meant to be congruent with sex, then this only gives more weight to the premise that one could feel "trapped in the wrong body." If purely biological, there has to be physiological reasons why someone would identify as female but have a male body or vice versa.

Biologist and transgender activist Julia Serano's transmanifesto *Whipping Girl* is founded on the principle of an interconnected relationship of biological and social factors constructing one's gender identity. Serano's second tenant of her Intrinsic Inclinations Model for sexual orientation, gender identity, and gender expression states that "these gender inclinations are, to some extent, intrinsic to our persons... and generally remain intact despite societal influences and conscious attempts by individuals to purge, repress or ignore them."¹³² Her third tenant, too, states that there has yet to be a single factor found as the determinant for gender identity, thus drawing the conclusion that there are a wide variety of factors in the construction of gender identity.¹³³

Gender privilege, of course, is a complicated and tricky road to walk down. As with any type of privilege, someone is likely to be excluded. In regard to gender privilege, the group that is excluded are those who identify as pangender, trigender, bigender, gender fluid, and other non-binary gender categories. Non-binary gender activists, people who do not believe in or identify as the traditional male/female understanding of gender, condemn binary or traditional views of genders because it is alienating for people who don't identify as only one gender, different genders over time, or no gender at all.

¹³² Serano, *Whipping Girl*, 99-100.

¹³³ *Ibid.*

Just as Schlafly has inadvertently articulated the importance of gender privilege for the transgender community, non-binary gender activists are inadvertently slowing the progress for the transgender community. The transgender community is constantly fighting the common perception that their identity is a simple matter of choice or a phase. Additionally, transgender people are frequently in conflict with a society that refuses to recognize them as the gender they identify as and instead by their sex. Advocating that gender is “fluid” is demeaning and harmful to the transgender narrative that *knows* that they are one gender as opposed to another. Additionally, if gender is more discretionary and malleable as non-binary gender activists claim, then this only gives more weight to the argument that individuals should be categorized on the basis of sex as opposed to gender, because sex is the more constant and defined of the two.

Institutional recognition of one’s gender is the key to acceptance for both cis and trans individuals, which is why gender privilege is so essential. Public recognition, however, is also the key to acceptance for individuals who are lacking a binary gender. For individuals who identify as pangender, bigender, trigender, or gender fluid they, too, need intentional public spaces of recognition for their gender identity. A third category of gender classification for non-binary individuals allows non-binary individuals to be with people who don’t want to be defined as strictly male or female. Unlike similar suggestions made for members of the transgender community, incorporating a third category of gender into society for non-binary individuals grants them the opportunity to be in places where they are undefined, which is in sharp contrast to members of the transgender community who are seeking to be recognized and identified within the binary gender categories of male and female.

One way that third category, non-binary gender categorization is already happening in the United States and other western countries is through the integration and use of gender-neutral pronouns. In the United States, as opposed to traditional gender pronouns such as he, she, his, or hers, several pronouns have been introduced that go beyond using just the gender-neutral plural “they.”

These pronouns include, ze, hir, hirs, and himself.

¹³⁴ Other examples of non-binary gender integration include the use of “other” categories for surveys, removing “girl” and “boy” from the labeling of toys and clothing, and as Schlafly predicted, the creation of unisex bathrooms. ¹³⁵

Moving away from categories, especially ones so defined as gender, is not the answer to reducing inequality between genders. The concept in itself is unlikely, if not impossible. Humans are constantly creating schemas, which are mental categories to help them know how to respond to their surroundings. ¹³⁶ Schemas, in essence, are why humans are not startled every time they encounter something new; they have knowledge of that category that guides them in the appropriate response. One knows something is not harmful because they have created a category for it. ¹³⁷

Gender, one of the most basic categories, is essential. And its power can be validated by testimonies of both cis and trans individuals. Paige Abendroth’s story on the National Public Radio podcast *Invisibilia* is a strong indication of the power of categorization. For a portion of her life, Paige identified as bigender, someone who identifies as two genders at the same time. During that period, Paige felt anxiety, depression, and utter disgust with herself. She felt as if she didn’t belong to either category. Now a transwoman, Paige leads a much happier life. According to Paige, “It’s so much easier and more manageable. The world, to me, makes so much more sense.” For Paige and other transgender individuals, life with a category or life between categories is better than life with no categories.

Asking one to describe why they know they are the gender, the category, that they are is like asking a fish to describe water — it’s fairly intangible, and the tangible ideas that are understood are often rejected because they are too stereotypical or not sufficient to truly express the depth of masculinity or femininity. It’s a concept

¹³⁴ Jay Nordlinger, "What Are Your Pronouns?." *National Review* 67, no. 20 (November 2, 2015): 26-28.

¹³⁵ Alejandro Alba, "Amazon Goes Gender Neutral, Removes 'Boys' & 'Girls' Labels." *NY Daily News*. May 7, 2015. [://www.nydailynews.com/news/national/amazon-gender-neutral-removes-boys-girls-labels-article-1.2214550](http://www.nydailynews.com/news/national/amazon-gender-neutral-removes-boys-girls-labels-article-1.2214550).

¹³⁶ Aronson, Wilson, Akert, *Social Psychology*, 59-60.

¹³⁷ "The Power of Categories." In *Invisibilia*. National Public Radio. (February 6, 2015.)

that will undoubtedly be fought over until new research in the field of psychology, biology or neurology emerges. As Paige Abendroth describes the seemingly intangible phenomenon, "It's a profound sense of knowing. You don't even have to think about it right now to know...."¹³⁸

Schlafly, although controversial in many regards, has got it right when it comes to gender. As Schlafly predicted, not only is the United States at a crossroads in which traditional ideas of gender are beginning to disappear, but her claims of the value of gender privilege as something worth holding on to are valid too. Gender privilege is important for cis and trans people alike who are seeking to increase their self-esteem by associating themselves with a group. As the understanding of gender has evolved, though, so must the understanding and definition of gender privilege. Legislators must extend gender privilege to people by their gender and not just by their sex, along with creating spaces of intentional recognition of those without a defined gender. Ultimately, this is the beginning of a revolutionary time; a new era that is redefining what it means to live in full spirit with the body; and perhaps, too, in the midst of a new ERA that can help eliminate prejudice on more than just the basis of sex.

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¹³⁸ Ibid

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