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LETTER FROM THE EDITORS

A research journal feels like a good analogy to a university. As editors, we want to provide a platform for young researchers to engage with scholars and contribute to a larger, thoughtful discussion. However, sometimes it's difficult to see our goals in practice, having to focus on the administrative work that goes into the production of any organization and formal product. It's when we take a step back, seeing the changes that these papers undergo after a year of revisions, that we are reminded of the incredible work of student researchers and reviewers on our staff. We are proud to highlight five incredible pieces of research in our edition this year.

Abby Khan explores femininity and nationalism in late 19th century circuses, and Morgan Marsh dissects cultural reclamation among Michigan Anishinaabe. Emme Richards examines femicide responses through discourse analysis. Begum Nisa Taktak looks at the impact of tourism on hazardous waste imports, and Sriman Thangaraj looks at representation in cumulative voting in the US.

We would like to thank our incredible advisors, Professor Robert Adcock and Professor Kimberly Cowell-Meyers, who continue to underline the importance of students engaging with each other to enter discussions with prominent scholars, and the School of Public Affairs and School of International Service at American University for creating and maintaining a platform for students to share their hard work. We would also like to thank James Helms, who has his hands in every area of the production of our journal every year. Lastly, we would like to thank every single student involved in this process, from the authors to reviewers and everyone in between. This book is a collection of the brightest ideas of a community of undergraduates, entering a community of scholars to participate in meaningful conversations. Join us in exploring their research.

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A THREE-RING ACT: PERFORMING FEMININITY, MASCULINITY, AND NATIONALISM IN LATE 19TH AND EARLY 20TH CENTURY CIRCUSES

Abby Kahn

Abstract

What do we reveal about our cultural values through popular performances? This analysis uses advertisements to examine the discourses around femininity and masculinity in early twentieth century circuses in the US and France. Women are usually represented as either decorative in the hyper-feminine discourse or as skilled artists in the preservation of femininity discourse. The hyper-feminine performer lacks control over the scene and her value comes from her ability to decorate the scene and entice audiences. She wears clothing that is exaggerated and sexualized to the point of impracticality and may be placed in unrealistic positions. In contrast, a skilled performer has more control over herself and/or others but must seek to remedy this imbalance by conforming to expectations for performing femininity. She may wear clothing that allows her to complete her act but is significantly more skin-tight or revealing than is commonly accepted for the era. I also consider the relationship between national symbols and gender performance. French circuses present a more diverse array of national symbols in their advertisements than American circuses, and typically men experience greater proximity to national symbols than women.

Keywords: hyper-femininity, hyper-masculinity, female representations, gender performance, circuses, media, nationalism.

Introduction

The Golden Age of Western Circus, which lasted from roughly 1890 to 1920, coincided with political turmoil and societal changes regarding the role of femininity and masculinity circus (Arrighi and Davis 2021). Western powers, particularly Britain, France, the United States, and Germany were devoting resources to empire building and maintenance. Augmented by imperial success, nationalist tensions intensified in the lead-up to World War I. Socially, the 1890s-1920s also featured traditional gender roles with the man as the breadwinner and the woman as the caretaker. This often manifested with masculinity associated with strength, stability, and rationality while femininity associated with delicateness, nurturing, and emotional weakness. While some of these attributes started to change during WWI with the draft and suffrage movements, they remained dominant in societal attitudes. Economically, capitalism was a large driving force behind decision-making, as circuses wanted to make money like most other businesses. Companies made targeted decisions, especially with advertising, to entice customers and achieve this goal. Advertising evolved significantly to include more photographs, illustrations, and theatrics (Bonapfel 2016, 109–10; Rabinovitch-Fox 2015, 15).

A number of factors contributed to the success of circuses during this era, including logistical developments and the entertainment landscape. With the popularization of railroads and the availability of strong metals like steel, circuses could travel more easily and efficiently. They were also able to perform more impressive spectacles with more robust equipment. Circuses were an appealing form of popular entertainment because they were cheap, novel, and relatively standard across destinations. This was also an age before the rise of other forms of entertainment, like radio, film, and television, which weren't popularized until the 1920s and later. The relative stability of circuses during this era combined with the broader sociopolitical context make the 1890s-1920s ideal for analyzing the performance of gender in circuses.

While other scholars have analyzed the role of femininity in designing circus performances, there has not been an analysis focusing on femininity across circus companies and countries (Uys and Swart 2020, 283; Tait 2006, 26; Holmes 2017, 299). There is also a well-researched connection between nationalism and circus performance, especially with circuses during the golden age, but there has not been an explicit connection made between gender and nationalism within a historic circus context (Arrighi 2009, 2; Hughes 2017, 315; Potter 2022, 29). Analyzing popular culture from the past can also help us understand how people outside of the political sphere may have understood and engaged with politics as well as societal norms.

I analyzed the official discourses from circus executives about gender in Western productions during the golden age of circus (roughly 1890-1920) in order to find out how it was possible that women performers have been represented as hyper-feminine. This research will explain gender roles in practice around the turn of the century and what was considered ideal or transgressive behavior. In this analysis, I also considered the relationship between gender and performing national identity.

Firstly, an overview of the scholarly literature explores topics about performing gender at the circus, performing gender elsewhere, performing nationalism, and the relationship between femininity and nationalism in the arts. Then, I outline the steps involved in undertaking this discourse analysis, including identifying the hyper-feminine, hyper-masculine, and preservation of femininity discourses and associated codes. I discuss methods for evidence generation and steps taken to address reflexivity and trustworthiness. Finally, I explore representations of women as decorations and skilled artists in depth and discuss the relationship between performing gender and national symbols. All in all, this research will seek to explain how gender was represented in circus advertisements and what, if any, association was present between gender and national identity.

Review of Scholarly Literature

This research builds on existing scholarship about power structures in circus history. Though the study of historic circuses is a relatively small field, many scholars have written about how turn-of-the-century circuses dealt with themes of gender and nationalism. In addition, sources from the arts more broadly can supplement the work of circus scholars. Organized by thematic focus, I start by presenting how both men and women performed their gender at circuses. The second topic focuses on performing femininity in other arenas, including traditional stages and sports, and the impact of clothing on society's perceptions of a woman. Then, I investigate how nationalism was used at the circus, both to build community and as a popular marketing technique. The final grouping examines the relationship between femininity and nationalism within the arts. While masculinity and nationalism are often discussed, women still had a role in developing and maintaining national identity.

Performing Gender at the Circus

This group of scholars examines how performers chose to portray their gender in their acts. When preparing an act, artists and producers think about all aspects of their performance from staging to content to costumes. Through both intentional and unintentional choices, performers chose what pieces of their identity to emphasize or diminish, and in doing so, they also chose what norms to observe or defy. In particular, women typically had to be more cautious about performing their femininity (Uys and Swart 2020, 301).

Uys and Swart (2020), Holmes (2017), and Tait (2006) all examine this performance of femininity. In order to portray their women as "glamourous" and desirable, circuses used costumes, the appearance of weightlessness, and their juxtaposition with masculine displays of strength (Holmes 2017, 299–300). Circuses also "feminised" aerialists' musculature in descriptions and drawings in an attempt to diminish any bodily deviance from accepted gender norms at the time (Holmes 2017,

308). There is also evidence that society can "selectively forget" a performer's physical attributes if they do not fit into their expectations for an acceptable body, like in the case of aerialist Lena Jordan (Tait 2006, 26, 33). Although aerialists likely had somewhat deviant bodies, both circuses and society at large recognized this and took steps to preserve their femininity. However, this did not apply equally to all circus acts. When women stepped into a traditionally masculine role, like lion-taming, they had to strike a delicate balance between 'masculine enough to be competent' and 'still graceful and elegant', especially since women were not always allowed in these roles (Uys and Swart 2020, 293–94). Even when they were allowed to challenge traditional gender roles, these women had to take steps to mitigate the fallout and restore the 'natural order.'

The masculine side of the equation is similar in that performers took deliberate steps to create and conform to a masculine role. Often seen as strongmen, catchers, or lion tamers, circus men were expected to be strong and angular. Lion taming is an interesting intersection of gender dynamics because there was occasionally crossover, but it's an intrinsically masculine act: the point is to exert dominance over other creatures (Uys and Swart 2020, 283–85). When expectations for masculinity changed, so did performers' portrayals. Equestrian circus in France shifted significantly from a kind of "exhibitionism", which became more associated with femininity, to an exercise in "rational" discipline strengthening both the performer and "his nation" (Weil 2006, 104).

These scholars provide an excellent starting point for observing and analyzing gender performance and lay the foundations for defining discourses about hyper-femininity and hypermasculinity. While they all mention important characteristics to note in this analysis, it is possible that some may not appear at all in a Western-centered analysis—particularly the potential masculinizing discourse involved in lion-taming (Uys and Swart 2020). Two main weaknesses emerge from this group. Firstly, the sources have relatively Eurocentric focus, in large part because the circus studies field focuses on Western troupes. Secondly, it is important to consider that gender norms look different depending on numerous contextual factors, including location, era, and class, and it

would be impossible for each source to fully consider each of these perspectives. These sources, in combination with the next group of scholars, contextualize gender performance in circus advertisements.

Performing Gender in Other Arenas

Scholars in this group explore how women expressed their femininity in the late nineteenth and early twentieth centuries in a variety of circumstances. Collectively, these sources paint a picture of how femininity was commonly expressed, and the various conclusions about a woman's position that society would draw from her clothes and mannerisms. Notably, every scholar in this group addresses the concept of respectability in some way, and the overall difficulties of completing the activity at hand "whilst maintaining their femininity" (Skillen and Beatty 2022, 209).

Payne and Skillen and Beatty in particular explore the complexities of using attire to be taken seriously (Payne 2015; Skillen and Beatty 2022). Woman preachers in the revival Christianity movement (1890-1930) struggled to both command authority and maintain their femininity, and ultimately, they often leaned into dark colors and conservative but fashionable dress to cultivate a respectable image (Payne 2015, 86–87). Early woman golfers in England had similar problems with the lack of established appearance norms on the course but having to remain "ladylike" (Skillen and Beatty 2022, 215). While their golfing attire "was merely an extension of general day-to-day wear," many modifications appeared over the years to address the need for freedom of movement and modesty (Skillen and Beatty 2022, 212–15). Despite this struggle to be taken seriously, Skillen and Beatty (2022) point out the limited "autonomy" women had to improve their position and push the boundaries of dressing femininely (226).

Freitas (2018) and Bonapfel (2016) examine this from the other side: clothing's associations with immorality. Actresses were often seen as being in proximity to "erotic sexuality" and depicted in poses or with props that invoked allusions to erotic photography (Bonapfel 2016, 109, 127). There were also expectations for actresses to adhere to certain

masculine behaviors as women inhabiting the male-dominated acting space, including promiscuity (Freitas 2018, 219–92). In many ways, competing ideas of what a woman should be meant that "success on the stage required failure as a woman" (Freitas 2018, 292). Some women tried to combat this by cultivating an "innocent" and virtuous presence in the media, a strategy that was also used by PT Barnum (Freitas 2018, 293). Even when women were perceived as unladylike, sometimes due to their actions and other times due to their associations, steps were taken to combat this undesirable perception.

Transgressing clothing expectations for the respectable woman could also be used to communicate a political stance, rather than promiscuity. The ideal respectable modern woman did not participate in divisive politics, protesting, or organizing (Payne 2015, 86). However, feminists believed that fashion was "a crucial means of promoting women's independence and visibility in the public sphere" (Rabinovitch-Fox 2015, 16). Rabinovitch-Fox (2015) explains that the incorporation of Japanese-style cuts of clothing was particularly popular in feminist circles, and, in some ways similar to Skillen and Beatty (2022), she emphasizes the expressive power of fashion to give women "agency in shaping modern femininity" (Rabinovitch-Fox 2015, 16, 27; Skillen and Beatty 2022, 226).

Rising consumer culture was an extremely important development in appearing feminine in the late nineteenth and early twentieth centuries. Responsible for increasing popularity in sports, the idea of the modern woman, institutions like women's magazines and department stores took off like never before (Skillen and Beatty 2022, 219–20; Rabinovitch-Fox 2015, 15). This resulted in dramatic shifts in advertising, reflected in more photography and "theatrical spectacle" used to enhance a product's desirability (Payne 2015, 85; Bonapfel 2016, 110). These same forces also created celebrity culture, which has set the characteristics for the ideal woman ever since (Payne 2015, 85; Bonapfel 2016, 109–10; Rabinovitch-Fox 2015, 15).

These scholars all establish a baseline for different ways of performing femininity in both typical and deviant ways. Many pieces of these articles reference specific silhouettes, such as the s-shape corset,

as well as general trends for the acceptable amount of coverage for clothing around the turn of the century (Payne 2015, 90, 98; Rabinovitch-Fox 2015, 15; Skillen and Beatty 2022, 212, 218). These provided an excellent starting point for evaluating the costumes of female circus performers in advertisements. In addition, all of the scholars in this group use a visual analysis of photographs or a mixed text and image-based discourse analysis for part or all of their methods, providing further examples of successful research on similar topics.

Nationalism at the Circus

Scholars in this group explain similar puzzles by emphasizing the role of circuses in developing a national culture and spreading values associated with national identity. Like many forms of popular culture today, circuses contributed to maintaining social norms. While the presence of nationalism in a circus was a reflection of an area's broader culture, it was also a tool that circuses used to their advantage.

In some cases, circuses were major players in developing a cohesive national identity. Circuses touring in Scotland were able to unite the region and integrate into the larger British Empire by creating a shared cultural experience (Potter 2022, 39–40). These circuses were able to maintain a similar atmosphere and act line-up across rural and urban areas, and integrated English cultural references and norms into the performance in order to help craft a cohesive Scottish-British identity (Potter 2022, 40–44). The Sarrasani Circus in Germany also spread cultural values, and notably featured imperialist and nationalist sentiments in their advertising during the interwar period (Hanke 2021, 192–94).

In other cases, circuses used nationalist sentiment found in broader society to increase ticket sales and attract viewers. As the only Australian circus in Melbourne at the time, FitzGerald Brothers' Circus was able to appeal to rising nationalist sentiment, which was caused by economic struggles, and enjoyed an exceptionally long run compared to other Australian circuses (Arrighi 2009, 68–69). They used strategies such as uniquely Australian aspects of performance, including references

to mythologies, and adapting the show to what audiences wanted to see (Arrighi 2009, 81–82). During the war in South Africa, the FitzGerald Brothers ramped up the level of patriotism present by playing patriotic music, flying flags, and presenting more military-esque acts featuring guns (Arrighi 2008, 626–27). The FitzGeralds were able to build a community centered on "sharing a geographic and cultural commonality" and keep audiences engaged (Arrighi 2009, 82).

This group of scholars presents a consistent perspective on the role of nationalism in historic circuses. In this analysis, I paid close attention to markers of national identity because of its use in marketing. I coded for clear instances of national identity in advertisements, such as flags, well-known symbols, and a rhetoric of superiority. Hanke (2021) and Potter (2022) also address the racial implications raised by nationalism, which tends to justify colonization, imperialism, and white supremacy. While researching racial discourses is outside the scope of this project, this is an important dimension to keep in mind moving forward.

Gendered Nationalism in the Arts

Existing research looks at the role of femininity in nationalism by analyzing its existence in the arts and emphasizes that women played a role in both enacting and defining a country's national identity. This group conceptualizes femininity and the role of women through the lens of traditional gender roles, with women taking care of the home sphere and assuming responsibility for domestic labor. While each scholar has a different point of view about their exact roles, an association between femininity and national identity is present across several artistic disciplines, including literature, political cartoons, figure skating, and film.

The scholars in this group take different perspectives on the role that women had in carving out their own perspectives and roles in updating their national identity. Louisa May Alcott was able to conceptualize and, to a certain extent, realize her vision of women gaining political power from each other through manifest destiny in *An Old-Fashioned Girl* (Stover 2018, 90–91). This was in contrast to the

prevailing understanding of women's role in nationalism at the time: Republican motherhood (Stover 2018, 80). However, Canadian political cartoonist JW Bengough set the expectation for how women should contribute to nationalism, as "symbolic bearers of moral virtue" and "guardians and protectors of male citizens." (Burr 2021, 672).

Thurber (2021) and Boylan (2019) focus more on how women had to adapt to existing expectations for their expression of national identity but take differing perspectives on the exact way this manifested. Thurber (2021) argues that English women were more easily able to adapt to international styles of figure skating because they "were not constrained by the notions of masculinity" found in English-style skating, which was heavily associated with British nationalism (350). These women still competed on behalf of England, however, and used the flexibility of British expectations of women's national identity to win accolades for their country (Thurber 2021, 350). In Italy, expectations were murkier. Boylan (2019) argues that the early twentieth century marked a turbulent period in the relationship between womanhood and national identity (134–35). Coming out of the Italian Unification movement, society struggled with how conceptually close women should be to war, which was the predominant way to express national sentiment (Boylan 2019, 135). As represented in films of the era, being too close was not ideal as the battlefields had an overwhelmingly masculine connotation and home had a feminine one, but being too far away was also undesirable as it was unpatriotic (Boylan 2019, 147). In both of these cases, existing traits of nationalism were imposed upon women, but in different ways.

Overall, these scholars use similar methods for considering the role of women in developing and maintaining a national identity to this analysis, including image-based analysis. The relationship between gender and nationalism has traditionally been viewed in terms of masculinity and presenting a strong image, with the role of women being overlooked. When considering that upholding traditional gender norms was a prominent way that women expressed their national identity, this may apply to women performers in circuses and is something to keep in mind with the hyper-femininity discourse.

Methodology

I conducted a plastic discourse analysis using NVivo focused on circus posters and advertisements in the official layer of discourse. According to Mutlu and Salter, a plastic analysis focuses on continuity within a discourse that aims to "uncover an organizing principle" (Dunn and Neumann 2016, 104). Unlike elastic and genealogical approaches, plastic analyses are better suited to studying a specific time period, rather than changes over time (Dunn and Neumann 2016, 104). Because circuses did not experience a lot of change between 1890 and 1920 regarding gender discourses, the plastic approach was the best fit. Each NVivo case was a specific circus, including Pinder, Ringling Brothers, or Barnum and Bailey. I also used smaller circuses with fewer documents per case to better represent the overall landscape. The initial codes were grounded in conclusions from the scholarly literature, and I coded men, women, animals, elegant lines, types of clothing, and national symbols. As I added documents, I coded for additional recurring themes, including the controller of the scene, tools, and other forms of expressing nationalism, such as through 'world's greatest' language. The process of completing multiple rounds of coding which build on previous knowledge is consistent with "in situ concept development" favored by interpretive methodology (Schwartz-Shea and Yanow 2011, 99). Appendix I contains a full list of cases and codes.

This analysis focuses on circus posters because they are one of the most readily available visual representations of circus performances. Circus posters are also a good representation of both the institution's perception of itself and the broader culture's tolerance and expectations for entertainment. Because circuses needed to appeal to a wide audience in order to stay in business, their advertising needed to strike a balance between intriguing and socially acceptable. In terms of their self-perception, circuses would have directed their own advertising campaigns and made sure to only publish materials that they felt reflected their intentions.

The main actors involved in creating circus advertising for large touring productions were the executives. They typically retained creative

control over their shows, and therefore the final say on what advertising went to print. However, there are certainly other actors to consider. The newspaper or lithographing company that disseminated the posters would have been able to accept or deny submissions. And, contrary to popular belief, performers in circuses and freak shows had some level of negotiating power because they were difficult to replace (Durbach 2009, 11). They were able to make creative decisions about their acts, and in some cases also designed their own posters (Durbach 2009, 11). While some tensions commonly exist between performers and management, it is important to remember that performers were not powerless and were involved in the ways that they were represented in advertising.

Evidence Generation

I gathered primary sources from the Florida State University Collections on ARTstor. They digitized the Ringling Brother's archive, which also includes materials from other major circuses, including Adam Forepaugh, Pinder, and Barnum and Bailey's circus before its merger with Ringling. Although there is limited poster availability from smaller and non-US-based circuses, I found sufficient material to analyze. By including posters from multiple circuses in multiple countries, I was able to read for intertextuality and analyze different perspectives on what a successful advertisement looked like. This allowed me to discover where there were different meanings to the same act or action depending on the gender of the performer and analyze what aspects of the advertisements are shared or specific to a particular circus.

Several specific criteria applied for a poster to be included in this analysis. First, the poster had to include at least one person with high enough quality to understand the actions of the performers and their surroundings. Second, I prioritized posters printed in color and posters with enough text to briefly describe the scene. Third, I ensured I had a balance of posters containing men and women, as performing femininity is informed by performing masculinity. Some sources featured one performer and others had a team splitting the viewer's attention. Finally, scholars like Uys and Swart (2020) have pointed toward the existence of

a counter-discourse where women performers had to downplay their femininity in order to be taken seriously. I intentionally included posters that did not portray female performers as hyper-feminine, which I will discuss further in the analysis section.

Throughout the research process, I took several steps to address contextuality and intertextuality, a crucial component in interpretive research (Schwartz-Shea and Yanow 2011, chaps. 3, 5). I used scholarly literature on gender performance and the political climate to support my observations of posters. I have also seen many more posters and advertisements that I was not able to include in the full analysis, either because of time constraints or because they did not fit the criteria. This allowed me to gain a greater understanding of the standards and conventions for a circus poster as well as how performances were received by the public. I ultimately did not include newspaper reviews because they fall into the popular discourse, which is outside the scope of this project. However, the initial stages of searching newspaper archives were invaluable to shaping my current perceptions of the sources in the full analysis.

Mapping Representations

Representations of female circus performers tend to fall on a spectrum of femininity, which ranges from hyper-feminine to a more neutral depiction of femininity that incorporates some aspects of traditionally masculine traits into a feminine profile. In the hyper-feminine discourse, a woman is portrayed as graceful, alluring, and decorative almost to the point of impracticality through her attire and the way that her body is positioned. A number of posters depict a woman in revealing clothing that would put her at a physical disadvantage when completing the task at hand, such as lion taming or horse riding (Chabrillac Imprimeurs Toulouse, n.d.-g; n.d.-a; n.d.-b; Erie Lithograph, n.d.).[1] In situations where her attire is impractical to the

[1] Many of the primary sources used here do not have exact dates. I have chosen to include them because the style and dates of tour operations indicate that the posters would likely be in or around my period of study.

point where she is dependent on someone else to wield control, I coded the area as “out of control”. This code also applied when someone else clearly held control, either through professional attire (implying the presence of a circus executive) or through using a tool, such as a crop or whip.

In the preservation of femininity discourse, posters portray their performers’ femininity more subtly. A performer may be more covered up, wearing more practical clothing, or have another non-decorative purpose in the scene (Courmont Freres, n.d.; Strobridge Lithograph 1907; 1913; 2010). Of course, gender performance rarely fits neatly into boxes, so there are certainly posters that display a fusion of these characteristics. Posters might pick pieces to play up, such as a revealing costume that preserves the performer’s freedom of movement or exaggerating the performer’s lines through pointed toes and straight legs (Strobridge Lithograph, n.d.-a; 1895; 1916; 1899; 1914a; Chabrillac Imprimeurs Toulouse, n.d.-b; n.d.-c; Globe Poster Corp, n.d.). When men and women appear in the same poster, this level of elegance was only applied to women.

There is a related, but distinct discourse for men, which plays up a performer’s masculinity. The hypermasculine discourse emphasizes a man’s power by placing him in control of a dangerous situation and highlighting his physical strength. There are many examples of men engaging with animals, including kangaroos, lions, pigs, and cats, and one way they assert their dominance over a scene is through a prop, like a whip, which I coded as “in control” (Strobridge Lithograph 1914b; n.d.-b; 1907; 1899; 1896; Chaix, n.d.; *Pinder: Equestre de l’Amerique Du Sud*, n.d.; Chabrillac Imprimeurs Toulouse, n.d.-e; n.d.-h; Bedos Cie, n.d.). Posters of men also display their physical strength through musculature, including one that shows two men just standing there and not performing (Finot, n.d.; Chaix, n.d.). Although men are not the primary focus of this analysis, femininity and masculinity are often defined in opposition to each other. As a result, I have chosen to include them as a secondary focus in order to capture the overall context for gender performance.

Evaluative Standards

In interpretive research methods such as discourse analysis, evaluative standards are less focused on objectivity and instead emphasize understanding the researcher's bias through reflexivity, which I address by considering my positionality and cultural competence (Schwartz-Shea and Yanow 2011, chap. 6). As a circus artist, I have more knowledge than most students about modern-day circuses. This allows me greater access to circus sources because of my understanding of show structure, logistics, and act details. However, I must remember that my knowledge is from a twenty-first-century perspective. Throughout the project, I improved my knowledge of historic circuses and what has changed and stayed the same over the last 150 years. Adding knowledge from my personal experiences to scholarly literature allows me to see a more complete picture of circus history when analyzing posters. Over the course of the project, I have additionally focused on understanding gender roles around 1900 to make sure that I am supporting this analysis with accurate information about the early twentieth century. I have updated the literature review and understanding of primary sources to reflect this.

I am also a native English speaker who has lived in both the United States and England, where many major circuses were based and where several important circus innovations were developed and implemented. However, this limits my access to materials in other languages, especially German. Consequently, I decided to exclude German materials to avoid misinterpretations. I did decide to include posters from French circuses to gain another perspective in this analysis. The words on each poster are designed to be simple and readable to appeal to a wide audience. While I have studied French for several years, I am not a native speaker and there is always the chance of missing smaller nuances and complexities.

My primary method of checking "sense-making" throughout the data generation and analysis process occurred through NVivo (Schwartz-Shea and Yanow 2011, 104–5). During the coding process, I documented the decisions I made and regularly updated the descriptions and

purposes of codes to ensure that I evenly interpreted and applied codes throughout. I paid particular attention to documents I coded early in the process to keep the meanings of codes consistent with later coding decisions. NVivo's analysis features added another layer to my sense-making and confirmed that the patterns I thought I saw were backed up by evidence. They also alerted me to some relationships that I had not initially thought about, prompting me to further examine the sources for additional evidence. Finally, as noted in the Evidence Generation section, I included advertisements with a variety of representations of performers. While this contradicted my initial understanding of how female circus performers were represented (as hyper-feminine), I was able to uncover a wider spectrum of representations of gender performance.

Analysis

This section looks at two main femininity discourses: the hyper-femininity discourse that represents women as objects and the preservation of femininity discourse that allows women to be represented as skilled artists perfecting their craft. I also examine the hyper-masculinity discourse as a tool for comparison and the relationship between femininity and nationalism, which is most reflected through hyperbolic language. Finally, I comment on the differences between American and French presentations of national identity.

Women as Decorations: Hyper-femininity Discourse

Women often fulfilled a primarily decorative role in circus advertisements from the early twentieth century because they are perceived as less able to control other beings than men. So, they play up their femininity and sexuality as a way of becoming a prettier and more enticing decoration. This is seen through the relative lack of control of women in posters when compared to men and may be displayed by another person or animal dominating the situation, the presence or

absence of tools like whips, crops, or reins, or clothing that would put her at a disadvantage compared to other actors in the image (Bedos Cie, n.d.; Chabrillac Imprimeurs Toulouse, n.d.-g; n.d.-a; n.d.-h; Erie Lithograph, n.d.). The exaggerated femininity is visible through her clothes, which may be in bright colors, designed to reveal skin, form-fitting, or with embellishments that draw the viewer's attention to her femininity (Strobridge Lithograph 1895; Erie Lithograph, n.d.; Chabrillac Imprimeurs Toulouse, n.d.-a; n.d.-b; n.d.-c; n.d.-g).

Figures 1 and 2 are sunburst charts that show codes that intersect with men and women, respectively. The code for men is excluded from the sunburst chart for men, and the same for women. These charts display several interesting characteristics about performing gender. While most codes are present in the diagrams for both men and women, women are much more associated with elegant lines, indicating that elegant lines may have been an expectation of female performers. In terms of clothing, women in these posters wore a mix of practical and impractical clothing, but the relative amount of impractical clothing compared to men is significantly higher. There are no examples in this dataset of women wearing professional clothing. This indicates that depicting performers in impractical and sexualizing clothing was not a choice made across the board for the sake of creating enticing advertisements, but part of a specific strategy to use women for decorative purposes.

Figure 1 - Hierarchy Chart of Codes Intersecting with Men

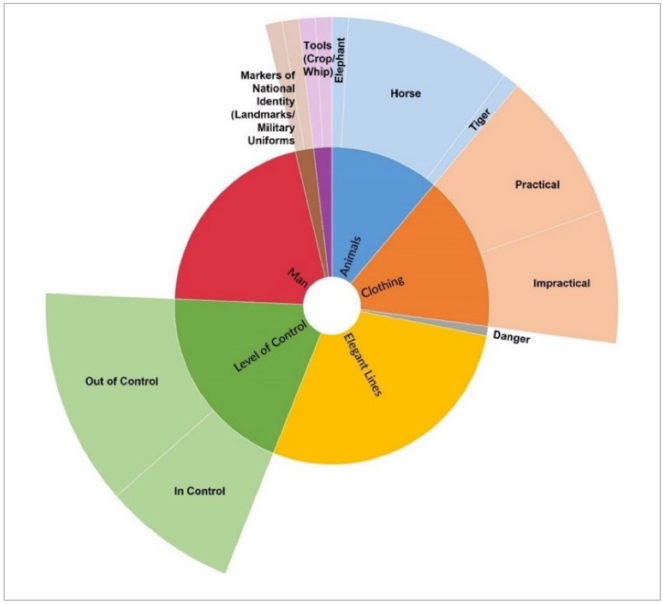

Figure 2 - Hierarchy Chart of Codes Intersecting with Women

Figures 1 and 2 also illustrate the difference in the amount of control over the scene that various performers had in advertisements. The most obvious marker of this is the level of control codes, which show that men were in control a larger part of the time than women, and women were out of control more often than they were in control. However, there are other codes that also reflect these themes. Men are portrayed with animals more often and intersect with a greater variety of animals than women (Strobridge Lithograph, n.d.-b; 1896; 1914b; *Pinder: Equestre de l'Amerique Du Sud*, n.d.; Chabrillac Imprimeurs Toulouse, n.d.-e; n.d.-f; n.d.-h; Bedos Cie, n.d.). In addition, men were depicted with instruments of control more often, including whips, crops, and other weapons. Together, these indicate that men were placed in an animal-taming role more often than women and were respected for their ability to control other beings. Women were given this opportunity less often, potentially because they were perceived as less able to control other beings.

Women as Skilled Artists: Preservation of Femininity Discourse

When women are in a position with more control, they do not need to perform their femininity to the same extent because they have a task to complete and a reason other than decoration to be in the scene. In posters that fall into this category, the scene would be fundamentally altered without the presence of a particular woman. For example, take a flying trapeze scene (Strobridge Lithograph 1895; 1907; n.d.-a; 2010; Globe Poster Corp, n.d.). In all of these scenes, many or all of the flyers are women, and it would not be a flying trapeze act without their presence. In an animal taming example where the woman is decorative, her absence would not cause a substantial change in the act as the holder of control (sometimes a male trainer, sometimes the animal) could continue without her just fine (Strobridge Lithograph 1916; Erie Lithograph, n.d.; Chabrillac Imprimeurs Toulouse, n.d.-a; n.d.-g).

However, women performers must continue to conform to aspects of socially acceptable feminine presentation to compensate for their higher level of control over the situation, a concept that was noted in

the scholarly literature (Holmes 2017, 308; Uys and Swart 2020, 293–94). In posters, this is most evident by her attire: she may wear a skin-tight or revealing outfit, which would have been uncommon to see in everyday life (Strobridge Lithograph 1914a; n.d.-a; 1913; 1895; Globe Poster Corp, n.d.). The difference between their appearance with and without control lies within the relative changes that are only visible when viewing a wide array of posters. In this situation, the performer's femininity is not exaggerated to the point of impracticality.

Table 1 and Figure 3 show a matrix coding query of the intersection between women and codes that indicate either control or gender expression. This query generates numbers based on coding references that overlap with each other. While some of the highest codes, such as elegant lines and being out of control, are associated with the hyper-femininity discourse, many codes with high references that are in a binary demonstrate an unequal split in favor of the more traditionally masculine trait. Impractical clothing, for example, has only a couple more codes than practical clothing, and this is the same as out of control and in control. This illustrates that women are occasionally portrayed as having control.

	A : Women
1 : Elephant	1
2 : Horse	6
3 : Tiger	1
4 : Impractical Clothing	9
5 : Practical Clothing	7
6 : Elegant Lines	22
7 : In Control	7
8 : Out of Control	10
9 : Crop	1
10 : Whip	1

Table 1 - Matrix Coding Query of Women and Indicators of Control

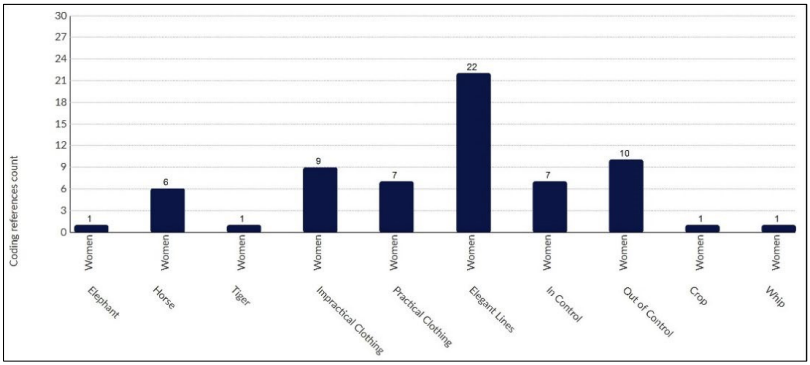

Figure 3 - Graph of Table 1

Figure 4 offers a deeper view of these intersections (Strobridge Lithograph, n.d.-a). Figure 4 is one image from a coding query that finds codes that intersect with women and either in control or practical clothing. For ease of visibility, I broadened the colored areas to the narrow context. This image provides a more specific example of a wider pattern. The women in this image are all performing highly skilled poses, and each has to be in control of her body. Their clothes are not impractical as with some of the examples from the hyper-femininity discourse, but they are revealing a considerable amount of skin. While their femininity is present and visible, it is not emphasized to the same extent.

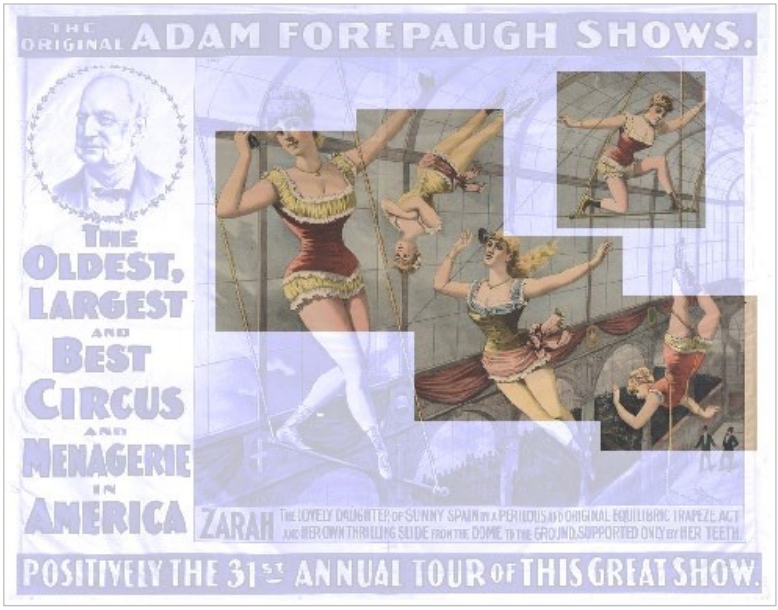

Figure 4 - Coding Query of Intersections between Women and Practical Clothing/In Control

Nationalism

The aspect of nationalism with which women are most strongly associated is hyperbolic language, whereas men are associated with both hyperbolic language and additional markers of nationalism.[2] This is because some markers of national identity such as military uniforms would have only been worn by men and women had less proximity to these symbols. Additionally, since men were viewed as stronger and

[2] I am choosing to include hyperbolic language (see examples in the next paragraph) as a sign of nationalism, because nationalist rhetoric involves a sense of national pride at the very least and can also appear as a sense of national superiority. When circuses use slogans such as "Greatest Show on Earth" (Barnum and Bailey) or "Best Circus and Menagerie in America" (Adam Forepaugh), they are displaying this sense of superiority. While this was most certainly a marketing technique, it can be taken beyond a surface-level investigation that would proclaim it 'just a marketing strategy' and into a deeper analysis of nationalism.

possessing more agency, they would have been the first choice for decorating with national symbols (Thurber 2021; Boylan 2019).

Table 2 is a matrix coding query that, in the first two columns, displays the intersections between men/women and various markers of national identity with numbers representing coding references. This table does not display all instances of national identity and instead shows where coding for these concepts intersects. Table 2 indicates that women were not directly associated with most visible markers of national identity, with a couple of exceptions (Chabrillac Imprimeurs Toulouse, n.d.-d; n.d.-c). However, Figure 5 provides a more complete picture of overall instances of national identity. Figure 5 is a tree map of all codes and child codes under markers of national identity, where size is based on coding references (n=26). This indicates that the Greatest X code (hyperbolic language) is the most common instance of national identity but was not associated in NVivo with a particular gender. This is because, in most cases, hyperbolic language such as “Greatest Show on Earth” or “Oldest, Largest, and Best Circus and Menagerie in America” was off to the side and did not intersect with any people (Strobridge Lithograph, n.d.-b; 1895; 1916; 1913; 1899; n.d.-a; 2010; Courmont Freres, n.d.).

	A : Man	B : Women	C : Adam Forepaugh	D : Barnum & Bailey	E : Pinder	F : Ringling Brothers
1 : Markers of National Identity	6	2	1	10	12	2
2 : Greatest X	1	0	1	9	2	1
3 : Landmarks	0	1	0	0	4	0
4 : Military Uniform	4	1	0	0	5	0
5 : Royalty	0	0	0	0	1	0

Table 2 - Matrix Coding Query of Markers of National Identity and Gender/Cases

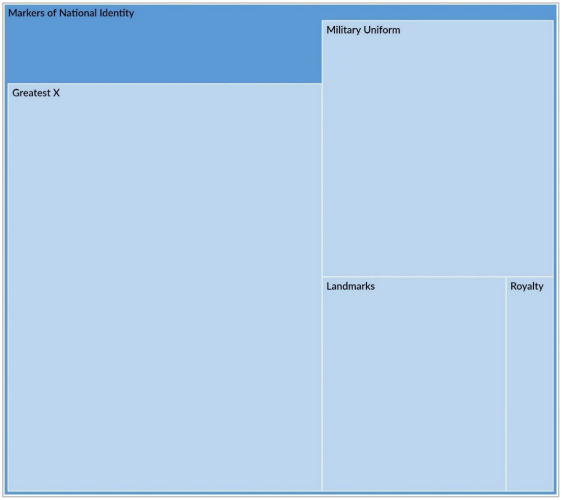

Figure 5 - Tree Diagram of All Instances of National Identity

This phenomenon is also region-specific. Pinder, a French circus, displays more markers of national identity in more ways than its American peers, Barnum & Bailey, Adam Forepaugh, and Ringling Brothers. This could be because nationalist sentiment was stronger in Europe in the leadup to World War 1, Pinder's regular campaigns traveled outside of France more often, or a combination of both. Figure 6 illustrates the relationship between the four main cases of this project and symbols of national identity. Pinder advertisements display four kinds of national markers, whereas the American circuses only use hyperbolic language. Table 2 displays coding references of markers of national identity for these major cases to show the frequency. Together, these graphics show that Pinder was generally more interested in displaying its French identity than American circuses and Barnum and Bailey used hyperbolic language significantly more often than its peers. Full comparison diagrams between these four cases are in Appendix II.

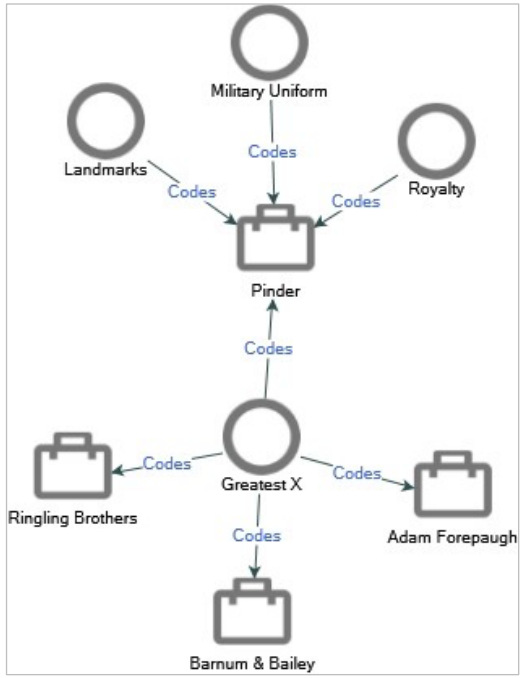

Figure 6 - Map of Major Cases and Markers of National Identity

Conclusion

I investigated several representations of both women and men in circus advertisements from 1890-1920 in the United States and France. I found that women circus artists are often represented as decorations. As a result, women may have been more likely to be perceived as superfluous than their male colleagues, as well as weaker and less powerful. This could have made it possible for executives to exert undue influence over female performers, potentially affecting job security, working conditions, or conversations about the direction of the circus. Additionally, overly sexual portrayals of women may have contributed to the disdain that certain groups held for circuses.

I also found that women were sometimes depicted as skilled artists, but they still had to take measures to preserve their femininity, usually through sexualizing costumes. This reveals the relative rigidity of socially

acceptable gender presentation around the turn of the century. Because of constraints defining womanhood, it becomes possible for women to use their gender presentations to push back against norms, such as the ideal, respectable woman, in specific moments. However, not all women would have had the autonomy to use attire to question the role of a woman, including many female circus performers.

Finally, I found that French circuses like Pinder used a wider array of tools to communicate their national identity, including army uniforms and national landmarks, than their American counterparts. American groups like Barnum & Bailey did not focus on national identity, but rather the fame of their founders. There is also a disconnect between portrayals of women and national identity, as men were portrayed in significantly closer proximity to these symbols than women. As a result, it becomes possible to see the broader cultural sentiment about who can and should perform national identity, and what methods they should employ. It also becomes possible to see how nationalist sentiment permeates (or does not permeate) popular culture, as France entered WWI during the period of analysis, whereas the United States did not.

My findings are consistent with the broader scholarly literature. Scholars like Uys and Swart (2020), Holmes (2017), Tait (2006), and Weil (2006) have pointed towards the existence of hyper-masculine and preservation of femininity discourses. I had not seen a multi-country, multi-circus analysis focusing on femininity, and based on this research I suggest adding a third discourse to this group: the hyper-feminine discourse, which is based on additional gender scholarship outside of the circus world (Freitas 2018; Skillen and Beatty 2022; Payne 2015; Bonapfel 2016; Rabinovitch-Fox 2015). Additionally, there has not been an analysis specifically focused on gender in circus posters with a focus on nationalism. I suggest that there is a weak but present link between performing masculinity and performing nationalism, with women further distanced from these conversations.

Future research could incorporate additional sources from the popular discourse, rather than official one, such as newspaper reviews and feature stories. This would provide a valuable perspective on how

the public received circus performances and insight into how circus executives made decisions. In addition, future contributions could add a racial layer to this analysis. While the initial proposal for this project included analysis based on race and the often exploitative performance of external cultures, time constraints did not allow to carry out both parts of the proposal. Reintroducing this layer would allow for additional discussion of intersectionality between race, gender, and national identity.

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Appendix I – NVivo Codes and Cases

Total Files Imported: 28

Cases

- Adam Forepaugh
- Barnum & Bailey
- Cole Brothers
- Cristiani Bros
- Hippodrome
- Londonia
- Pinder
- Ringling Brothers

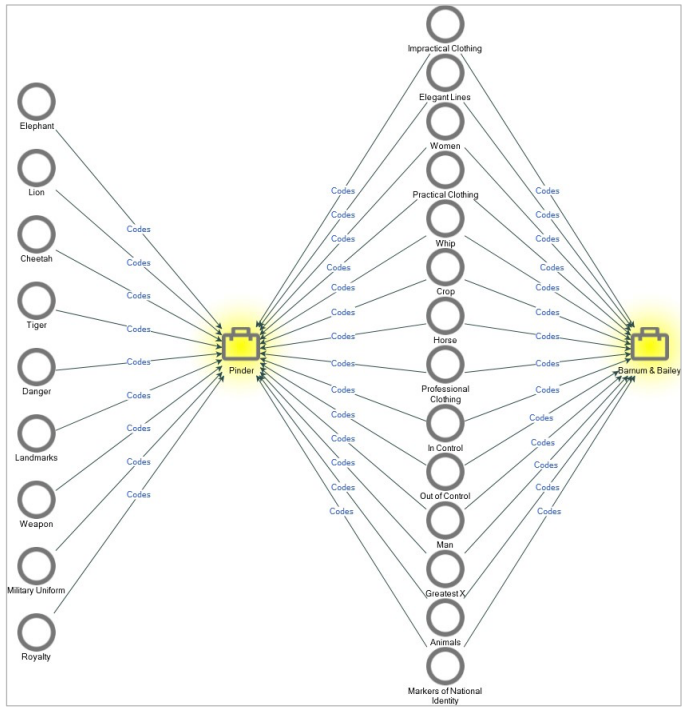
Codes

- Animals*
    - Cheetah
    - Elephant
    - Hippo
    - Horse
    - Kangaroo
    - Lion
    - Tiger
- Clothing
    - Impractical: denotes that clothing hinders the performer's ability to complete the activity; for example, long skirts or dresses that could be easily caught or torn, overly sexualizing clothing
    - Practical: denotes that clothing enhances or has a neutral effect on the performer's ability to complete the activity; for example, well-fitting, supportive clothing
    - Professional: denotes clothing more suitable for an office setting than a circus; for example, suits and ties
- Danger – an element of risk is present, such as fire or weapons
- Elegant Lines – for example, pointed toes, extended arms, and straight legs

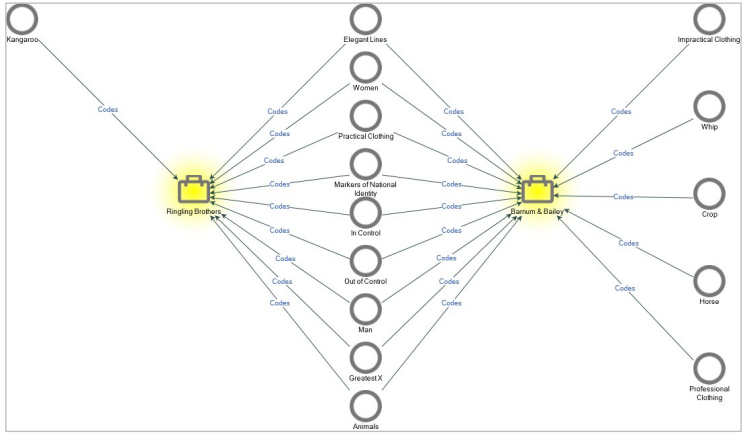
- Level of Control
    - In Control – an individual controlling the scene; for example, a circus executive or trainer holding a tool such as a crop or whip
    - Out of Control – an individual lacks control and someone else in the scene wields control; for example a woman in impractical clothing on an animal with a trainer leading the horse
    - Man
- Markers of National Identity*
    - Greatest X
    - Landmark
    - Military Uniform
    - References to Royalty
- Tools
    - Crop
    - Weapon
    - Whip
- Women

** Denotes that the child codes aggregate into the parent code – e.g., all occurrences of "horse" also occur under "animals"*

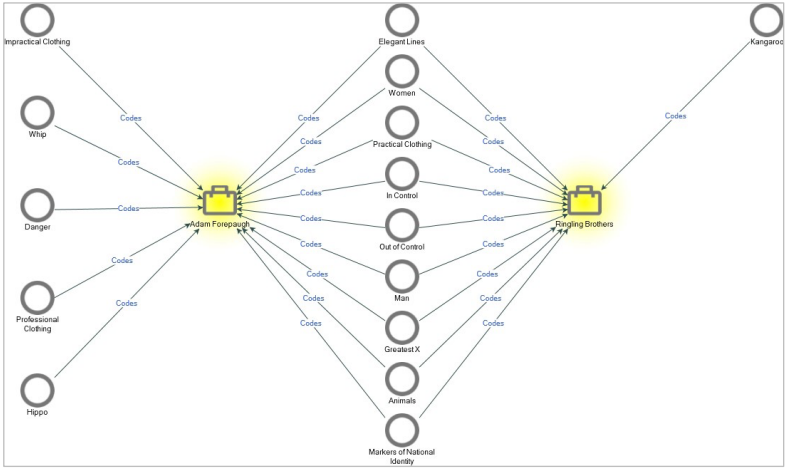
Appendix II – Comparison Diagrams



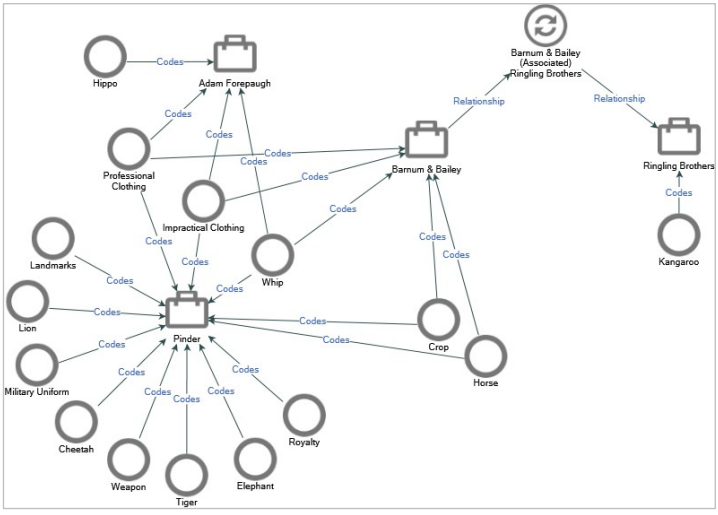
Comparison Diagram of Pinder and Barnum and Bailey



Comparison diagram of Ringling Brothers and Barnum and Bailey



Comparison Diagram of Adam Forepaugh and Ringling Brothers



Project Map of Unique Codes for Major Cases – Shared codes excluded: women, men, in control, out of control, practical clothing, and greatest x (marker of nationalism)

LAZARUS CULTURES: CULTURAL RECLAMATION AMONGST MICHIGAN ANISHINAABE IN RELATION TO THEIR COLONIAL ENCOUNTERS.

Morgan Marsh

Abstract

In recent years discussions have begun to emerge surrounding the cultural devastation that occurred at former North American indigenous boarding schools; in turn, sparking interest into how indigenous cultures can be reclaimed. But these discussions are often singularly focused and based on a unified understanding of indigenous colonial encounters; a problem that could be avoided through examining one indigenous group as opposed to generalizing the whole. Through observations, in-field discussions, and expert interviews with various Anishinaabe in Northwest Michigan, this investigation explores the intersections of colonial understandings and diverse reclamation efforts in the contemporary era for a singular indigenous population. Dialogues with various Anishinaabe operating within the field of cultural recovery reveals the importance of culture-based understandings of colonialism and the significance of ontology in shaping reclamation projects. The outcome, a discovery of the strong association between colonialism and the United States within Anishinaabe spaces of reclamation, opens the floor for new debate on the significance of colonial perceptions while also offering conclusions on the differences between Anishinaabe-intended and non-Anishinaabe (outsider)-focused reclamation.

Keywords: colonialism, cultural reclamation, Anishinaabe, epistemologies, Michigan.

Introduction

As Anandam Kavoori wrote in 1998, one of the key areas of debate between modern international cultural scholars is situated around whether or not the world has truly entered the post-colonial era (Kavoori 1998). This is due not only to the lasting impacts of colonial practices within colonized communities, but also the shift from traditional colonization toward, as Kwame Nkrumah suggested in the 1960s, *neocolonial* strategy (Nkrumah 1965). Regardless, it's no secret that the impacts of colonial strategy are still felt and responded to by colonized peoples in deeply varied ways. One such response is found in the fight for reparations currently occurring in Benin and Namibia, which follow a long line of other African states calling for the same at global stage (Fisher 2022). This has brought much attention to the colonial experience of independent nations that previously existed in global empires. Midwestern Indigenous American communities, on the other hand, are often neglected in these discussions. This neglect does not mean the impacts of colonialism for these indigenous populations do not exist. Rather, they infiltrate every area of indigenous lived experiences from the exonyms they are called by outsiders to laws that denote aspects of their cultures as illegal. As a part of these lasting impacts, colonialism and discussions of colonial experiences have also taken on different social meanings for different communities.

Discussions of colonial impacts are occurring in these groups, especially surrounding indigenous cultural reclamation efforts. These efforts include a wide range of social practices that intend to revive or revitalize important cultural facets like language, diet, and histories. For every area of indigenous culture targeted by colonial removal tactics, there exist efforts at reclamation. But this work has only been possible in recent years, and as such research on it is limited. Scholars have just begun to examine indigenous lived experiences at large, leading to several gaps within the literature. Current investigations into indigenous lives often lack indigenous voices; and when literature based on indigenous perceptions exist, it's focused on one aspect of the culture

being reclaimed, as opposed to analyzing the holistic impacts of colonialism on cultural reclamation.

Another puzzle exists surrounding the lack of attention paid to less well-known groups like the Anishinaabe of northwestern Michigan. As seen in Image A below, the Anishinaabe have a great proximity to the Great Lakes—which is integral in shaping their culture. These groups, three historic tribes (Ojibwe, Odawa, and Huron) and five contemporary bands (LRBOI, GTBOCI, LTBOI, SSMTCI, and SCIT) also faced a unique colonial history having been colonized by France, the U.K., and the U.S. Each country had different imperial strategies and extents to which they pushed the Anishinaabe to assimilate within their colonial society. It is due to these factors that the Anishinaabe have begun undertaking society-specific reclamation.

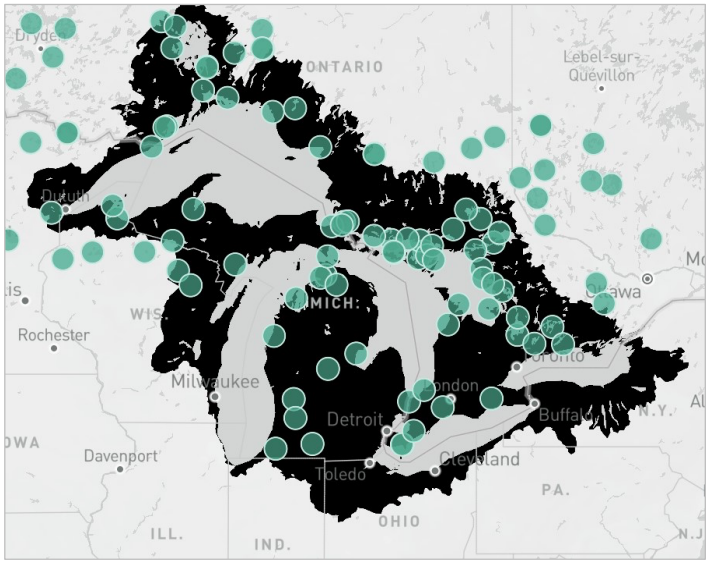


Image A - Map of Anishinaabe Territories

Research into the motives and nature of cultural reclamation for the Anishinaabe is difficult due to both the lower population and the relative distance separating the group. It is difficult for large groups of Anishinaabe from differing bands to get together without driving across

the region, although there has been an increase in gatherings in the last decade. This is not to say that this kind of research is unheard of, work by Lawrence Gross theorizing the significance of tri-part colonialism in the Anishinaabe's current reclamation work is evidence of the opposite (Gross 2003, 127-28). However, it's impossible to understand what colonialism means to the Anishinaabe and how it factors into their contemporary cultural practices without talking to many Anishinaabe with differing lived experiences.

To further scholarly discussion in this realm I am proposing a focused ethnography of the Anishinaabe. More specifically, I intend to use ethnographic methods to answer the question: how is colonialism understood in contemporary indigenous spaces of cultural reclamation? But this question prompts others surrounding the very nature of reclamation. Thus, I also intend to explore the epistemological practices enabling indigenous populations to conceptualize colonialism as they undertake cultural reclamation and I will investigate the relationship between the aspects of culture most targeted by assimilation efforts and the contemporary culture being reclaimed. As a result, I find that the Anishinaabe working towards cultural recovery perceive colonialism in a drastically different way than non-Anishinaabe outsiders. This perception is reinforced through group-specific epistemologies that also uplift diverse, holistic reclamation efforts.

Literature Review

The literature surrounding indigenous resistance, cultural reclamation, colonialism, and the Anishinaabe of northwestern Michigan is both limited and unilaterally focused. Studies investigating the recent resistance and reclamation efforts often focus on one area or type across various groups, while studies of the Anishinaabe center around historical case studies, neglecting a modern analysis. When colonialism is factored in, it's almost always limited to one colonizing group, or generalizing about impacts for multiple indigenous populations. This is not to say that there hasn't been significant research in the area I intend to study, but rather, the existing research neglects to discuss all the

factors utilizing a singular indigenous group in a contemporary setting. Within the existing literature surrounding indigenous resistance, cultural reclamation, colonialism, and the Anishinaabe of northwestern Michigan, I've been able to interact with various resources that correlate with and will help to shape my own research.

Colonial Periods

Regarding the colonization of the Anishinaabe, many scholars, like E.A.S. Demers, Jeffery Ostler, Jennifer Brown, and James Clifton, have investigated the subject, albeit with a notable lack of indigenous perspectives influencing their work. E.A.S. Demers (2002) even notes this disturbing lack of indigenous voice in his article for *The Michigan Historical Review* detailing indigenous slavery in the region (164). But as Demers highlights this problem, he follows the mold established in previous scholarship when he neglects to include indigenous primary sources himself. One of the main reasons given for this gap, as Jeffrey Ostler (2015), claims, is a lack of indigenous written records of colonialism prior to 1900 (592-594). This leads many authors to focus on the colonizers, rather than the indigenous populations, in their explorations. Furthermore, this lack of indigenous perspective, as well as the relative abundance of colonial records on the matter has created a secondary problem in an overemphasis on researching the early colonial periods. Michael McDonnell (2015), for example, dives into the power balance between the Anishinaabe Odawas and the French settlers of Fort Michilimackinac without mentioning the transition of the Fort from French to British to American ownership (47). Another scholar, Jennifer Brown (2014), argues in her book, *Strangers in Blood: Fur Trade Company Families in Indian Country,* that the misconceptions of the early-middle colonial period in the region create exigency for such discussion; but, this exigency has been overused in Great Lakes colonial scholarship (22-24). James A. Clifton (1987) is one of the few who tackles the later U.S. colonial efforts in the region in the chapter: *Wisconsin Death March: Explaining the Extremes in Old Northwest Indian Removal.* He attempts to illustrate the horrors of U.S. policy

towards Indigenous Americans outside of more well-known topics like the Trail of Tears. Clifton (1987) explains how the U.S. had initially signed treaties with the Ojibwe of Wisconsin only to forcibly remove them under President Taylor. But, while Clifton's work addresses one aspect of Great Lakes Colonialism that is often forgotten, he still limits his exploration to the 19th century. Noting these various gaps in the colonial discourse, I intend for my study to address late-stage, 20th century American, colonial practices in the region more thoroughly while also including crucial indigenous perspectives.

Anishinaabe Culture

Explorations into Anishinaabe culture are also incredibly important to the study of cultural reclamation, as familiarity with the culture helps illustrate the foundations of the Anishinaabe perspective and demonstrates significant aspects of the Anishinaabe way of life. However, as scholars have explored Anishinaabe culture in the modern era, they often disagree on which aspect of culture is most critical. Anton Treuer (1998), for example, has focused his work on teaching and studying the Ojibwe language (a dialect of Anishinaabemowin) and stories of war culture amongst the Anishinaabe (172). As such, he details the culture of war typical for a young man in the Ojibwe-speaking sects of the Anishinaabe in his article *A Day in the Life of Ojibwe* (Treuer and Treuer 1998, 172). Leanne Simpson (2012) claims that storytelling is most significant when discussing Anishinaabe culture. However, Simpson (2012) admits this aspect of Anishinaabe culture, due to its difficulty for outsiders to understand, is misunderstood in its significance by non-natives and thus is often left out of the academic discourse. Iain Davidson-Hunt and Fikret Berkes (2003), on the other hand, focus on experiential learning and socio-ecological interactions as they shape the Anishinaabe way of life (17). One of their conclusions, noting the incredible significance of experiential epistemologies, is crucial in understanding how the Anishinaabe transmit knowledge from generation to generation and I came to find in my research. Lawrence W. Gross (2003) departs from these areas of culture in favor of presenting

the religious practices of the Anishinaabe as the most important cultural facet for further research and discussion while also offering the importance of regional animals, plants, and weather in the Anishinaabe religious system (127-30). Gross (2003) includes a key argument, claiming that modern efforts at cultural reclamation amongst the Anishinaabe should focus on religious reclamation first, which is unlike the ideas other scholars suggest (127-30). Each actor in the scholarly discussion of Anishinaabe culture places the primary cultural significance on a different facet of the Anishinaabe experience. As such they often neglect to mention how differing facets of Anishinaabe culture overlap, like with the importance of dreams in both the worldview and religious spheres, which Simpson (2012), and Gross (2003) both highlight but don't correlate (132-33). As I intend to study cultural reclamation holistically, a well-rounded view of each facet of Anishinaabe culture and how they interact will be of the utmost importance.

Indigenous Resistance

Like studies of indigenous culture, the scholarly literature has also begun to consider forms of indigenous resistance, which cultural reclamation falls under. Indigenous resistance refers to movements within indigenous communities that fight for issues such as loss of land, failure to recognize land and treaty rights, culturally destructive policies and practices, and poor economic and health conditions on reserves (Dyck and Sadik 2019). A unique divide has taken hold with scholars separating traditional resistance efforts from non-violent resistance. Of the two forms, violent forms of indigenous resistance have assumed a distinct space within the scholarship, becoming known as ethnographies of resistance. As a benefit of the way in which this field has developed, it has become a space in which indigenous scholars have been able to share their voices, something I intend for my own research. But, as a consequence of their focus on specific types of resistance, these scholars often pull cases from vastly different groups. Nick Estes, (2021) Anna Willow (2013), and Gord Hill (2018), while taking different angles,

have used their research to explain the varied histories of traditional resistance across several indigenous groups. Willow (2013), for example, discusses the Anishinaabe struggle for land reclamation through protests, counter-mapping, and formal complaints against the U.S. government (881). However, Estes' (2021) work in particular makes it increasingly clear that the earth itself plays a fundamental role in indigenous lived experiences, and thus efforts for repatriation, land-back, and land preservation through indigenous resistance is a valid form of cultural reclamation and revitalization for my studies (8-9). Hill's (2018) ultimate conclusion, that resistance is highly varied based on the historical and geographic context of the people committing the acts of resistance, is incredibly important for scholars of indigenous experiences to remember. Relativity is a crux of indigenous studies that other scholars, Estes included, often neglect in their explorations, drawing conclusions lacking an understanding of the differences in worldviews that motivate each sect of the large Indigenous American population.

Similar issues emerge with the academic discourse surrounding the second type of indigenous resistance known as nonviolent cultural reclamation movements. These efforts span every area of culture and are centered around sharing cultural knowledge with large proportions of the population to ensure maintenance. Like traditional forms of indigenous resistance, scholars have opened the field to indigenous perspectives; but they've also followed the model of studying the area of resistance, rather than resistance by group. For example, Katalina Toth (2022), in her article "The Death and Revival of Indigenous Languages," focuses on how, if indigenous languages in Canada are to survive, the Canadian government must take the time to develop reflexive policies that can capitulate to the differences in each indigenous population. Similarly, Anton Treuer has pursued this work for the Ojibwe language, and he also offers the claim that language revitalization is a foundational form of cultural reclamation (Bemidji State University 2021). Joseph Gone (2012) is one of the few who focuses on one indigenous group in studies of resistance with his exploration of an Algonquian-speaking group running a medicinal center

in northern Canada as a way to preserve their medicinal culture (190-91).

Overall, I intend to situate my research in the niche created by the gaps and successes of the scholars that have come before me. I will be using their conclusions to fundamentally shape the way I design and carry out my research, and the areas they neglect as the foundation for what I ask in my ethnographic interviews. Specifically, the literature explored above denoted a particular regional indigenous culture, having demonstrated their explicit uniqueness, that helped establish the regional specificity utilized in this paper. Furthermore, the types of culture and forms of resistance analyzed by previous scholarship were used as markers when selecting sites for observation and noting inconspicuous resistance efforts. Taking these approaches as a foundation, this paper aims to address what the aforementioned scholars do not.

Methodological Approach

It's clear that, within studies of indigenous lived experiences, there exists a gap in the scholarship surrounding cultural reclamation efforts and the relationship this has with colonialism in the Great Lakes region. Mainly these surround a neglect of the U.S. colonial period and a failure to pair colonial perceptions with cultural reclamation efforts. Furthermore, indigenous epistemologies in relation to restorative practices and the enculturation of colonial understandings is often unexplored. While I intend for my research to be situated in this niche, pairing reclamation, colonialism, and indigenous epistemologies, I acknowledge the aforementioned researchers who shaped my understanding of this puzzle.

As a part of the methodological consideration of this work, it is important to note the complex ontological and epistemological relationship between research focusing on indigenous groups and the unique ontologies and epistemologies indigenous groups have fostered over hundreds of years. Traditionally, as highlighted by Sarah Hunt (2014), Western researchers subscribe to a heterogeneous framework

for ontology that has created sharp divisions between what is real and worth knowing, and what is not (27). Furthermore, common neocolonial practices have also implied that the Western views on ways of knowing, through observation or experimentation for example, are more valid epistemological approaches (Hunt 2014, 28). Rather, as Hunt (2014) explains and as I later came to find true in my research, stories, experiential learning, and nonverbal enculturation are a primary focus within indigenous communities when it comes to the means of and methods for spreading knowledge (31). The underlying understanding presented through this divide is that of relativity regarding epistemological and ontological approaches to indigenous research. This means shifting away from the traditional view of ethnographic observation as a primary epistemological approach for my research and instead allowing for indigenous ways of knowing to influence the data collected. For example, as experiential learning is emphasized in Anishinaabe culture, I included workshops, hikes, and other activities as forms of knowledge transmission.

While acknowledging the need for relativity in determining the nature and methods of data collection, I also used the methods of scholars that came before me to ground my design. One such scholar is Audra Simpson (2007), with her ethnographic study of the Mohawk First Nation in Quebec and Ontario, especially in regard to her proposed idea of ethnographic refusal (67-68). In her work, Simpson (2007) focuses on how the Mohawk define themselves, a form of cultural reclamation, opening studies of indigenous populations up to "tell us something about the way we cradle or embed our representations…[to] critique and move us away from statist forms of recognition," (78). However, Simpson (2007) also offers researchers the idea of allowing participants the opportunity for refusal during an ethnographic interview. As she explains, "in listening and shutting off the tape recorder, in situating each subject within their own shifting historical context of the present...refusals speak volumes, because they tell us when to stop," (78). It's key, within indigenous research, to uphold a level of trust with the communities being researched that allows for ethnographic refusal to occur. Doing this creates integrity with the data and demonstrates the

indigenous focus and ethicality of the research being conducted while also preventing manipulation and abuse to occur toward a marginalized group during research.

To further forge a trusting relationship with the Anishinaabe, I took time to research, in a reflexive manner, the historic and contemporary colonialism and reclamation efforts occurring in the communities. This included reading sources like Gross and Treuer's research, which show both external secondary and internal primary perspectives on Anishinaabe lived experiences, and also watching the previous language lectures of Kenny Pheasant, one of the Anishinaabemowin language instructors within the Little River Band of Ottawa Indians (LRBOI). With this foundation, I then asked permission to enter the cultural spaces I visited to conduct interviews and observations. This not only demonstrated respect for any closed cultural practices the Anishinaabe may not wish to share, but it also opened the floor for an initial ethnographic refusal. Allowing the populations being studied to establish the bounds of ethnographic research is one of the fundamental steps in establishing trust when working with marginalized groups to collect such intimate data as personal experiences with colonialism and cultural reclamation. Another is found in the anonymization of informants. Following AAA guidelines for ethnography, I have anonymized all informants who did not expressly consent to being mentioned by name in my research. Any names included gave permission and are public figures in the reclamation communities.

Even with permission and a solid foundational understanding of Anishinaabe culture, it would be remiss to claim this research as a full ethnography. Rather, it would be better classified as what Gina Higginbottom et al. (2013) calls a *focused ethnography* (F.E.) (1). This is because, unlike early ethnographers, contemporary anthropologists have begun to make a distinction between holistic and partial ethnographic aims. As Higginbottom et al. (2013) explain, ethnography "typically requires multiple data collection methods including participant observation, with *'cultural immersion'* over an extended period," whereas F.E. typically utilizes preselected topics of inquiry and discrete participant observation (2-3). Having preselected cultural reclamation

efforts and colonial experiences as my topics of inquiry, strategically selecting events and times during fieldwork to conduct participant observation, and determining interviewees based on expertise and correlation with this focus, this research would better fit the framework for focused ethnography. But beyond the topical focus of the data collection for this investigation, the time constraints I operated under would also categorize my research as focused ethnography. Six weeks is not enough time to immerse oneself in the Anishinaabe culture, and without immersion, my work does not meet the requirements for a full ethnography.

Image B – Michigan Tribal Map

The next significant methodological decision was site selection. To ensure that I had enough time to properly interview, observe, and form relationships with the Anishinaabe, I have decided to limit my study to the federation of Anishinaabe tribes that operate between Saginaw and the Sault as seen in Image B above. These 5 tribes, the Little River, Little Traverse, Grand Traverse, Saginaw, and Sault Ste. Marie Bands, share historic lands, members, and have historically undertaken cultural revitalization efforts alongside one another. Selecting these groups also added additional focus to this research as these populations are considered Great Lakes Anishinaabe as compared to other populations like the Anishinaabe of the Ohio River Valley. The different specific tribal affiliations within this population will allow for some comparison in my studies, but their similar ecological, historical, and linguistic contexts prevented the collection of data to discuss a wholly different understanding of the relationship between colonialism and cultural reclamation amongst the Anishinaabe that may exist in other communities. Focused ethnographies are intended for sub-groups and smaller populations, and this site selection helps to meet the framework of an F.E. methodology. As such I was able to balance the constraints of this study with the F.E. methodology to ensure adequate but realistic data collection.

To collect data on the guiding questions of this investigation, I completed five on-site observations, 17 in-field discussions, and four expert interviews. In my observation opportunities, I visited two Ojibwe cultural centers, hiked a reclaimed educational trail, observed a powwow, and participated in a language camp. I used this time to step back and observe the cultural reclamation work taking place at the powwow, classes, centers, and on the trail to record how the non-expert citizen interacts with cultural reclamation efforts. While observing, I also talked to citizens and attendees who were participating in, but not leading, these efforts to get a less specialized perspective on the meaning of colonialism for cultural reclamation efforts. Alongside these in-the-field observations and discussions, I also met with four experts in Anishinaabe culture and reclamation. Together, the sites I selected represent different aspects of cultural reclamation, and the spaces I

visited were created by and for different groups, adding both broad and niche data to my findings.

I employed preventative measures regarding bias and manipulation of the Anishinaabe and the information they provided. I fully disclosed the intentions of this research by answering their questions and asking for consent to record interviews using language outlined by the American Anthropological Association (AAA). This prevented data from being lost and allowed for the inclusion of more direct quotes from the Anishinaabe as opposed to paraphrased quotes based on personal interpretation. To address concerns of manipulation or abuse of this marginalized community, I used the standard of ethics outlined for ethnographic research by both the AAA and the European Commission, which include taking ethical actions like doing no harm and obtaining informed consent (AAA 2004; Iphofen 2013, 1-4). This means that the participants and later audiences can verify my use of an acceptable framework for ethnographic scholarship to obtain my results.

While working to answer the guiding questions about the relationship between cultural reclamation and colonialism amongst the Anishinaabe, it's important to strike a balance between following scholarly methods and also taking actions that contradict traditional scholarship when they create significant trust with the people this research is centered around. This is reflected in the outlined methodology and resulted in more than enough data to begin addressing the puzzle.

Findings

It’s no secret that indigenous existence in the contemporary world is difficult and often plagued by structural tensions due to imposed Western homogeny; the Anishinaabe I interacted with while writing confirmed this. However, they offered more than just a simple conclusion on the struggles of keeping a minority culture alive. The Anishinaabe of northwest Michigan provided deep insights into why they continue to fight for reclamation, how they’ve adapted their strategies in the face of neocolonial practices, and the solemn meaning

that colonialism has come to hold across the community. But setting played the most significant role in determining the data. As such, my findings will be presented separately for the cultural centers and hike, the language camp and powwow, and finally for the expert and in-field interviews. It's only after the data is understood within its context that the guiding questions surrounding the social meaning of colonialism and the nature of contemporary reclamation can be truly understood.

Permanent Spaces of Reclamation

Image C – Recreation Birch Bark Wigwam, NACHT

Looking at the cultural centers (see Image C) and educational trail, several physical differences led me to discover a disparity in how colonialism is defined. For example, between the Biddle House and the Native American Cultural History Trail (NACHT), there were stark differences in language, the latter referring to the Anishinaabe as 'Indians' and the former referring to different groups of Anishinaabe by name. Furthermore, of the six NACHT panels, only one touched on the region's tense colonial history, whereas the Biddle house devotes its space and several panels outside to discussing the varied colonial history

of the Anishinaabe. An outsider may assume that this difference could be because of separate entities managing the spaces, but upon further investigation, it's revealed that the Biddle House and NACHT are both operated by the Mackinac Island State Historic Parks organization. Rather, after talking to park officials along the trail and in the house, the difference in addressing colonialism for these two spaces comes down to the purpose of the reclamation effort. For NACHT, the panels are less about defining colonialism and more about "promoting both enjoyment and understanding of the island's rich history," through a "formalized interpretation of centuries of Native American culture," (Mackinac State Historic Parks 2023). But the Biddle House, which takes a more open stance when discussing the significant losses to the Anishinaabe under U.S. colonialism, has dedicated its exhibits to just that, addressing colonialism as a way of reclaiming indigenous histories and discussing the horrors the Anishinaabe faced in the 19th century (Mackinac State Historic Parks 2016). The third center, the Museum of Ojibwa Culture (MOC) in St. Ignace, was aligned with the Biddle House in the way it acknowledged colonialism by placing it as the central discussion point of its exhibits. However, unlike the Biddle House, which was operated by a fully white staff, the MOC is operated by Anishinaabe, as a space for the Anishinaabe to tell their stories and display their cultural creations. One employee explained in an onsite interview that "the museum showcases Ojibwa music, books, and other significant pieces of our culture" as a way for other Anishinaabe to engage with new aspects of their culture while also incentivizing those knowledgeable in cultural practices "to keep creating culture" (Onsite Interview W 2023). This contrasted with the Biddle House, which did not have any cultural items that patrons could interact with or take with them, and demonstrated a gap in how white individuals approach the reclamation of indigenous histories of colonialism compared to the Anishinaabe approach.

Temporary Spaces of Reclamation

These formal spaces, more aligned with the Western ideals of education, were not the only spaces of cultural revival I collected data

from. To show respect for the Anishinaabe's tradition of learning through oral storytelling, song, experience, and dance, I attended both the Jingtamok Powwow and the language camp hosted by the Little River Band of Ottawa Indians (LRBOI).[1] Almost immediately after stepping into these spaces, I was presented with an entirely different view on colonialism and cultural reclamation than what was displayed in Mackinac and St. Ignace. I observed many posters and flyers discussing the contemporary crisis of Missing and Murdered Indigenous Women, a problem not of the 19th or 20th centuries but an epidemic that continues to plague indigenous communities. All of the media at the powwow that was focused on colonialism centered around its modern effects through the epidemics of poverty, crime, and various health concerns that the LRBOI are battling in 2023. The social meaning of colonialism given at the camp was similar, however, the concerns discussed were not diabetes and incarceration but instead what Kenny Pheasant, a first-language speaker of Anishinaabemowin, addressed as the "destruction of a culture through preventing its people from knowing their language" (Pheasant 2023). In these spaces, colonialism wasn't defined as a great inevitable horror as it had been in the museums but rather a deep transgression whose effects were to be fought against. This view carried through to the methods utilized by those leading these cultural reclamation efforts, as Jason Whitehouse the MC of Jingtamok explained, "we give the kids a little something, a little bit of money for candy, a prize, something, to encourage them to keep this part of our culture alive," when discussing the children's dances at the powwow (Whitehouse 2023). I observed a similar strategy in use at the language camp, where children and families were given a variety of focused educational materials meant to get the younger generation involved in learning Anishinaabemowin. For example, attendees of the Medicine Wheel workshop were supplied with wooden hoops, medical tape, and sinew to make their own four-color medicine

[1] As a side note, I asked several members of the tribes in Northwestern Michigan about the use of 'Indian' in their officially recognized tribe names and was told that using it aided in the tribes attaining legal recognition under the initial treaties in the 19th century meaning that it's still significant when discussing tribal sovereignty and rights., But it's also not a term any of the people I interviewed would use to refer to themselves.

wheel that represents the Anishinaabe while also being taught the words associated with each colored section. This is to say, in the Anishinaabe-designed spaces of reclamation, experiential learning took precedence over observation, and as such colonialism and cultural reclamation were understood to be situations to address actively rather than facets of history.

Anishinaabe Perspectives

But, as Kenny Pheasant emphasized in his workshop, "this [reclamation], cannot happen without conversations with us [the Anishinaabe] about our lives" (Pheasant 2023). Kenny's view on discussions with the Anishinaabe mirrors that of Higginbottom and Simpson in the realm of collecting adequate information while conducting ethnographic research. Talking to members of the group being studied is not something that can be left out. Throughout 16 interviews, I met with language instructors, tribal elders, dancers, an indigenous reporter, and outsiders who've become integrated into Anishinaabe culture through decades of working with the tribes. I asked these individuals about their lived experiences as Anishinaabe and how this related to their understandings of colonialism and cultural reclamation.[2] One instructor told me that "for [her] colonialism means knowing families that have loved ones who are still missing, it's the fact that we're speaking English right now" (Onsite Interview P 2023). Another family caught me on their way out of the powwow, having been told a student-researcher was interviewing attendees, and explained that "the celebration [was] a positive and a negative," as it reminded them that their culture was "limited to once or twice a year when everyone can really connect with it" (Anishinaabe Family 2023). Indigenous reporter Sierra Clark summarized the influences of contemporary colonialism when she told me that "every aspect of our lives as Odawa are continuously impacted by colonialism, [we as] 21st century indigenous people are already living in [our] post-apocalyptic

[2] See Appendix I for a list of questions asked

era" (Clark 2023). Furthermore, the director of the Michigan Indian Family Olympics, Jaden Harman, added that public reclamation efforts "expose the tribe and the challenges they face" to outsiders like himself and help to garner support for future efforts towards reclamation (Harman 2023). The running theme throughout discussions with experts and tribal members alike was one of acknowledgment and hope for the future. Clark and Harman both discussed the MMIW crisis while also touching on the resilience of their communities to continue fighting for existence under their values. When asked about what the future of these movements may look like, Clark offered, "it's hard to say, but I can say that the Odawa Anishinaabe are strong, resilient people. I couldn't be prouder…The younger generations have us in good hands" (Clark 2023). There was a lot to be taken away from these discussions, more than can fit in this paper, but what was most significant was how indigenous people not only continued fostering the messages that could be observed at the powwow and language camp but also how they affirmed the importance of cultural reclamation as a combatant to colonialism in the modern day.

Holistic Findings

Taking a step back and addressing these data sets holistically, the complexity of the relationship between colonialism and reclamation begins to emerge. Regarding what the term 'colonialism' means, the Anishinaabe make it clear that colonialism refers to the continuing problematic relationship between their nations and the United States, as well as the negative effects that spawn from it. While some people and spaces touched on the historic colonization of the region by the British, none regarded the French as colonizers, and all discussed the United States as having had the most detrimental impact. As such, many of the Anishinaabe regard colonialism and the U.S. as being intrinsically linked. Furthermore, while there has been growing acceptance of indigenous cultures with outsiders like Jaden Harman, the spaces of reclamation designed for indigenous and non-indigenous audiences vary greatly in the anger towards and methods through which they teach about

colonization. For outsiders, the colonization of the Anishinaabe, as discussed by the Biddle House and NACHT, was described completely differently than at Jingtamok. The idea of cultural reclamation was also addressed differently between spaces, as the language camp, Jingtamok, Harman, Pheasant, Clark, and MOC all openly regarded their work as reclamation; at the Biddle House and NACHT the idea of reclamation was more implied. While attempting to bring attention to the indigenous history of Mackinac to outside populations, the outsiders running these sites missed the significance of telling Anishinaabe stories as an anti-colonial strategy. Regardless, from a holistic perspective, these observations, and discussions with the Anishinaabe make it clear that colonialism is not a part of their distant past as previous scholars like Demers and Ostler imply; but rather, it's something felt every day, a suppression that demands to be fought.

Conclusion

While it must be remembered that this investigation was conducted under extreme constraints and through a focused ethnographic method, some conclusions about the meaning of colonialism in contemporary indigenous spaces of cultural reclamation can be drawn. First and foremost, there is agreement, at least amongst the Anishinaabe I met with, that colonialism carries its strongest association with the United States more so than any other colonizer. This is due to the focus placed on the U.S. when the Anishinaabe I interviewed were asked about colonialism in a general sense. This being said, between interviews and observations it also became clear that there are two understandings of colonialism depending on the audience the form of resistance aims to address. On the one hand, spaces intended to be viewed by outsiders focused on the historical view, emphasizing what occurred in the 19th and 20th centuries, whereas indigenous-led and focused spaces discussed colonialism as a contemporary, on-going, issue.

In regard to enculturation and group-specific epistemologies, the data collected demonstrated how incentivization, experiential learning tactics, and aiming efforts toward the younger population acted as social

practices that promoted reclamation projects and as revitalization for the Anishinaabe view on how knowledge is attained. This idea of layering reclamation was present in multiple settings, demonstrating how these efforts include many broad aspects of culture and how the Anishinaabe are using various forms of recovery to reinforce the culture that many lost due to colonization. The Medicine Wheel workshop, for example, not only helped teach Anishinaabemowin as a reclamation of language but also demonstrated the importance and encouraged the use of the wheel when discussing Anishinaabe identity, a reclamation of the identity which is so heavily suppressed by the United States.

The variety found in these spaces of reclamation, of history, language, arts, identity, and so many other pieces of Anishinaabe culture, demonstrates how holistic colonial efforts were in attempting to dismantle the Anishinaabe culture. In a more general sense, the data presented indicates a connection between colonial perception and the way cultural reclamation is framed, established, and practiced amongst indigenous groups. Furthermore, the observations also indicate a relationship between epistemology, enculturation, and the way that this perception of colonialism has become intertwined with indigenous cultures. Consequently, the ways in which restorative practices have emphasized a delineation between Anishinaabe and U.S. culture could indicate larger implications for perceptions of indigenous sovereignty and rights worthy of scholarly consideration. The findings presented in this paper demonstrate a need to alter the conversation away from colonizers and their practices; instead focusing on a shift towards investigating how Anishinaabe and broader indigenous culture was lost due to colonialism as they perceive it and how this perception is being used in holistic reclamation. If other indigenous groups were to be asked for their conceptualization of colonialism and its impacts, then the spaces meant to address them could better serve their intended purpose. For the Anishinaabe, the findings of this paper could be used to influence changes in the verbiage of outsider-intended educational materials as a starting point for larger solutions.

Looking beyond this research, the implications of these findings indicate a need for further research. As this paper has suggested, group-

specific epistemological methods are vital in the contemporary enculturation and conceptualization of colonialism for the Anishinaabe. To verify the applicability of this conclusion, more research with different indigenous societies is needed. Furthermore, given the limited, non-immersive nature of the data collected, a longer-term study alongside the Anishinaabe could provide fruitful insight into this phenomenon. Significantly, I was unable to collaborate with Canadian groups as I had originally intended due to time constraints; however, the differing policies of the two colonizers is worth consideration. Finally, researchers could expand this work beyond North American indigenous populations, seeing if epistemological approaches influence indigenous perspectives of colonialism in relation to reclamation elsewhere around the globe.

While there is no definitive answer to the guiding questions of this research, as is the case with many ethnographic studies, the trends toward acknowledging colonialism and acting to reverse its effects are clear. Perhaps as these efforts continue to grow and expand, the very things colonizers tried to take away from the Anishinaabe will no longer be in danger of disappearing, but rather be reintegrated into society and passed on for, at least, the next seven generations to come.

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Appendix I

Expert Interview Questions

1. Can you tell me a bit about [your work] within the Little River Band and your role as an instructor?
2. What motivates you to work on [your type of] reclamation?
3. What benefits do you believe can come from learning to speak and interacting with media in and about [your reclamation type] for Anishinaabe people?
    a. What about people outside the community?
4. How would you define the term colonialism?
    a. What do you believe grounds this definition?
5. What influences do you find colonialism still has within your community?
    a. Is there a specific period or colonizer that you believe is most impactful?
6. How do you believe your work interacts with these lasting colonial impacts?
7. What is the significance of the term cultural reclamation to you?
    a. Would you consider your work to be cultural reclamation?
8. How do you think your community will continue to address the lasting impacts of colonialism moving forward?
9. Is there anything else you would like to add regarding the intersection of colonialism and cultural reclamation within your community?

In-Field Interview Questions

1. How would you define the term colonialism?
    a. What do you believe grounds this definition?
2. What influences do you find colonialism still has within your community?

    a. Is there a specific period or colonizer that you believe is most impactful?
3. How do you believe your work interacts with these lasting colonial impacts?
4. What is the significance of the term cultural reclamation to you?
    a. Would you consider your work to be cultural reclamation?
5. How do you think your community will continue to address the lasting impacts of colonialism moving forward?
6. Is there anything else you would like to add regarding the intersection of colonialism and cultural reclamation within your community?
7. What was the significance of [specific reclamation event] to you?
8. Would you consider this a positive or negative event for your community and why?
9. What do you believe has been the most significant area of reclamation?
10. What strategies have you found to be most effective at reclaiming or reintroducing you to aspects of Anishinaabe culture?

ACCUSATIONS AND AMLO: LEGITIMIZING FEMICIDE RESPONSES THROUGH POLITICAL DISCOURSE

Emme Richards

Abstract

Discourse is integral to understanding how administrative actions are interpreted by the public, and political actors hold the power of language as they attempt to appease policy dissenters and prove legitimacy at a national and international level. This research analyzes how the Mexican presidential administration legitimizes the political action taken to address the intentional killing of women based on their gender, known as femicide. Utilizing a critical discourse analysis framework, 57 press conference transcripts are analyzed spanning November 2018 to December 2020 from various leaders within the Mexican presidential administration. These transcripts reveal the use of four key rhetorical strategies by political actors from the administration to justify their federal femicide response when accused of inaction and inadequacy: conflation, virtue signaling, deflection, and generalization. This study finds that the administration attempted to prove policy legitimacy and minimize culpability by conflating femicide with other crimes, signaling federal virtue, deflecting attention away from bureaucratic responsibility, and generalizing response strategies. Additionally, a quantitative assessment of the four strategies' frequencies exposes their extensive usage during the time period studied. These findings provide a framework to identify and interrogate rhetorical legitimization, allowing researchers to better navigate relational dynamics between political actors, their rhetoric, bureaucratic policy response, and the reaction of the public. In all, this research may be applied to evaluate administrations dealing with backlash across the globe.

Keywords: femicide, discourse analysis, Mexico, patriarchy, gender-based violence, gender-based killing of women, Andrés Manuel López Obrador, AMLO, clumping, virtue signaling, deflection, generalization

Introduction

Femicide is defined as "the misogynous killing of women by men, motivated by hatred, contempt, pleasure, or a sense of ownership of women, thus to be investigated in 'the context of the overall oppression of women in a patriarchal society'" (Corradi et al. 2016, 977). Since the 1990s, Mexico has drawn global attention over the prevalence of femicide in the nation (Adams). In 2021, over 1,000 Mexican women were brutally slaughtered in gender-motivated crimes, making Mexico the second Latin American country regarding the frequency of femicide (Sanchez and Pesce 2022). Andres Manuel Lopéz Obrador (referred to as AMLO), the current Mexican president, has publicly expressed his sorrow and frustration regarding femicide (Forbes 2020). He politically presents himself as a progressive who ensures gender equality in his administration and works against aggressive masculinity. However, he and his administration have been accused of failing to protect female citizens and prosecute perpetrators (Fernández 2021). For instance, according to 2019 government data, "for every 100 women killed in Mexico only four result in sentences" (Morland and Pulice 2022). In response to these allegations, AMLO has deployed distinct discursive patterns to legitimize his behavior regarding the gender-based violence epidemic.

Through an interpretivist discourse analysis, this study endeavors to explore the discursive strategies of the AMLO administration to understand how political language may be used to justify accused legislative inaction in the face of public complaint. An interpretivist discourse analysis is best suited to this study because it allows for an examination of language that positions the discourse within social, economic, and political contexts. This contextual consideration facilitates an exploration of how discourse both reflects and informs attitudes and actions toward a specific issue—in this case, femicide (Bondarouk and Ruel 2004). In all, this study seeks to determine the consequences of this linguistic dynamic and illustrate how the politics of framing impact the conceptualization of and reaction to femicide.

The literature review examines previous scholarship on femicide and gender-based violence discourse to better contextualize, comprehend, and track the trends in this relationship. The first section positions the legal classification of femicide in academia. Next, the second section explores the contested classification of femicide in Mexico. The third section considers the relationship between discourse and policy. Finally, the fourth section looks at case studies concerning discourse analysis and femicide. Therefore, the literature review functions to classify femicide, situate rhetoric in relation to political action, and provide a general methodological framework for discourse analysis. Based on this overview, the research question of this study is: how does the political discourse produced by the Mexican president and his administration from November 2018 to December 2020 in commenting on cases of femicide in Mexico endeavor to legitimize accused policy inaction?

In keeping with the discourse-policy framework, this study hypothesizes that AMLO and his administration use specific rhetorical strategies to lessen their responsibility and shift blame to other parties. Alternative hypotheses to the research question could include the impact of legislative failure in drafting policies to protect women as well as biased reporting on political rhetoric surrounding femicide. Additionally, this study does not take into account the broadest spectrums of gender and sexuality in Mexico. There is no specific consideration given to transgender or indigenous women. However, this could be an interesting area of future study in terms of applying this model to rhetoric surrounding the violent targeting of Mexican transgender women. Finally, this framework controls for policy, meaning that it focuses on the rhetoric of the AMLO administration and does not seek to explore the disparity between the language and the policy that follows. Looking at how well the administration's recent political action reflects the discourse employed would be another interesting avenue for future research.

Literature Review

This study will draw on existing scholarship regarding discourse analysis and its relationship to the intersections of policy and femicide. To this end, the relevant literature is arranged into three overarching groups. As stated, the first section includes scholarship that explores the positioning of the term 'femicide' in academia to provide a panorama of its usage today. Next, the second section specifically looks at the controversies surrounding the legal and political classifications of femicide in Mexico. The third section evaluates sources that illustrate the connection between discourse and policy so as to provide an ontological foundation for the investigation. Finally, the fourth section will bridge the gap between the first three conversations by examining previous work on the relationship between discourse and femicide. This involves citing case studies to provide a more applied approach to the study. Overall, this review will supply a theoretical framework to the interpretive research design as well as identify gaps that this work may fill. There is a lack of discursive study on Mexican political actors, so this study will be able to supplement current scholarship by systematizing the relationship between political discourse and the legitimization of perceived lack of action concerning femicide in Mexico. In all, this study may introduce new insights to conceptualizations of the powers, practices, potentials, and pitfalls of discursive strategy.

'Femicide' in the Academic Conversation and Beyond

The term 'femicide' was first employed by feminist organizer Diana Russell (2011) when testifying at the International Tribunal on Crimes Against Women in 1976. She originally classified it as "the misogynous killing of women by men" (Mishra 2022, 2). As Mishra (2022) expands, this term assumes a structural, sexist power dynamic between men and women that manifests in systemic violence (2). Hence, she claims that the definition of femicide signals the "sexist oppression of females" and the "patriarchal oppression of girls and women" (Mishra 2022, 3). Further, the term recalls "intrinsic structural flaws," making it "an

embodiment of symbolic forms of gender-based violence" with "socio-political undertones" (Mishra 2022, 3). There is a broad acknowledgement within the scholarship on femicide that the term itself highlights structural and institutional culpability in violence against women and girls, serving as much more than a classification of an interpersonal crime like homicide.

In a recent publication, the European Institute for Gender Equality (2021) provides a conceptual framework to classify femicide on a case-by-case basis. It first identifies two legal definitions of femicide: direct and indirect. These two definitions distinguish the homicide of a female from femicide. Direct femicide refers to the killing of women as prompted by interpersonal gender dynamics. This often manifests as family-related or intimate partner femicide (European Institute for Gender Equality 2021, 9). In contrast, indirect femicide refers to "constellations of a misogynist structure of society, politics and the state" which position gender-based killings of women in "larger 'unequal gender structures'" that contribute to this violence (European Institute for Gender Equality 2021, 5). The Institute proposes five contextual levels to analyze femicide through a legal lens: political, societal/cultural, criminal, sexual, and interpersonal. Emphasizing the existence of overlap between categories, the Institute declares that the observance of a combination of these variables may lead to a more streamlined legal classification of femicide. This framework also notes the interchangeable usage of 'femicide' and 'gender-based killings of women,' arguing that the latter simply defines the former (European Institute for Gender Equality 2021, 5).

The Canadian Femicide Observatory for Justice and Accountability offers a different legal classification system for femicide. Under this model, two types of femicide are identified: intimate femicide and non-intimate femicide. Intimate femicide is defined as "the killing of women by current or former partners" (Canadian Femicide Observatory for Justice and Accountability). Non-intimate femicide is defined as "the killing of women by someone with whom they did not share an intimate partner relationship" to include "familial femicide, 'other known perpetrator' femicide and stranger femicide" (Canadian Femicide

Observatory for Justice and Accountability). The Observatory further identifies subcategories of femicide: armed conflict femicide, associated/connected femicide, culturally framed femicide, female-perpetrated femicide, femicide in the context of human trafficking, femicide in the context of sex work, genital mutilation-related femicide, lesbophobic femicide, organized crime-related femicide, racist femicide, and transphobic femicide (Canadian Femicide Observatory for Justice and Accountability). In comparison to the European Institute for Gender Equality framework, this classification system is more specific in naming subcategories of violence and adopts a different approach to initially separating femicide into two categories. Hence, there is no standard framework that maps the classification of indicators of femicide. Yet, the various models proposed follow a general format that looks at the cultural, sexual, relational, familial, structural, and criminal components to the violence.

A large contribution to the academic understanding of femicide concerning Mexico is Domínguez and Ravelo's (2003) study on interpretations of femicide in Ciudad Juárez. They explore the hypotheses of various social actors to explain the violence, concluding that victimization is a powerful tool in maintaining relationships of dominance in the area (Domínguez and Ravelo 2003, 122). In her analysis of Domínguez and Ravelo's work, Castañeda (2016) summarizes that "there is a relationship between the sex-gender structure, domination mechanisms, the supranational economic system and the exacerbation of fear as ways of exclusion and submission" (1057). In other words, this academic contribution solidified the acknowledgement of a connection between political dominance, submission, and fear as channeled through discourses on femicide.

Classifications of Femicide in Mexico

Moving from conversations on framework, it is important to acknowledge where the term 'femicide' stands today in Mexico. In 2012, the Mexican penal code classified femicide as distinct from homicide, introducing gender dimensions in the law relating to murder (Pandit

2022). However, subcategories of femicide in the nation have not been thoroughly classified, and enforcement against the crime has been lackluster. This is exemplified by the increase of cases after the introduction of the policy rather than a decrease (Fernández 2021). For example, since 2015, a mere three years following the change to the penal code, the number of gender-motivated killings of women in Mexico doubled. As a result of this lack of protection as well as the prevalence of femicide in the state, almost 80 percent of Mexican women report feelings of danger and the absence of safety (Fernández 2021). Hence, even the most publicized legislative strategy to dissuade gender-based killing of women failed, suggesting that other political factors are at play to hinder bureaucratic responses and legitimize underperformance.

When asked about the femicidal scourge in various press conferences, AMLO has been recorded expressing grievance with the attention that the killings receive domestically and internationally as it takes away from his political action in other spheres (Agren 2020). Further, his administration has been blamed by advocacy groups for dismissing cases of femicide, repudiating victims, condemning the street protests marching against his allegedly insensitive rhetoric, and claiming the culpability of "the neoliberalism of previous [Mexican] governments" (Fernández 2021). Ni Una Menos, Comando Plath, and other feminist resistance movements that reach across Latin America are mobilizing against the perceived lack of political action and accountability concerning gender-based violence, and more specifically, femicide. Spurred by these movements, thousands of Mexican women have protested in the streets, organized annual marches, and coordinated nationwide strikes (Alcoba and McGowan 2020). In doing so, they strive to promote awareness, press for protection, and advocate for justice. These movements support the accusations that AMLO and his administration are falling short by rejecting systemic considerations of the issue that emphasize legal, social, and patriarchal institutional culpability (Alcoba and McGowan 2020). Therefore, while there is a general academic consensus on the meaning of femicide, attitudes

toward its legal and political implications are contested in Mexico by legislators, policymakers, and women's rights advocates.

Discourse and Policy Relationship

Before entering into a critical discourse analysis, it is imperative to understand why rhetorical strategies are so powerful in concept construction and justification, especially concerning political action. In his study, Howarth (2010) first defines power in relation to the establishment of "political frontiers" and how the exercise of power serves to "naturalize" distributions of dominance (309). Howarth (2010) then goes on to articulate a five-step approach to critical policy studies that prioritizes "normative evaluation" of political action (328). As Howarth (2010) explains, because power "constitutes and produces practices, policies, and regimes," the exercise of power calls for "the sedimentation and reproduction of social relations via the mobilization of various techniques of political management" (310). These techniques include the discursive strategies used to justify certain political actions (310). Bacchi (2010) supports Howarth's claims regarding rhetoric and the justification of bureaucratic affairs by focusing on the "active marshalling of discourses for political purposes" (45). In her research, Bacchi (2010) explores the various uses of the term 'discourse' within academia, concluding that scholars often use it in the context of "political projects that challenge current 'relations of domination'" (55). As a result of this finding, she emphasizes the importance of recognizing "contradiction and multiplicity" in order to leave "space for challenge" that acknowledges the ambiguity of interpretation (Bacchi 2010, 55). It is clear in both Bacchi and Howarth's work that discourse holds considerable political and symbolic power because, as Bacchi (2010) writes, discourses "provide meanings that assist particular groups to maintain positions of influence" (55). However, the way in which scholars approach situating discourse in an analytical framework is less agreed upon.

Gasper and Apthorpe (1996) draw more applicable connections between discourse and policy regarding which strategies are

conventionally used to justify specific action and frame it in a positive light. For instance, they argue that the "naming" of specific policy strategies such as those targeting the "rural poor" or the "landless" contributes to a construction of "polar," "binary" worlds that manipulate dualism to legitimize legislation (Gasper and Apthorpe 1996, 7). Finally, Bondarouk and Ruel (2004) outline a discourse analysis framework that builds on the assumption that "knowledge is gained only through social constructions" (3). They identify the complex practice of making meaning as fundamental to understanding political exchange (Bondarouk and Ruel 2004, 4). In establishing this foundation, Bondarouk and Ruel (2004) codify the study of discourse as both a theory and method in political contexts (6). In all, works of scholarship that explore how discourse frames political realities are in healthy supply within the academic realm. However, this study will further elucidate how discourse may be used to support legitimization strategies within a specific political and social context.

More specifically, Castañeda's (2016) study on the academic, activist, and artistic discourse on femicide in Mexico lays a foundation for political rhetorical analysis in the region. She explores how the language used in attempts to explain or decry femicide feeds into "the domain and privileges of gender, class, ethnicity or race" (Castañeda 2016, 1065). Moreover, she identifies how the right-wing "adopts human rights terminology" and casts family violence as the root of social discord (Castañeda 2016, 1066). This approach is revelatory concerning legitimizing rhetorical strategies in Mexico and their relationship to policy. Thus, Castañeda's research is essential to the development of this study regarding the AMLO administration's discursive moves in attempts to pacify dissenters.

Discourse and Femicide Relationship

There have been several published case studies that explore the relationship between discourse and femicide, though these investigations take on other dimensions that depart from those purely political. For example, Boonzaier (2022) looks at how reports of cases of

femicide in the South African national media draw on racial and gendered tropes which frame public perception of the violence. As Boonzaier (2022) argues, media reports of the murders present them as abnormal, thus neglecting acknowledgment of the systemic nature of the violence as perpetrated by the patriarchal and colonial foundations of the state and shaping incomplete popular perception (91).

In contrast to Boonzaier, Bandelli (2017) analyzes the discourses and counter discourses surrounding femicide in Italy but enters into the political realm, performing a discourse analysis on the political language used to discuss femicide in Italy during the national electoral campaign in 2012. Through analyzing the rhetorical patterns and language used by candidates, she identifies the common strategy of signaling political virtue and progressivity (Bandelli 2017). She classifies this virtue signaling as a way to deny responsibility for femicide by removing attention from accusations of bureaucratic shortcomings and focusing on increasing female representation in the political sphere as a block to violence (Bandelli 2017). Berns (2001) builds on the examination of this policy-discourse relationship concerning femicide in her investigation into "political discourse and women and violence." She claims that women are typically held responsible for gender-based violence to avoid situating these issues within a "patriarchal framework," thus normalizing this behavior and detracting from male responsibility (Berns 2001, 252). While this analysis does not focus specifically on femicide, it addresses the patterns involved in gender-based killings of women that this study may draw on.

In general, discourse analyses of femicide in Mexico often focus on the portrayal of victims and perpetrators as well as the language used in national reporting on the killings. While there are not many discursive studies that look at Mexican actors in the context of femicide, there are certainly a few pertinent ones to discuss. Tomczak-Boczko (2023) performs an ethnographic analysis on individuals from Guadalajara, Mexico. In comparing interviews dealing with everyday violence in Mexico, Tomczak-Boczko (2023) finds that the attitudes of the interviewees toward perpetrators differ depending on the victim and the way they are spoken about (485). For example, in cases of intimate

partner violence against women, female interviewees never named the man as 'the perpetrator' but instead 'the husband' (Tomczak-Boczko 2023, 497). This practice of looking at the relationality of the perpetrator, Tomczak-Boczko (2023) argues, normalizes the violence as interpersonal identification is prioritized over naming blame (495). Additionally, she examines how the use of the third person plural justifies intimate partner violence, as interviewees tended to say, 'they beat each other' instead of 'he beat her' (Tomczak-Boczko 2023, 497). Thus, Tomczak-Boczko (2023) concludes that the behavior of a perpetrator is often generalized in speech practices of individuals from Guadalajara, rhetorically excusing interpersonal violence (498). This study often discusses intimate partner violence but deals with everyday violence as a whole. While it serves as an example of a discourse analysis on Mexican actors, it does not look at political rhetoric, nor does it focus specifically on femicide.

Similarly, while Goßen's (2022) discourse analysis of the Mexican press does not center around the specific content or actors of this particular study, it does offer another example of a rhetorical investigation in the region. Goßen (2022) examines opinion pieces from various Mexican media outlets that comment on AMLO's refusal to congratulate Biden on his 2020 election win (359). By identifying discursive patterns of the media in characterizing Trump, Biden, and AMLO, Goßen (2022) explores how outlets use distance to position political actors and prove their own credibility (378). Again, while this investigation does not specifically deal with femicide or the language used by political actors, it does provide a model of discourse analysis in Mexico.

Literature Review Conclusion

Overall, there is comprehensive scholarship on the relationship between discourse and policy as well as the terminology behind femicide even while there are contending stances on its origins, implications, and uses. Additionally, there have been several case studies on a diverse variety of actors regarding gender-based violence

against women that build on theoretical conceptualizations of the power of discourse. These sources provide a helpful contextual, theoretical, and analytical framework for evaluating femicide discourse without necessarily dealing with the political. There is a notable lack of discursive study on Mexican actors, specifically politicians and legislators, despite the prevalence of femicide in the country. This study endeavors to fill the gap by increasing understanding of how the political discourse produced by the Mexican president and his administration regarding femicide works to legitimize accused policy inaction. Thus, this study will supplement the current academic conversation on the relationship between discourse, policy, and gender-based violence against women.

Research Design

In order to understand the legitimizing powers of administrative discourse in relation to the Mexican presidential administration and femicide, this study employed a critical discourse analysis framework to evaluate press conference transcripts. This approach involved rhetorical analysis to examine broader cultural narratives concerning politics and gender. Thus, it allowed for a comprehensive look at the nuances and patterns in the language produced by the AMLO administration to explore how it served to justify accused inaction. To qualify, accused policy inaction was defined as when media representatives or the public claim that the administration is not doing enough to mitigate femicide. By legitimizing accused policy inaction, the administration attempted to refute the claims that they failed, instead arguing that they were succeeding in protecting women and discouraging femicide.

Each press conference transcript published on the Mexican Government's official database from November 2018 to December 2020 was examined. As a note, the transcripts were read directly in Spanish to retain the cultural cues and nuances maintained in the local style of speech. These transcripts were chosen as the subjects of this study since they articulated the administrative stance on combating femicide when faced with public pressure. In other words, the dynamic this study attempted to systematize was put on full display in the interactions

between administrative representatives and those that question their methods. The majority of the press conferences placed AMLO himself as the primary subject, but others included various members of his administration such as Alfonso Durazo, the Secretary of Security and Civilian Protection, and Olga Sánchez Cordero, the Secretary of the Interior. The first transcript examined (and the first recorded on the database) was dated November 30, 2018, and the most recent transcript studied was from December 31, 2020, in keeping with the timeframe outlined in the research design.

For each of the 1,221 transcripts published in this period, 'feminicidio' was digitally searched in the text. This narrowed the selection down to the 57 documents that contained the term. The search was not widened to other key terms because this study was looking for discussion on this specific phenomenon, and the term 'feminicidio' would be sufficient to capture the administration's rhetorical response to inquiries concerning this certain form of violence. The synonym for 'femicide' used most often in the broader academic conversation, 'gender-based killings of women,' is considered equivalent because of its specificity. However, the Spanish version of this phrase, 'asesinatos de mujeres por motivos de género,' is not commonly used as revealed throughout the course of this investigation. Thus, it was not deemed necessary to expand the search from 'feminicidio.'

Since 57 transcripts contained the term 'feminicidio,' only 4.67% of the press conferences from over a two-year period featured discussions on femicide despite its prevalence. Additionally, only 0.57% of press conferences included members of the AMLO administration introducing the topic of femicide without any rhetorical impetus other than reporting general statistics on violent crimes in the state. All other discussions of femicide recorded in the transcripts were prompted by questions from the media representatives in attendance. This lack of discursive initiative already seemed to speak to the administration's avoidance in discussing violent gender-based crime against women.

After marking the 57 relevant transcripts, each one was then examined, using 'feminicidio' as a guiding term in identifying the sections where bureaucratic responses to femicide were most

comprehensively discussed. From these closer examinations, four distinct rhetorical strategies were identified to have been employed by administrative representatives and the president himself in responding to press inquiries concerning federal plans to address femicide. These four strategies were classified as follows: conflation, virtue signaling, deflection, and generalization. Conflation was defined as the lumping of discussions on femicide with other violent crimes. This definition took inspiration from Comninos' (2016) exploration of how conflation impacts interpretation and application – specifically, how the conflation of human rights and humanitarianism leads to jurisdiction tensions (2). Next, virtue signaling was defined as the practice of placing emphasis on the perceived positives of the administration to take attention away from accused inadequacies. The development of this strategy stemmed from Bandelli's (2017) classification of virtue signaling in her investigation into the rhetoric on femicide used by candidates in Italy's 2012 national election as described in the literature review. Deflection was defined as the removal of attention on the administration through placing focus on other parties. This definition was influenced by Berns' (2001) examination of how placing blame can minimize the culpability of a party and a system. Finally, generalization was defined as the mention of a response to femicide without detail. The classification of this strategy was informed by Tomczak-Boczko's (2023) study on how the use of generalized language impacts the perception of the dynamics of violence as described in the literature review. Each of these strategies were employed in various press conferences, oftentimes in tandem with one another, to legitimize accused policy inaction and respond to probing inquiries in an appeasing way. Finally, every transcript was coded, indicating which strategies were incorporated by the administrative representatives as well as the frequency of each.

It is critical to address the researcher's perspective in approaching this study to be as transparent as possible in how bias may impact discursive interpretations. The researcher is in the practice of examining gender-based violence against women through a historical lens focusing on the legacy of colonialism which informs how they interpret political discourse on femicide in Mexico. Additionally, their Western

international relations orientation, progressive political leaning, and lack of travel to Mexico influence their lack of complete objectivity as a human research instrument. Finally, their prior knowledge of the Spanish language supplements their pursuit of this project, as they may retain the cultural nuance in the interpretations.

Research Design Conclusion

This study pursued a critical discourse analysis of the language produced by the AMLO administration during press conferences from November 2018 to December 2020 to better understand how discourse may be used to legitimize policy and defend against accusations of political inefficiency. Moving forward, methods of conflation, virtue signaling, deflection, and generalization will be considered as rhetorical patterns in the discourse are identified. Hence, this study will attempt to supplement the existing scholarship on the relationship between discourse and policy through applying the identified theoretical concepts to an examination of femicide and legitimization. Overall, this study endeavors to contribute to conversations that prove the power of language by showing how that very power reaches conversations on gender-based violence against women and policy defense.

Analysis

Each strategy is individually analyzed. The strategies are organized in order from most frequent to least frequent. The percentages shown in Table 1 reflect the number of transcripts with each strategy out of the 57 total transcripts. Every transcript displayed at least one strategy and most expressed more than one, hence why the total count of coded language is greater than 57. As seen, conflation occurred most frequently, then virtue signaling, deflection, and finally generalization. Each transcript was recorded in Spanish, and the quotes presented are the researcher's translations unless otherwise indicated.

Strategy	Conflation	Virtue Signaling	Deflection	Generalization
Count	41	32	26	25
Percentage	71.93%	56.14%	45.61%	43.86%

Table 1 - Strategy Distribution

Conflation

In this study, the strategy of rhetorical conflation deals directly with how the crime of femicide is classified and involves the lumping of discussions on femicide with other violent crimes to take attention away from institutional and patriarchal culpability. In other words, listing femicide in relation to other violent crimes such as general homicide, robbery, kidnapping, and extortion implies that each function similarly and are born of a comparable impulse. Hence, the role of patriarchal oppression and increased vulnerability as a result of gender in femicide is overlooked. By positioning femicide in relation to other crimes, the "patriarchal oppression of girls and women" that Mishra (2022) identifies as the driving factor of femicide is diluted (3).

When AMLO was asked about standardizing responses to femicide across the country during a transition of power for the Mexico City Head of Government in his August 26, 2019, conference, he stated "when Claudia took control of the Head of Government there were many homicides in general in the city" (Presidencia de la República - 26 de Agosto 2019). By framing his response in terms of how the new government head, Claudia Sheinbaum, was taking initiative to address "homicides in general," AMLO's language serves to conflate femicide with homicide. Thus, he neglects to acknowledge the patriarchal, systemic influence that originally created and contemporarily sustains an environment in which gender-based killings of women may occur. In many Mexican counties, the jail sentences for femicide are years longer than for murder (The Economist 2020). Hence, this rhetorical conflation of femicide has major legal consequences when it comes to sentencing perpetrators.

Similar to the previous conference, in the January 10, 2020, conference, when the governor of Chihuahua and the president were asked to clarify the nature of the statistics presented on femicide in the nation, the former responded, “here is the graph of crimes of homicide” (Presidencia de la República - 10 de Enero 2020). When asked specifically about femicide, the governor, another prominent political figure, once again labels the crimes as homicides, overlooking and ultimately blurring the defining gendered aspect of femicide. On February 26, 2020, when AMLO was asked about whether he referred to femicide in the demographic diagnostics he shared in his presentation, he answered “every day, every day, we have a list of daily homicides” (Presidencia de la República - 26 de Febrero 2020). Not only does this pattern deny patriarchal and institutional culpability involved with the perpetuation of femicide in Mexico, but it appears to be relatively fixed throughout the period of study. Thus, this strategy seems stable regarding political discursive strategy to lessen administrative accountability.

Along with muddying the distinction between femicide and homicide, the administration often brings up the former in the context of a wide array of violent crimes, again diminishing the structural implications of the killings. For instance, in his address on October 14, 2019, AMLO declared: “they are now added as crimes that require preventive detention: abuse or sexual violence against minors, femicide, robbery of houses, use of social programs for electoral purposes, corruption” (Presidencia de la República - 14 de Octubre 2019). Hence, this discursive pattern places the violent killing of women based on their gender within comparable context with robbery and other such offenses. This functions to lessen institutional culpability regarding systemic prejudice toward females. Further, the usage of this strategy suggests the necessity of a blanket response to all lawlessness in the nation, relieving targeted political pressure to an extent. As shown in Table 1, out of the 57 original transcripts, 41 featured the conflation strategy, meaning that 71.93% of AMLO administration press conferences containing discussions of femicide involved the lumping of the classification of the crime with other offenses. Hence, this strategy

was the most common of the four. In all, the consequence of conflation is the neutralization of femicide so as to be considered in regard to other crimes, neglecting the gender element key to understanding, addressing, and prosecuting the targeted violence.

Virtue Signaling

Virtue signaling is the practice of stating other areas in which progress has been made and placing emphasis on the perceived positives of the administration to take attention away from accused inadequacies (Bandelli 2017). The AMLO administration capitalizes on this strategy in 56.14% of the transcripts by stating how hard it has been working to mitigate other issues as well as how progressive it is in prioritizing gender equality. For instance, on August 13, 2019, one media representative pointed out how several members of the police violated a young girl and identified the rise in femicide cases in Mexico during the month. In response, the commander of the National Guard, Luis Rodríguez Bucio, stated:

> In the training carried out by the personnel, both veterans and new personnel, we have a subject called detaining and driving people, simply so that the National Guard personnel, both men and women – we also have female staff in the National Guard – learn precisely the protocols of how to carry out an arrest (Presidencia de la República - 13 de Agosto 2019).

In making a point to emphasize how the National Guard consists of females as well as males, this statement appears to remove some institutional and political responsibility by highlighting a supposed advancement in gender equality and representation on the force. Further, this female representation works to establish the Mexican National Guard as a more reliable resource for women vulnerable to physical assault based on their gender. This focus on female representation is a common theme throughout the press conferences over the two-year period, appearing in more than 35% of the

transcripts. Thus, it is clear that the administration considers placing focus on the institutional advancements made by women as a viable strategy for justifying accused inaction regarding femicide.

Similarly, on August 19, 2019, when a reporter brought attention to the fact that the number of femicides continued to increase, leaving women in fear for their lives, AMLO responded:

> We are working every day for that cause, from six in the morning, sometimes earlier. That is our main subject, to guarantee the security of men and women, we are permanently engaged in that, we are not neglecting the problem, we are not delegating it to others, almost the whole government is oriented to guarantee peace in the country (Presidencia de la República - 19 de Agosto 2019).

Hence, AMLO is intentional about emphasizing the amount of work his administration puts into preserving the peace of the country, seemingly legitimizing the federal response to femicide by arguing for the claimed diligence of the reaction. On February 14, 2020, he did this even more directly, proclaiming that he had spent "more than 40 years fighting for just causes" (Presidencia de la República - 14 de Febrero 2020). This move to emphasize the self-proclaimed progress of the administration when met with media probing and pushback seems to dilute the conversation regarding femicide response.

Finally, on October 23, 2019, when asked to reconcile the numbers cited in the introductory press conference presentation regarding a reduction in crime with the increase in homicides and femicides, AMLO replied "please direct attention to vehicle theft, which is another crime that is reported, in which there is no black figure. Here we do achieve a considerable reduction" (Presidencia de la República - 23 de Octubre 2019). In redirecting focus from femicide to vehicle theft, AMLO works to justify accused policy inaction regarding the killing of females by highlighting progress in other areas. The consequence of the virtue signaling strategy is the dismissal of femicide as a specific issue requiring a targeted, contextualized response that considers the patriarchal makeup of the country's political, social, and economic systems. In other

words, this strategy suggests that complaints regarding response inadequacy may be appeased with progress in mitigating other crimes, advancements in gender equality and representation, and diligence reassurance. This ultimately stunts Mexico's ability to conceptualize and therefore comprehensively combat femicide.

Deflection

The strategy of deflection involves taking attention away from the administration through placing it on other parties such as the victims and their families, the police, and conservatives so as to minimize or deflect culpability (Berns 2001, 252). When directly asked to clarify the distinction between femicide and homicide apart from the targeting of vulnerable communities, AMLO responded:

> Look, I don't want the issue to be anything more than femicide, it's already very clear. Much has been manipulated on this issue in the media, not all of them of course, those that do not see us with good eyes take advantage of any circumstance to generate defamation campaigns (Presidencia de la República - 10 de Febrero 2020).

Instead of recognizing the difference between femicide and homicide as established by many academics in the field, AMLO deflects to misinformation campaigns. This blurs the definition of the crime, does little to aid in discursively clarifying the violence, and places culpability on the media instead of taking responsibility for the elevated number of cases.

Additionally, when asked about the relationship between public health and the mitigation of femicide in his February 25, 2020, press conference, AMLO stated:

> Although the conservatives and their spokesmen question me that I blame everything on neoliberalism, yes, it is because of neoliberalism, because of that approach of privatizing everything that the State failed to fulfill its social

> responsibility (Presidencia de la República - 25 de Febrero 2020).

Thus, he implicates neoliberal ideology and political practices in accused inaction concerning femicide instead of acknowledging administrative shortcomings. In the same conference, AMLO also stated, "the problems of femicide and of violence originate from poverty, family disintegration, and child abandonment" (Presidencia de la República - 25 de Febrero 2020). Once again, the president removes blame from his administration and places it on issues with the family and economic instability, dismissing the defining elements of gender and patriarchy in understanding and combating the violence. As shown in Table 1, out of the 57 original transcripts, 26 featured the deflection strategy. This means that 45.61% of AMLO administration press conferences containing discussions of femicide involved the administration's deflection to other parties. The consequence of this deflection strategy is that the administration neglects its systemic and political culpability in failing to prevent femicide and bring justice to the victims. Hence, the current response is discursively legitimized while calls for further, more transformative action are dismissed.

Generalization

Lastly, generalization in this context takes the form of alluding to a specific response to femicide without actually going into detail. It looks as if action is being pursued but ultimately presents as evasive (Tomczak-Boczko 2023, 495). On February 14, 2020, AMLO stated, "we are against femicide, we are doing things every day, every day, to guarantee the peace and the tranquility" (Presidencia de la República - 14 de Febrero 2020). By using general words such as "cosas" (translated to "things" in the previous quote), AMLO signals action without providing any substance to his claims (Presidencia de la República - 14 de Febrero 2020). The articulated frustration of the press in response to his vague statements like this one clearly communicates the recognition of this generalization strategy. For instance, in the same conference, one

member of the press directly criticizes AMLO for his consistent “lack of clarity” in federal messages on femicide (Presidencia de la República - 14 de Febrero 2020). Thus, it appears that the press has identified the use of this strategy and is growing tired of its repetition.

Similarly, on April 6, 2020, concerning elevated occurrences of femicide, AMLO declared, “we are addressing this, it is a permanent, daily, serious concern and we will continue to act, supporting in everything” (Presidencia de la República - 6 de Abril 2020). Again, with the use of vague words such as “esto” and “todo” (translated to “this” and “everything” in the previous quote), AMLO and his administration neglect the specificity of femicide and its federal reply (Presidencia de la República - 6 de Abril 2020). As shown in Table 1, out of the 57 original transcripts, 25 featured the generalization strategy. This means that 43.86% of AMLO administration press conferences containing mentions of femicide involved the administration responding with ambiguity. The consequence of this generalization strategy is the pacifying of accusations concerning a lackluster response to femicide. Progress is promised without detail on how it will be achieved. As Tessler and Goodman (2018) describe, “the language of generalization displays subtle context-sensitivities that make it difficult to formalize” (5). In complex rhetorical situations such as conversations on policy, these context-sensitivities are more difficult to communicate with general language and the meaning is less formally developed. The administration’s use of general language to describe policy responses to femicide thus obscures the meaning of the messages, rendering their actions superficial. They may keep up the appearance of dealing with the issue, but they do not supply substance or initiative to these claims. In other words, they appear to be doing enough, relieving pressure to act, yet they do not lay out a plan to actually do so, leaving the public confused and vulnerable.

Conclusion

To answer the initial research question, the political discourse of the Mexican president and his administration on femicide endeavors to

legitimize accused policy inaction by using the following strategies. By order of frequency, the first strategy is conflating femicide with other crimes to minimize the institutional culpability of the violence. The second is signaling administrative virtue to draw attention away from federal shortcomings in the response. The third is deflecting the conversation to implicate other parties and lighten governmental responsibility. Finally, the fourth is generalizing presidential reactions to create an allusion of action without the explicit expenditure of resources. These strategies work in tandem to justify the federal course taken to address the femicide epidemic in Mexico. By rhetorically conflating, signaling virtue, deflecting, and generalizing, the administration attempts to remove degrees of political pressure and attempts to appease policy critics. Hence, both political and public conceptualizations of femicide are somewhat obscured, influencing the lack of clarity in conversations regarding the violence and policies put in place to attempt to mitigate the killings. The discovery of these core strategies adds to the conversation surrounding femicide as it identifies discursive patterns in attempts to dismiss calls for greater action. Thus, key information is revealed concerning how to navigate the dynamic between political figures and the dissenting public in the context of killings based on femininity. Additionally, this research adds to the conversation of legitimizing discourse because it identifies concrete patterns, demonstrating how political actors in an administration often approach rhetorical justification and appease accusers. As such, these findings fill the academic gap by providing a framework to evaluate the discursive practices of Mexican political actors in the context of violence and accused institutional failure. Hence, the conversation on the relationships between discourse, gender-based violence against women, and policy is supplemented.

The challenges faced in this study include a narrowed time period of material, search term, and research scope. Intervening variables could include biased reporting, legislative failure, and the gender spectrum in Mexico. Further, this study does not look at how femicide disproportionately impacts indigenous and trans women. It would be interesting to see how the framework fares when adopting a more

expansive view of gender that centers the experience of trans women. Similarly, a study that evaluates the four strategies in political rhetoric on violence against indigenous women could also yield results that are more racially aware.

It might be difficult to apply this framework in full to other countries or political actors in Mexico with complete confidence given that this analysis only looks at the AMLO administration. However, in applications of this study, the relationship between discourse and femicide may continue to serve as a base to explore legitimizing political rhetoric. Some next steps could include a similar analysis to see if the strategies are present in other administrative situations around the world dealing with justifying policy in the face of public pushback. While this framework is built off of the Mexican government's parameters on the topic of femicide, in its purest sense, it systematizes the relationship between discourse and legitimizing policy responses. If taken out of the specific context of the study, it would be interesting to see if this model would hold up in other situations, especially since the four strategies are more generally defined. For instance, this framework could be applied to evaluate how former US President Donald Trump endeavored to legitimize his response to the COVID-19 pandemic in 2020. Would the model still apply? It would be worthwhile to find out. Additionally, if proven more generally, this research could contextualize comparisons of the legitimizing discourse of political actors in democratic nations with those in authoritarian regimes. This could enhance understandings of how governmental structure plays a role in influencing or prioritizing discursive political strategy. In a time filled with so much social and political turmoil, this research is integral to recognizing, navigating, and even interrogating the legitimizing discourse of different governments and political actors across the globe so as to better understand policy action and the push for progress.

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THE IMPACT OF TOURISM ON HAZARDOUS WASTE IMPORTS

Begum Nisa Taktak

Abstract

In recent years, global environmental concerns and trade agreements have brought the impact of the international waste trade into the spotlight. Exporting hazardous waste materials evades costly disposal regulations, posing grave risks to the environment, human health, and social equity. Economic rationale drives this practice: the global waste trade provides a convenient outlet for industrialized nations, alleviating domestic disposal challenges, while providing low income nations with a source of profit and raw materials. While this appears to be a mutually beneficial solution to mounting waste production, it shifts environmental responsibility to nations with insufficient infrastructure to safely process hazardous wastes, burdening developing nations with pollution, soil contamination, and health hazards. This paper considers a selection of hazardous wastes – oil, e-waste, plastic, and chemical waste – in order to understand factors influencing importer countries' decision to engage in this trade. It is found that while factors like GDP per capita and trade infrastructure have varying effects, the size of the tourism industry, relative to GDP, has a clear impact on the amount of hazardous waste imports. This adds complexity to the discussion, highlighting the significance of considering a country's industry composition in efforts to mitigate environmental risks and promote responsible practices.

Introduction

In recent years, the rise of environmental concerns has sparked a global focus on understanding the effects of various factors on the environment, bringing the alarming impact of the global waste trade into focus. Encompassing the movement of hazardous and non-hazardous waste materials across borders, the global waste trade presents a limitation to domestic waste disposal policies that aim to curb improper management of waste. The ability to export these materials, particularly those that are hazardous, to escape costly and safe disposal regulations pose severe risks for the environment, human health, and social equity (Dell 2019). In this discussion, tourism has emerged as a prominent area of interest due to its potential influence on local ecosystems and natural resources. Tourism can cause pollution in a manner similar to any other industry: air pollution from increased CO2 emissions, a larger generation of waste in areas with large touristic activity, and even the over-consumption of natural resources. However, despite its economic and social significance, the specific environmental impacts of tourism remain largely understudied, particularly in the context of the global waste trade.

One of the major concerns surrounding the waste trade is the exponential growth of waste production. For example, the global production of plastic, classified as hazardous, exceeded 390 million metric tons in 2021 as its market value continued to grow (Statista 2022). This corresponds to a similar rise in plastic wastes: in 2018, the United States alone exported over one million tons of plastic waste, with a staggering 78% being sent to countries lacking proper waste management infrastructures (Dell 2019). The prevailing economic rationale underlying this situation is that plastic, being a valuable raw material, provides lower income nations with a source of profit and material supply, while exporter countries benefit from lower labor, processing, and energy costs. However, there are several problems with this assertion that casts doubt on its validity. When cost savings partially come from more lenient regulations and lower safety standards, these exports become a threat to environmental and human health, especially

considering the dubious quality of these “recyclable” plastics – and the even more dubious recycling capabilities of some importer nations. China, for example, recently banned the imports of 24 different recyclable wastes, including plastics, citing an effort to “improve quality of life” by reducing the amount of excess “recyclable” waste that never got recycled (McNaughton et al. 2019). It was also noted that most of the recyclable plastic imports it was receiving were too dirty for processing, and would end up being discarded (Rapoza 2020). This ban, put into effect in 2018, led to an unprecedented increase in the amount of waste being exported to other Asian countries – predominantly India, Malaysia, Vietnam, and Indonesia for the United States. With uncertain recycling and processing capabilities when handling an unprecedented increase in the amount of waste, this has raised significant ethical concerns on the equitable distribution of the environmental consequences of waste generation.

As economic growth and consumption escalates the volume of waste generation, the global waste trade presents a convenient solution to the increasing processing and disposal needs. Conversely, with the waste trade being a viable option that serves as a crutch for industrialized nations without means to properly dispose of all waste generated within their borders, environmental responsibility no longer serves as a limit to domestic waste production. This allows nations to opt for the advantageous option of offloading surplus waste abroad rather than investing in more sustainable waste management practices or promoting waste reduction and recycling. Thus, as waste generation and consumption continue to rise in more industrialized nations, developing nations dependent on monetary compensation and cheap raw materials experience the burdens of air and water pollution, soil contamination, and adverse effects on human health. This highlights the need for global cooperation and responsible waste management practices to prevent the exploitation of developing nations without the proper waste management infrastructure (Kaza 2018).

Understanding the factors that contribute to the selection of importer countries is crucial in this effort. While developing countries do share some key characteristics, some are disproportionately impacted

by the waste trade. By investigating the factors influencing the direction of waste, policymakers, researchers, and environmental advocates can gain insight into the mechanisms driving this uneven distribution and better understand the exploitative practices that might be taking place in order to generate targeted solutions to the consequences.

The selection of waste importers is influenced by various social, economic, and geographical factors. Generally, the regulatory environment of a country is instrumental in the cost of waste processing, which incentivizes exports to nations with more permissive environmental restrictions. Likewise, cost of labor may also influence the direction of waste, flowing to countries where processing or disposal procedures can be performed in a more cost effective manner (Kellenberg 2015). Importers with more advanced waste management infrastructure and technology may attract waste exports due to their capability to handle waste safely and efficiently – implying at least some waste flows to industrial nations. Geographical proximity can also impact transportation costs, leading to the preference for nearby countries as waste importers. Additionally, trade agreements, historical ties, self-sufficiency, environmental awareness, and politics also shape waste trade patterns (Copeland 2004).

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, signed 1989 and began in 1992, is the primary international treaty aimed to regulate these trade patterns for hazardous waste (Basel Convention, Article 4). The treaty set reporting standards, restrictions, and management processes in dealing with the transboundary movement of hazardous waste (Basel Convention, Overview). While the United States did sign the treaty, it never ratified it due to a lack of "domestic statutory authority" to implement its provisions (US Department of State). This limitation displays the Basel Convention's shortcomings. There is no clear enforcement mechanism that limits the trade of hazardous materials – and the third largest producer of hazardous waste is not obligated to follow its rules. In the presence of organized crime activity and illicit waste dumping, the convention is also seen in some cases to encourage illegal disposal of hazardous waste, which further threatens the

environment and human health as proper precautions in dealing with hazardous waste are not taken (Shukla 2020). Thus, while the convention did improve reporting and amplified the discussion of the dangers of the waste trade, it is not sufficient in its objective to reduce hazardous waste production and promote safe management of hazardous wastes (Benson 2021).

This research paper is one of the first to examine the impact of the tourism industry on a country's decision to import hazardous waste for a more comprehensive understanding of the factors influencing waste imports. Hazardous waste –defined by the Environmental Protection Agency as toxic, flammable, reactive, or corrosive materials– in particular, stands out as a policy challenge due to its ability to contaminate the air, water, and soil of its surroundings if managed poorly. Recognizing hazardous waste as a commodity that is traded internationally, and is subjected to the complex dynamics discussed, adds complexity to the regulation of its disposal and assessment of its environmental consequences. Creating a panel on weight and dollar value of imported hazardous wastes between 2001 and 2020 using various databases, it is found that tourism expenditures, relative to a country's GDP, have a negative impact on the amount of waste imported. A higher presence of tourism may indicate a more diversified economy that is more sustainable and more likely to adapt environmental regulations. Those countries with a higher dependence on tourism may also have larger incentives to protect the environment and natural appeal of a country as tourism is unique in its dependence on environmental quality (OECD 2022).

Understanding the impacts of tourism on waste trade may provide insight into certain motivations behind the phenomenon, which is crucial in formulating effective global waste management policies, regulating a sustainable tourism industry, and promoting responsible environmental practices. By examining the relationship between hazardous waste imports, tourism, and other variables, this study aims to provide insights that can inform decision-making processes in these areas to minimize environmental risks and foster equitable sustainability.

Literature Review

This literature review aims to synthesize key findings from recent studies to examine trends in the flow of hazardous waste as it relates to factors like the level of environmental regulation, production capacities, and income of key exporters and importers of hazardous waste. Overall, the literature shows that the discussion of the hazardous waste trade generally explores the income level, regulatory precedence, or organized crime concentration of importer countries. While the prevailing opinion is that some pollution haven effect is present and existing regulation is insufficient, factors like organized crime and recycling ability may be weakening the trend and incentivizing domestic processing. While there is a lack of research exploring the impact of tourism on hazardous waste trade, understanding how other variables affect it is important in assessing how tourism may differ in its effects, and understanding the complex determinants of hazardous waste imports.

This study explores the impact of the tourism sector, which profits from natural resources and increases the demand for a cleaner environment to attract tourists, but pollutes in a similar manner to other industries, such as CO2 production and overuse of natural resources (OECD 2022). Tourism infrastructure calls for increased industrialization and means of transportation. This may lead to a rise in CO2 emissions, littering, sewage waste production, and the exhaustion of localized natural resources (Balock 2022). According to the United Nations, by 2050, the global tourism industry is set to cause an increase in greenhouse gas emissions by 131%, and an increase in solid waste disposal by 251% (Green Business 2023). For smaller ecosystems in developing countries, this comes with considerable risk. However, a larger tourism industry may also prevent more harmful industries from working off these ecosystems (Ingram 2020). The tradeoff may be different for developed nations and developing nations: while the connection between the sustainable growth of tourism and environmental competitiveness was strong in developed nations, the same relationship did not hold for developing nations (Ifthikar et al. 2022).

Literature covering the international hazardous waste trade relies on different data sources, indicators of wealth, measurement of environmental regulation, and means of assigning waste economic value. Databases employed to measure traded waste include the European Pollutant Release and Transfer Register (Falkowska 2018), US Environmental Protection Agency's Toxic Release Inventory (Tanaka et al. 2021; Adeola 2011), UN Comtrade Database (Kellenberg 2015), and the Basel Convention Secretariat's self-reported shipment data (Baggs 2009). While GDP, GDP per capita, capital to labor ratio, and similar matrices are used by various studies to estimate level of wealth to categorize countries, specific designations are also employed: developed countries to include all in the Organization for Economic Cooperation and Development (OECD) and developing countries to include those that are not (Kellenberg 2015; Lipman 2009). These indicators as well as Global Competitiveness Survey results are also utilized to assess the rigor of environmental regulation. The economic value possessed by hazardous waste is largely separated into two categories: 1) as secondary materials that can be recycled and reused through costly processing efforts (Lipman 2009), and 2) in creating the need for disposal services that charge fees for the storage, destruction, or processing of waste (Kellenberg 2015). These variations impact the conclusions drawn from the studies, necessitating careful consideration of available information.

Public consciousness about the dangers of hazardous waste have increased in the western world during the 1980s after several incidents highlighted its social and environmental costs (Gwam 2000). Edelstein (1988) was among the first to evaluate the psychological impacts of toxic waste and coping mechanisms of domestic communities faced with exposure incidents. Edelstein's evaluation builds on Ulrich Beck's "risk society" observation: referring to socially divisive technological societies that produce hazardous and toxic waste (Adeola 2011). Edelstein concludes that contamination activity is a social issue that involves interactions between different socioeconomic groups and hierarchical communities. The reports of dumping incidents in Africa in the late 1980s added a transboundary dimension to the conversation. In this

incident, an Italian businessman, after acquiring a product import license, shipped several thousand tons of toxic waste to Nigeria that contaminated both the surface and groundwater in a 500 meter radius even after the cleanup efforts that commenced following serious injuries (Lipman 2009). In 1993, the city of Philadelphia unloaded thousands of tons of toxic waste in Haiti before the local government intervened – the ship subsequently dumped the remainder of its toxic waste in the Pacific Ocean (Gilmore 1989). Subsequently, the UN sponsored the international agreement Basel Convention on the Control of the Transboundary Movements of Hazardous Waste and Their Disposal in 1989 to standardize principles of international trade of toxic waste.

Beyond the environmental objectives of the treaty, the Convention also encompassed significant economic considerations. The drafters recognized that the waste trade was in part driven by lower cost of disposal in developing countries (Choksi 2001). This may provide a comparative advantage to low-income countries without trade barriers. This describes the pollution haven effect: the assertion that heightened environmental regulation reduces the amount of imports as firms target countries with less stringent regulation for cost savings. Falkowska (2018) finds this pollution haven effect does not hold with most recyclable materials, but is significant in the "recovery" of hazardous waste. However, Falkowska (2018) also argues that EU policies are too stringent, making international shipments of waste too expensive for facilities, which reduces hazardous waste exports from low income countries that do not have the facilities and technologies to process hazardous waste. This lack of infrastructure is a threat to public health and the environment in these developing nations that acquire hazardous waste either through imports or domestic production (Joshi 2020). Still, industrialized countries with heightened public awareness of the dangers of hazardous waste may be more likely to have cost raising regulation that makes lower income countries vulnerable to hazardous waste shipments (Kellenberg 2015; Albers 2015; Adeoa 2011; Lipman 2009).

Literature is divided on whether larger or smaller economies are the lead importers of waste. Baggs (2009) posits that more developed

economies have more advanced recycling programs and disposal capacities, and thus, may have greater demand for recyclable wastes. This is true for secondary raw materials like lead waste, considered hazardous under the Basel Convention (Kellenber 2015). Higashida et al. (2013) supports these conclusions for other recyclable materials, concluding that larger economies import more recyclable waste. Falkowska (2018) posits that this is because these materials have a positive price, but only in developed countries with high environmental standards. For unrecyclable hazardous waste, a pollution haven effect is less contested: cost-avoidance strategies push hazardous waste out of the regulatory system into developing nations with poor waste management processes (Albers 2015).

Another economic consideration is the externalities associated with the disposal of hazardous waste, framing environmental quality as a commodity. This perspective takes GDP per capita as the indicator of wealth. Countries with a higher income may afford to demand better environmental quality, and thus, export more of their polluter activities –like hazardous waste disposal– to, not necessarily smaller economies, but lower-income countries. Baggs (2009) finds strong evidence of this relationship, and Kellenberg (2015) discusses two possible explanations: GDP per capita is either picking up on wage effects or represents the level of environmental regulation. Tanaka et al. (2021) provides a specific example of these wage effects. They show that Mexican communities that were situated near a US battery plant, most affected by the incoming hazardous waste, had lower household income on average. By only exploring US waste exported to a single country, it assumes a constant level of environmental regulation, and thus, argues the volume of waste is directly correlated to income. However, the causal relationship is unclear – the paper does not discuss whether the communities are where low-wage households are concentrated because of lower costs due to the plants or whether the US battery waste is sent to plants in these specific areas because a lower wage standard is prevalent.

Lastly, another trend in literature is the presence of organized crime. If waste generators do look for the cheapest way to dispose of

hazardous waste, they may engage in illegal trade (Falkowska 2018; Kellenberg 2015). This casts doubt upon the accuracy of the data as shipments may go undetected or work around the environmental regulations present. Kellenberg (2015) notes that, while hazardous waste is highly regulated, it is also profitable, making it vulnerable to corruption and evasion. However, the impact of organized crime is unclear. While some studies posit that the level of organized crime is positively correlated with the level of hazardous waste imports (Kellenberg 2015) and harm poorer countries (Favarin et al. 2020), presence of organized crime may also create welfare effects that account for the negative externalities created by waste trafficking (D'Amato et al. 2012). Regardless, it is an important factor in environmental policy (Falkowska 2018). Copeland (1991) assumes determining optimal legal and illegal disposal levels is a question of profit maximization for firms, and finds that while a disposal tax disproportionately reduces welfare by incentivizing further illegal trade with negative environmental externalities, import tariffs may increase welfare by reducing the return to illegal disposal relative to legal disposal. In contrast, Liddick (2010) concludes that the best policy action to combat illegal waste trade is subsidizing waste generators' legal disposal efforts or taxing producers directly for using materials that are harder to dispose of.

Further research is needed to develop effective policies and strategies that account for these factors in regulating hazardous material trade – balancing environmental concerns, socioeconomic factors, and waste trafficking control. Additionally, the impact of specific industries is an area that needs further research as differences in the industry makeup of a country can explain diverging results seen in existing literature. This paper will provide further insight as to how the tourism industry impacts hazardous waste import dynamics.

Data and Methodology

Building on past research presented in the literature review, the objective of this paper is to examine the impact of tourism on the

imports of hazardous waste in the presence of other economic factors such as GDP per capita, length of coastlines, waste management capabilities, and population density. In order to test the impact of these factors on hazardous waste imports, an ordinary least squares (OLS) regression on a sample of 179 countries between 2001 and 2020 is modeled as follows:

$$ln\_hazardous\ waste = b1(ln\_tourism\ expenditures\ as\ \%\ of\ gdp) + b2(ln\_population\ density) + b3(ln\_gdp\ per\ capita) + b4(ln\_length\ of\ coastline) + b0$$

The dependent variable, hazardous waste, was measured in both weight and dollar value to provide a comprehensive idea of the relationships. While weight can be more insightful due to its physical implications, dollar value further standardizes the materials included in the hazardous waste numbers.

The key explanatory variable tested, tourism dependence, was measured in inbound tourism expenditures as percent of GDP. A higher dependence on tourism is expected to reduce waste imports as increased tourism expenditures relative to a country's GDP may create more incentive to protect natural resources, which may correlate with a higher level of protection, and thus, less cost savings for firms searching for disposal sites. Higher dependence on tourism may also present a tradeoff between industries that implies lower presence, relative to the country's GDP, of industries that may be larger polluters. However, a higher level of tourism may also imply a higher level of economic development, which may have a similar effect to GDP per capita and increase hazardous waste imports if more developed countries do profit from waste as raw materials. Population density, length of coastline, and EPI are also included in the regression as controls in order to limit the impact of extraneous factors.

The descriptive statistics for tourism expenditures as % of GDP as well as other control variables tested for their impact on the amount of hazardous waste imports are as follows:

1: *Descriptive Statistics for Independent Variables*

Variable	# of Observations	Mean	SD	Source
Inbound Tourism Expenditures as % of GDP (%)	7214	26.9	192.63	Derived from World Tourism Organization Data
Length of Coastline (km)	8802	5204.4	19881.94	The World Factbook - CIA
GDP per Capita ($)	8309	19436.9	56131.09	Derived
Population Density (# per km^2)	8309	319.12	2169.97	Derived from the World Factbook and United Nations data
Environmental Performance Index – Waste Management[1]	7836	39.11	21.38	Yale University

The GDP data from the World Bank and population data from the United Nations were used to calculate GDP per capita. The UN data on population and area information from the World Factbook were used in the calculation of population density. The environmental protection index for waste management was pulled from the Yale University's Environmental Performance Index website. This data was available for 2022 and 2012, so the 2012 number was used for observations between 2001-2010, and the 2022 number was used for observations between 2011-2020 to estimate waste management capacities relative to other countries studied in the calculation of the EPI. Inbound tourism expenditures data was retrieved from the World Tourism Organization, and refer to the spending done by foreign tourists within the country – including tourism. The GDP data from the World Bank was then used to calculate Inbound Tourism Expenditures as a percentage of GDP.

GDP per capita is included to control for the willingness to pay for environmental health and labor costs as explained in the literature review. GDP per capita may indicate the level of environmental

[1] EPI assesses the environmental performance of 180 countries using 40 indicators such as air quality, environmental vitality, and environmental risk. Waste management is a component of the index that measures how well a nation manages their waste.

regulation under the “willingness to pay” assumption, and thus the cost of disposing hazardous waste in the country, which the pollution haven hypothesis posits would lead to less overall waste imports. Another rationale presented in the literature review is that GDP per capita accounts for labor costs. Under this assumption, a higher GDP per capita is directly correlated with a higher cost of disposal, not because of the amount of regulation, but because of higher labor costs that are avoided by disposing waste elsewhere. However, certain studies in the literature review also posit that GDP per capita may have the opposite effect on waste imports due to wealthier nations having better waste processing capabilities that allow profits to be made from waste materials.

The availability of low cost transportation infrastructure is also tested. Ocean freight, transporting cargo by sea, is considered the least expensive and cheapest transboundary shipping method. While data on the availability of ports is limited and does not account for features that distinguish each port from one that can be used for these large scale disposals and one that cannot, indicators of shoreline lengths may provide some measure of the availability of sea freight infrastructure, which may present a transportationary cost saving to disposer firms.

In order to test the above hypotheses and identify trends, a quantitative analysis of multiple variables was conducted. Out of the available databases discussed in the literature review, the UN Comtrade data was preferred due to the representation of a larger number of countries and the presence of information on a wide range of trade. While no database categorizes hazardous waste, four major commodity codes representing hazardous materials were selected to compile a sample of hazardous trade that includes major components:

2: *Commodity Codes Used in Hazardous Waste Imports Estimates*

Code	Type	Description	Notes
77813	SITC	Waste & scrap of primary cells, primary batteries & electric accumulators; spent primary cells, spent primary batteries & spent electric accumulators; electrical parts of machinery/apparatus, n.e.s.	Due to flammable, toxic, explosive, and reactive tendencies of e-wastes, they are classified as hazardous by the Basel Convention and heavily regulated in their trade. This commodity code includes some major and hazardous examples of e-waste.
579	SITC	Waste, parings and scrap, of plastics.	Plastic, requiring specialized processing methods, is classified as hazardous waste by the Basel Convention.
3825	HS	Residual products of the chemical or allied industries, n.e.s.; municipal waste; sewage sludge; clinical waste, waste organic solvents, wastes of metal pickling liquors, of hydraulic fluids, brake fluids and antifreeze fluids and other wastes from chemical or allied industries (excluding [oils]).	The chemical industry is one of the largest producers of hazardous waste. This HS code accounts for many materials controlled under the Basel Convention.
3347	SITC	Waste Oils	Due to flammable, toxic, explosive, and reactive tendencies of oils, they are classified as hazardous by the Basel Convention and heavily regulated in their trade. This HS code refers to these substances traded as waste oils.

As the literature review also pointed out, there are several limitations to both the accuracy and availability of data regarding waste imports and factors that impact the trade. The data on the weight and dollar value of hazardous waste materials relies on self-reporting by importer countries. Thus, the information may be incomplete, rely on industry estimates, and exclude illicit trade of these materials. Because organized crime is prevalent in the hazardous waste trade, illicit trade in particular may hinder the accuracy of UN Comtrade data. The commodity codes also present a limitation. Because there is no category for hazardous materials, it is difficult to take an accurate sample of traded hazardous waste. The selected commodities would be expected to contain mostly hazardous materials, but may be contaminated or misreported.

Regarding economic variables like GDP and tourism expenditures, reporting practices and estimations vary across countries. This research

uses data going back to 2001. Thus, certain variables may be missing, incomplete, or estimated by the data sources. The number of observations for each variable is noted in Table 1 for reference. It should also be noted that EPI information from Yale University aims to both evaluate the quality of the environment and the protections that were implemented. Thus, it is not an indication of the level of waste management as it relates to regulation, but an indicator of how well the country is performing, relative to others, in waste management.

Results

An Ordinary least squares (OLS) model was used to assess the relationship between the dependent variables and the following independent variables: GDP per capita, length of coastline, population density, inbound tourism expenditures, and the Waste Management component of the Environmental Performance Index (EPI). The dependent variable, amount of waste imports, is measured in both dollar value and weight. These two dependent variables are presented separately in Table 3 and weight in Table 4. Table 3 shows a simple log regression following the OLS regression equation presented earlier, while Table 4 shows the same estimation when controlled for commodity code. While controlling for commodity code improves fit in both regressions, the elasticities are similar.

All statistically significant, it is observed in both measures of hazardous waste imports that inbound tourism expenditures have a negative effect on imports while the other independent variables included in the regression as controls have a positive impact. Controlled for commodity code, a 1% increase in tourism expenditures as percent of GDP results in a .5% decrease in the kilos of imported hazardous waste. This result aligns with initial expectations.

3: *Estimates for All Commodity Codes Combined*

Measure of Hazardous Waste	**Weight**	**Value**
Inbound Tourism Expenditures as % of GDP	-0.5557 (0.0447)***	-0.4239 (0.0336)***
GDP per Capita	0.1943 (0.0588)***	0.2149 (0.0439)***
Length of Coastline (0.0324)***	0.4902 (0.0244)***	0.4671
Population Density (0.0452)***	0.4578 (0.0339)***	0.3420
Waste Management EPI	1.2173 (0.1420)***	0.9474 (0.1061)***
_cons	1.1455 (0.4570)**	2.8016 (0.3452)***
R^2	0.154	0.185

*, **, and *** represent the significance at P<0.10, P<0.05, and P<0.01, respectively.

A higher presence of tourism may indicate a more diversified economy that is more sustainable and more likely to adapt environmental policies. Protecting the environment and natural appeal of a country may also have larger incentives for those with a higher dependence on tourism. This dependence may also imply there is less presence of other polluter industries that process or use waste as raw materials.

The positive impact of GDP per capita on waste imports is surprising considering the pollution haven hypothesis, but supported by the literature review. Controlled for commodity code, a 1% increase in GDP per capita results in a .3% increase in the kilos of imported hazardous waste. These findings align with the findings in Higashida et al. (2013) and Falkowska (2018) that larger economies import more recyclable waste – plastic is a largely recyclable but hazardous material that was used in this research. However, this positive effect opposes Kellenberg (2015) that predicts GDP per capita may be an indicator of demand for more environmental regulation, and thus less polluter activities like

importing waste. This regression, including all four commodity codes, may be skewed by plastic, which is recycled more than the other two commodities. Regressions by commodity, presented in the next section, will, however, back up the positive relationship for less recyclable commodities like chemical waste as well.

Table 4: *Estimates for All Commodity Codes When Controlled for Commodity Code (i.cmdcode)*

Measure of Hazardous Waste	Weight	Value
Inbound Tourism Expenditures as % of GDP	-0.5148	-0.4020
	(0.0415)***	(0.0311)***
GDP per Capita	0.3181	0.2560
	(0.0549)***	(0.0408)***
Length of Coastline (0.0301)***	0.4720	0.4645
	(0.0226)***	
Population Density (0.0419)***	0.4524	0.3414
	(0.0314)***	
Waste Management EPI	0.9921	0.8790
	(0.1323)***	(0.0983)***
_cons	2.9565	3.8023
	(0.4299)***	(0.3234)***
3347	-2.6743	-1.98
	(0.1491)***	(0.1125)***
3825	-3.4306	-2.5244
	(0.1369)***	(0.1011)***
77813	-2.6459	-0.1307
	(0.4299)***	(0.1100)
R^2		0.304
	0.271	

*, **, and *** represent the significance at P<0.10, P<0.05, and P<0.01, respectively.

The impact of coastline length also aligns with predictions. While it is not a direct way to measure the availability of sea freight infrastructure,

a longer coastline may indicate a higher presence of ports and better access to global trade networks. It, however, may also be picking up on the impact GDP and area may have on waste imports. The elasticities are noted in tables 3 and 4 – all coefficients for variables are statistically significant.

Similarly to GDP per capita, population density may also be an indicator of economic development and activity that fuels waste imports as an industry. A higher population density may also lead to higher levels of consumption, resulting in more waste generation and, consequently, a greater need for waste management solutions. This could involve or impact waste imports from other countries to meet raw material or processing needs. This impact of waste management solutions is backed up by the waste management (EPI) variable's impact on waste imports. Controlled for commodity code, a 1% increase in GDP per capita results in a .99% increase in the kilos of imported hazardous waste.

Tables 5 and 6 show logged regressions that were run separately for all four commodity codes used in the research. By separating the commodities, the differences in how certain variables impact each commodity –that vary in recyclability– can be observed.

Table 5: *Estimates for the Value of Hazardous Waste - By Commodity*

Commodity	Plastic Waste	E-Waste	Chemical Waste	Oil Waste
Inbound Tourism Expenditures as % of GDP	-0.5315 (0.0536)***	-0.5186 (0.0710)***	-0.2336 (0.0533)***	-0.2934 (0.0731)***
GDP per Capita (0.0687)**	0.1468 (0.0958)	0.1238 (0.0690)***	0.6219 (0.0986)	0.0516
Length of Coastline (0.0392)***	0.5718 (0.0523)***	0.6650 (0.0381)***	0.3582 (0.0530)***	0.2405
Population Density (0.0544)***	0.5409 (0.0739)***	0.4984 (0.0516)**	0.1616 (0.0749)*	0.1376
Waste Management EPI	1.195 (0.1693)***	1.8668 (0.2295)***	0.0015 (0.1658)	0.5824 (0.2318)**
_cons	2.1657 (0.5515)***	-0.5892 (0.7398)	2.4857 (0.5389)***	7.0205 (0.7527)***
R^2		0.32	0.22	0.065

0.279

*, **, and *** represent the significance at P<0.10, P<0.05, and P<0.01, respectively.

Table 6: *Estimates for the Weight of Hazardous Waste - By Commodity*

Commodity	Plastic Waste	E-Waste	Chemical Waste	Oil Waste
Inbound Tourism Expenditures as % of GDP	-0.6933 (0.0650)***	-0.6072 (0.0927)***	-0.2692 (0.0797)***	-0.4605 (0.1027)***
GDP per Capita (0.0837)	0.0034 (0.1263)	0.0462 (0.1048)***	0.9753 (0.1391)**	0.2748
Length of Coastline (0.0475)***	0.6169 (0.0681)***	0.5622 (0.0569)***	0.3839 (0.0739)***	0.2761
Population Density (0.0660)***	0.5910 (0.0980)***	0.4232 (0.0773)***	0.2678 (0.1039)***	0.5350
Waste Management EPI (0.2060)***	1.5716 (0.3033)***	1.6662 (0.2518)	0.1058 (0.3253)	0.5009
_cons	2.2293 (0.6731)***	-0.0477 (0.9638)	-2.0053 (0.7974)**	3.3537 (1.0432)***
R^2		0.194	0.22	0.088

0.247

*, **, and *** represent the significance at P<0.10, P<0.05, and P<0.01, respectively.

The differences observed in the coefficients for chemical waste compared to plastic and e-waste might be attributed to reporting variations stemming from the use of different coding systems. While chemical waste data was pulled from the UN Comtrade database through Harmonized System (HS) codes, plastic and e-waste data used is through Standard International Trade Classification (SITC) codes. These coding systems categorize products and commodities differently, which can introduce inherent differences in reporting practices that may have caused the large discrepancy between elasticities.

While the coefficients are varied, the impact the independent variables have on the import of hazardous waste, measured both by value and weight, has the same direction for all four commodities – tourism expenditures as a percent of GDP have a negative impact, while other independent variables tested have a positive effect. Even though chemical waste is not recyclable, it is seen that a 1% increase in GDP per capita results in a .6% increase in the kilos of imported hazardous waste. It is, however, interesting that the coefficient for GDP per capita in the regressions for plastic waste and e-waste are not statistically significant.

In all regressions, the impact of tourism expenditures as percent of GDP is negative and statistically significant. A 1% increase in tourism expenditures as percent of GDP results in a .53% decrease in the kilos of imported plastic waste, a .51% decrease in the kilos of e-waste, a 2.9% decrease in the kilos of oil waste, and a .23% decrease in the kilos of chemical waste. The differences in the magnitude at which tourism expenditures as a percent of GDP impacts each commodity code may be due to the recyclability of the commodities. E-waste and plastic are more likely to be imported as raw materials. This may imply the presence of a larger waste management or production industry in nations that import more of these recyclable hazardous wastes, leading to the larger tradeoff between tourism and waste imports. The results are similar when dollar value is taken as the dependent variable – also statistically significant.

Conclusion

As environmentalism concerns continue to grow, it is essential to recognize the interdependencies among tourism, waste management, and sustainable development. In this paper, tourism expenditures and various economic variables –GDP per capita, length of coastline, population density, and the waste management component of the EPI– were tested for their effects on the imports of four selected hazardous waste commodities –chemical waste, plastic, and e-waste– for a more comprehensive understanding of the dynamics of waste management on the global stage.

It is concluded that while all other tested variables had a positive impact on how much hazardous waste is imported, increased tourism expenditures relative to a country's GDP reduced the imports. This is significant in that it displays the importance of incorporating the industry makeup of countries into the discussion, as it implies that the significance of hazardous waste imports is not solely affected by GDP and level of economic development, but also by the composition and development of specific sectors within the economy. The results also add to the growing discussion of the impact of tourism on the environment. While existing discourse is on its polluter effects, the reduction it corresponds to in hazardous waste imports sets up a complex relationship between tourism and environmentalism that should be further studied.

While the scope of this research is limited to the four commodity codes selected, it calls for the strengthening environmental regulations with a global mindset to offset the impacts of the waste trade, and more research in the factors that impact the magnitude of waste imports in order to mitigate potential distributional consequences and the environmental dangers of poor waste management.

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ADVANCING MINORITY REPRESENTATION: EVALUATING CUMULATIVE VOTING IN A U.S. CONTEXT

Sriman Thangaraj

Abstract

Alternative voting systems, essential for bolstering minority representation, merit serious consideration. The prevailing winner-take-all system fails to translate minority votes into proportional representation adequately. Cumulative voting (CV), a system notably employed in Texas, New Mexico, and 20th-century Illinois, has successfully enhanced minority representation. An in-depth analysis of CV's historical application in the U.S. and its potential use in congressional elections is imperative to establish a groundwork. Qualitative comparative analysis and situational analysis emerge as reliable methodologies to answer these questions, revealing that CV increases minority representation, particularly in areas with low minority populations and a robust foundation for coalition building. Implementing CV alongside multimember districts could further elevate minority officials' presence in congressional representation. Despite its record, cumulative voting is unfamiliar to most Americans, necessitating a coordinated voter education effort. In the face of eroding protections from the Voting Rights Act of 1965, which is insufficient to ensure equitable representation for minority communities, establishing alternative voting methods becomes increasingly crucial for preserving democracy. Public officials/politicians must transcend partisan goals to create a more just electoral system that serves the interests of all Americans, especially when the democratic fabric of the nation is at risk.

Keywords: U.S. elections, cumulative voting, alternative voting systems, minority representation, comparative case analysis

Introduction

As the United States ventures forward with alternate voting systems, a variety of possibilities arise at a time when election results are contested and cries of voter fraud echo across society. It is more than essential to establish other methods suitable for the country's democracy. Cumulative voting is often suggested as a possible solution. Many minority communities aim to elect representatives who resemble them, embody a similar life experience, and act on their behalf. Cumulative voting is seen as advancing minority representation and drawing districts that favor these communities. In formulating the research question, it was imperative to understand how it has been used and what could be done better in future applications. After thorough initial research and topic analysis, the questions are as follows: How has cumulative voting been used in the United States in the past, and has it worked? In what situations would cumulative voting be best? What would the impact of using it for congressional elections be?

Cumulative voting is when a voter has as many votes as the number of seats in the respective body. For example, if there are six seats on the county board, a voter will have six votes, and it is up to them how they want to allocate it for each candidate. They can put all six votes towards one candidate or distribute it throughout some or all of them. Many local bodies in the United States implement cumulative voting. Political scientists deduced a solution to explain how to produce a more diverse representation: "the creation of homogenous, 'majority-minority' districts designed so that most residents come from a single racial or ethnic minority group" (Lublin 1997, as cited in Bowler, Brockington, and Donovan 2003, 4).

With political participation on the rise, it also brings the necessity for proper minority representation, which can only be possible through equitable means and higher turnout. Nevertheless, how do you get that to happen? Numerous court battles address the issue of voting rights, electoral maps, and the power of election-monitoring officials, such as the county board. If electoral reform can end all these legal battles and produce greater diversity in representation, then it is worth looking into

(Bowler, Brockington, and Donovan 2003). While a minority can refer to partisanship, religion, or nationality, it has been referred to in a racial context, mostly when discussing alternate voting methods. Especially in the nineteenth century, when voting rights took the spotlight of the national conversation, “CV was seen as a means to address minority rights” (Bowler, Brockington, and Donovan 2003, 2). While significant strides have been achieved in minority representation at the federal level, it is still not proportional to the United States population.

In the context of political discourse and electoral reform, the term "minority" typically refers to groups that experience systemic disadvantage or underrepresentation in the political process. While often associated with numerical minority groups based on race, ethnicity, religion, or language, the concept of a minority can also encompass other marginalized communities, including partisan minorities or those facing socio-economic disparities. This research topic is essential because, to uphold democracy and promote inclusive governance, the U.S. must ensure adequate representation for minorities in the electoral context. Therefore, electoral systems such as cumulative voting aim to address disparities in political representation and empower marginalized communities to participate fully in the democratic process.

Since states run elections, laws often differ across state lines. It is up to the state legislatures to decide what type of system they want their citizens to participate in. Section 2 of the Voting Rights Act explicitly “forbids state and local government from structuring electoral competition in a manner that results in minority voters having ‘less opportunity than other members of the electorate to participate in the political process and to elect representatives of their own choice’” (Engstrom, Taebel, and Cole 1989, 470). This has remained a barrier for officials seeking to act against the interests of minority populations.

However, cumulative voting has yet to be widely used in the history of the United States. So far, it has been employed in local governments of New Mexico, the Illinois state legislature, New York city council seats, and more. Recently, many cities have proposed to try out cumulative voting and other alternatives. The Burbank City Council in Los Angeles,

California, directed city staff to determine how feasible cumulative voting would be for their town (Rodriguez, 2023). Port Chester, New York, adopted cumulative voting in 2018 for their trustee elections after "a federal judge came down with a ruling that said the village's traditional voting system was discriminatory to Hispanics and African Americans" (Eberhart 2018). More and more U.S. state and local governments are open to trying out cumulative voting, but this progress must continue.

Cumulative voting has been utilized in the United States numerous times, particularly in local elections and within specific corporate governance structures. Its application spans various states and municipalities, with notable instances in jurisdictions such as Illinois, Alabama, Texas, and others. The states of Illinois, New York, and Texas must explore cumulative voting in the context of cumulative voting due to their historical significance in adopting or considering this electoral method. Illinois has a notable history of implementing cumulative voting in local elections, particularly in the late 19th and early 20th centuries, to address minority representation issues. New York has also seen discussions around the use of cumulative voting, particularly in the context of electoral reform and enhancing diversity in representation. Additionally, Texas has experienced cumulative voting being utilized in various jurisdictions, highlighting its relevance in different geographic and political contexts across the United States. Understanding the experiences and outcomes of cumulative voting in these states provides valuable insights into its potential for promoting minority representation and democratic inclusivity.

Multi-member districts at the federal level involve electing more than one representative to serve a particular geographic area. In the context of cumulative voting, multi-member districts offer an opportunity for voters to cast multiple votes, either for individual candidates or to distribute their votes among candidates of their choice. However, it's important to note that the paper will not delve into multi-member districts at the federal level; instead, it will focus solely on cumulative voting as a mechanism for enhancing minority representation. While multimember districts can complement

cumulative voting by providing a larger pool of candidates, the emphasis remains on analyzing the benefits and implications of cumulative voting in isolation.

This paper argues that cumulative voting (CV) is better suited to advance minority representation than our current system. It proposes that CV be used with majority-minority districts to produce the best results that reflect the growing diversity. Further, it contends that other alternative voting methods be examined before any deciding body authorizes any changes. The outcomes of this study will direct state and local governments to discuss what can be done to ensure they do not dilute the voting power of minority communities. A greater understanding of cumulative voting in U.S. politics will arise through a historical analysis of past uses and examining past literature. A data-driven investigation through qualitative comparative analysis will support the claim of cumulative voting advancing minority representation. This paper will conclude with a discussion on how neglecting minority representation will induce more harm to the already tender democracy of the United States, and any effort to protect it must be implemented to thrive as a society. It will also explain how voters and communities can effectively organize to make their electoral system fair.

While it's true that the benefits of cumulative voting for minority representation have been acknowledged in existing literature, the investigation provides a valuable contribution by synthesizing these insights coherently with real-world examples. By highlighting the explicit purpose of using cumulative voting in board/government elections for minority representation, the paper reaffirms this electoral system's significance in addressing underrepresentation issues. Furthermore, the scrutiny prompts a deeper understanding of how cumulative voting fosters inclusivity and empowers minority voices within decision-making processes, thus enriching the discourse on electoral reform and democratic representation.

Literature Review

The quest for fair and inclusive representation in electoral systems has long been a cornerstone of democratic societies, particularly in addressing the needs and voices of minority communities. Throughout history, various methods have been explored to achieve this goal, including cumulative voting (CV). Cumulative voting offers a departure from traditional winner-takes-all systems, allowing voters to allocate multiple votes among candidates, thus potentially amplifying minority voices. This literature review delves into the historical overview, impact on minority representation, and legal and policy frameworks surrounding cumulative voting. By examining seminal studies, landmark court cases, and policy implications, this review aims to provide a comprehensive understanding of the role of cumulative voting in promoting equitable electoral practices and fostering democratic ideals.

Historical Overview of Cumulative Voting

In examining minority representation, a component of interests must also be considered. Throughout history, governments have attempted to satisfy multiple interests by serving their needs and passing and implementing laws that will benefit their community. This also happens to keep their political support for the next election. The community bloc is perceived to solidify under a party; thus, that institution will attempt to keep that support for as long as possible. Both interests and characteristics of the electorate are attempted to be met when trying to elect legislators (Gerber, Morton, and Rietz 1998). The 1965 Voting Rights Act was passed to protect minority rights and give them an equal say in the electoral process. It put safeguards and procedures into place concerning implementing and justifying voting laws to prevent disfranchisement or voter suppression. However, “the number of minorities elected to federal, state, and local legislatures [are] far lower than the minority portion of the population might warrant” (Gerber, Morton, and Rietz 1998). One reason might be the

implied practice of racial gerrymandering, but several court rulings have struck down that practice.

Voter suppression has been salient in the United States, and a proposal to end that and uplift minority communities has been cumulative voting in multi-member districts. The importance of minority voters' participation is crucial to a democracy; Black voters drove the reelection of former President Barack Obama in 2012. Pew Research Center even came up with a firm conclusion from that year: "The Growing Electoral Count of Blacks is Driven By Turnout." The first year in which Black turnout was higher than White turnout was in 2012 (Casella, Gio, and Jiang, 2023). The prospect of cumulative voting piqued Casella, Guo, and Jiang's interests, and they wanted to see how this new system would play out in multi-member districts. They analyzed case studies across the U.S., such as the Illinois State House and a city commission election in New Mexico from the 1900s. They argued that it is time to assess if cumulative voting has worked in the interests of minority communities, as its implementation has typically followed an overhaul of voting rights legislation. They were the first study to experiment on the turnout originating from CV and what can be done about it. The authors created a mathematical equation model to understand the results of these elections. They concluded that while every voter has equal access to the ballot box, CV should increase the impact of the votes from the minority and allow them to gain more seats.

Cumulative voting, while predominantly used in the United States, has also been used in other countries worldwide, such as Germany. Reformers argued that voters prefer more options since their thinking is broader and should not be confined to one or two choices in total, saying that "providing opportunities for voters to express more than one choice has a positive value for the quality of representation and democracy itself" (Bowler, McElroy, and Müller 2018). Predicting that giving voters more options will increase engagement and turnout, the authors evaluated two German states of Bremen and Hamburg, where cumulative voting was introduced recently. The results showed that unconstrained choice was not "widely embraced," but many preferred

more than one party (Bowler, McElroy, and Müller 2018). They argued that a lack of enthusiasm was one reason that deterred turnout even under a new system. While individuals could pick up to five parties, they still stuck to one or two at most.

Cumulative voting attempts not to change the election system but the voting rules at large by giving a voter a certain number of votes based on the number of seats that are up for election, and it is up to them how they want to split it up. Instead of the democratic principle of 'one person, one vote,' CV suggests that it becomes 'one person, *n* votes,' "where n is the number of representatives to be elected in a jurisdiction" (Cooper 2007). It is used across numerous settings, from corporate boards to the Illinois state legislature and school board elections in Victorian England (Bowler, McElroy, and Müller 2018).

Bowler, Brockington, and Donovan (2003) studied the levels of minority representation by analyzing local elections in the United States, such as a school board election in Amarillo, Texas. They emphasize the need for electoral system reform so that their elected officials better represent the population. Bowler, Brockington, and Donovan (2003) suggest an alternative to cumulative voting (CV). Compared to a rival system, candidates must work harder and organize more in cumulative voting because the whole electoral structure is changing. The authors compared cumulative voting to other forms of election systems. They concluded that while elections are more competitive and more effort is needed to mobilize voters, voter turnout is higher when using CV. Overall, cumulative voting makes a significant impact in facilitating minority representation.

Party loyalty and partisanship have been on the rise, and this has caused voters to vote for a party, regardless of who the candidate is. With cumulative voting, a potential alternative can be explored in which there can be multiple plausible candidates within the same party. "In the US, it just happens to be the case that for such voters, the same party almost always seems to have the best candidates: for Germany, it seems to be that just one party (family) mostly seems to have the best candidates" (Bowler, McElroy, and Müller 2018, 101). This historical

overview revealed a substantial reason for cumulative voting to have been implemented so far, even if voters did not fully use it.

Impact on Minority Representation

Local entities in the United States have theorized and implemented the effectiveness of cumulative voting. Brischetto and Engstrom (1997) conducted exit surveys in fifteen Texas cities and school districts, using cumulative voting, and Latino candidates ran against Anglo candidates. The results were as expected: while voting was firmly on ethnic lines, "Latinos were able to elect candidates of their choice when the Latino percentage of voters approached threshold-of-exclusion values for cumulative systems and when they voted cohesively" (Brischetto and Engstrom 1997). They concluded that while cumulative voting provided more of an opportunity for minority voters to elect their preferred candidates, it did not guarantee an electoral outcome. After CV started to fill seats in the Illinois House of Representatives in the 1970s, it became widespread, and "at least fifty-seven local governments in five states had adopted cumulative systems to elect their legislative bodies" by mid-1997 (Brischetto and Engstrom 1997). Their experimental method was to conduct exit polls, in which 2,956 respondents identified as Anglo or white, while 624 identified as Mexican American, Latino, or Hispanic.

In Alamogordo, New Mexico, the city council adopted cumulative voting in 1983, where four members were elected from single-member districts while three were at-large. Under the old system, no minority person had been elected to the council since 1970, even though minorities constituted 29.3% of the city's population and 25.9% of the voting-age population (Brischetto and Engstrom 1997). In the 1987 election, the at-large members were the first to be chosen by cumulative voting. Candidates were also asking voters to allocate all three votes to them, as shown in Figure 1 in the appendix.

Moncada, the Latino candidate shown in the ad, finished third after tabulating all the votes, while the Anglo candidates came in first and second. Because of this, she was awarded one of the three at-large seats

and “became the Hispanic to be elected to the city council since 1968, and her election was quite clearly the result of Hispanic voters seizing the opportunity to cumulate their votes on her behalf (Engstrom, Taebel, and Cole 1989). They also said that more detailed evidence from exit polls concluded that Moncada’s victory was primarily attributed to ‘plumping,’ another term for cumulative voting.

“Voter Competence with Cumulative Voting” discusses the first instance of cumulative voting (CV) used in an election for the Board of Trustees in Port Chester, New York. The Port Chester district introduced new initiatives alongside CV, such as educating voters on the candidates and how the system is set up. Kimball and Kropf (2016) conducted an exit poll of about 2,000 voters in June 2010. They set up questions to measure the voters' experience and behavior. They also examined the election results from 2010 and 2013 in Port Chester. The results indicated that the voter education program did indeed help eligible voters cast a ballot for their preferred candidate using cumulative voting. Most voters, especially Hispanic voters in Port Chester, felt a positive attitude about cumulative voting. Overall, they concluded that voters would react positively to CV implementation in local areas and should consider a voter education effort side-by-side (Kimball and Kropf 2016).

Political scientists have thoroughly studied cumulative voting in Illinois state legislature elections, adopted in 1870. For the Illinois House of Representatives, voters get as many votes as the number of candidates on the ballot; in this case, voters got three votes and could split as they wanted to. While cumulative voting has predominantly been used in a corporate setting to ensure minority shareholders have a voice on the board, this was the first widespread political use in the United States. In “Cumulative Voting Problems in Illinois Legislative Elections,” the ‘winner-take-all’ system does not allow minority parties to gain representation in their legislative body effectively, and hence, minority communities are not effectively represented at the end of the day (Dunn 1970, 628). It was said that “protection of minority party representation, the close relationship between statewide voting strength and representative strength in the House of Representatives,

and the narrow division between the representative strength of the two major parties" are the primary arguments for why cumulative voting is essential. However, cumulative voting caused a lack of competition, tight party control, and overrepresentation and did not translate the number of votes into seats (Dunn 1970, 633-634). These concerns are still relevant in other uses of cumulative voting. Even if multiple options are offered, each candidate must have an equitable opportunity to challenge each other effectively for a specific seat. It was proposed that single-member districts should be preferred for Illinois to allow proper representation; that happened shortly after the Cutback Amendment of 1980, in which cumulative voting and multi-member districts were abolished (Wheeler III 2020). It is up for debate as to what the composition of the Illinois state legislature would be like today if cumulative voting were still allowed. However, this has been the only study not recommending cumulative voting for proper minority representation. It is essential to note the limitations and drawbacks of cumulative voting to better its structure for future use.

Legal and Policy Framework

Supreme Court decisions have limited the use of race in drawing district lines; state legislatures turned to draw lines based on political partisanship to get more seats for their party and keep them in power. *Thornburg v. Gingles* was a monumental case that upheld Section 2 of the Voting Rights Act. State legislatures could draw minority-majority districts based on race to ensure the minority-preferred candidate could win. They ruled that the redistricting plan put forth by the North Carolina state legislature did not "ascertain whether minority group members constitute a politically cohesive unit and to determine whether whites vote sufficiently as a bloc usually to defeat the minority's preferred candidate" (Thornburg v. Gingles 1986). It did, however, not allow multi-member districts because "the court stated, in effect, that if dilution cannot be cured by single-member districting, then minority voters may not complain that a system that submerges their votes is impermissible" (Engstrom, Taebel, and Cole 1989). After

this ruling, an alternative to creating multi-member districts was cumulative voting. Legislators started to change voting laws instead of election structure laws. After that, local towns and cities began to implement cumulative voting to ensure voters had a proper chance to elect candidates of their choice and could reflect the demographics of that community. *Thornburg v. Gingles* was crucial to adopting cumulative voting throughout the United States.

Shaw v. Reno effectively ended racial gerrymandering, or the action of drawing districts based on race, in 1993. Efforts to segregate voters by race can be grounds for a potential violation of the Equal Protection Clause of the Fourteenth Amendment in the U.S. Constitution. In the case's aftermath, “race could no longer be the sole basis for creating or modifying a voting district. The case was repeatedly used as a roadblock in creating majority-minority voting districts after 1993” (Martin 2023).

These two cases served as roadblocks for minority representation. However, they spurred the development and recognition of cumulative voting and its crucial role not only in fairer voting practices but also in the democracy of the United States.

Richie, Hill, and Kleppner (2000) emphasize the need for substantial electoral reform and propose alternative voting methods, such as proportional representation and instant voting runoff. They mention Green Party candidate Ralph Nader’s prospects in the 2000 election and how it might have soured the electability of other candidates. Instant voting runoff will solve the problems of plurality and a lack of majority vote by advancing the top two candidates and demanding a clear majority vote. With instant runoffs, there will be less regional polarization and partisan bickering. They conclude by proposing how the 2000 election should serve as an example to implement such reforms before we let resentment and declining turnout overtake the results that should be out there. Instant runoffs, top two or five primaries, and alternative forms are more proportional as they weigh each vote more and elect a representative that reflects the electorate (Richie, Hill, and Kleppner 2000). Cumulative voting, however, is evidence of empowering minorities, so a deep investigation is required to understand better what can be done moving forward.

Case Analysis

In this comparison, the independent variable is CV, and the dependent variable is minority representation in an electoral context.

Qualitative Comparative Analysis of Historical Case Studies

Even if some elections that used cumulative voting have likely increased minority representation in that district and area, a proper inquiry into the effectiveness of CV is required. After the Illinois state legislature abolished cumulative voting in the 1980s, there has been no statewide use in the United States. Cumulative voting is still alive only in small towns and cities, mainly for council and board elections. It is seeing the light of day more as it gets progressively adopted. Interpreting all these election results can be done through a method of qualitative comparative analysis, which is "a case-based method that enables evaluators to systematically compare cases, identifying key factors which are responsible for the success of an intervention" (Baptist and Befani 2015). While quantitative analysis is more straightforward with numerical facts and data, qualitative analysis describes social constructs, narratives, and events. The results cannot be derived from just a single case; it brings together all the highlighted events, tracks the factors throughout each one, and then concludes which are necessary for a specific outcome.

Opting for qualitative comparative analysis to examine the impact of cumulative voting on minority representation is the most effective choice due to its inherent ability to accommodate the multifaceted and context-dependent nature of electoral systems. Unlike quantitative methods, which may struggle to capture the intricacies of social and political dynamics, qualitative comparative analysis allows for a nuanced exploration of the diverse factors shaping minority representation outcomes within specific contexts. By delving into rich qualitative data, such as case studies, interviews, and archival records, this approach facilitates a comprehensive understanding of the underlying mechanisms and contextual variations that influence the effectiveness

of cumulative voting in empowering minority voices. Furthermore, qualitative comparative analysis offers the flexibility to identify patterns, exceptions, and causal pathways, offering valuable insights into the complex interplay between electoral systems and minority representation dynamics.

There have been many significant cases of CV use in the history of the United States; analyzing three of them will be crucial to finding answers that support the research question. Looking at the change in minority representation after implementing CV will further provide a sense of how much of an effect CV has on elections and if it is worthy enough to be implemented across various communities. An example of a cumulative voting ballot is shown in Figure 2 of the Appendix. A voter will have as many votes as there are seats. Voters can split the votes however they want to; they could give all three to the same person or divide accordingly.

Peoria, Illinois, has adopted cumulative voting since 1991 after a court ruled that the city's winner-take-all system diluted minority voting rights (Ferrante 2015). Voters in this town specifically have cumulative voting rights when electing members-at-large, such as for their city council. This method has been credited with consistently allowing Peoria to elect African American representatives and political newcomers to the council. The city even rejected a 2011 attempt to bring back single-member districts and remove cumulative voting, saying it has been the best opportunity to elect minority candidates (Ferrante 2015). In 2015, the first-place candidate in the City Council race was Councilwoman Beth Jensen, who got approximately 22.5% of the vote, as found in Table 1 of the Appendix. This election brought gender parity closer together, with two of the five council members being women at the time. Another councilman, Eric Turner, one of two African Americans, also won reelection. Cumulative voting has consistently allowed the voters of Peoria to elect who they prefer and given the minority community an equal chance at selecting someone they like.

In 2023, Bernice Gordon-Young, an African-American political newcomer, won her election to Peoria City Council with 16.19% of the vote, as shown in Table 2 of the Appendix. This was possible because of

cumulative voting. Mike Vespa, another newcomer, also won the election to the city council, acquiring approximately 10.86% of the vote, as shown in Table 2 of the Appendix (Kravetz 2023). Vespa, who is White, was elected on a platform for prioritizing public safety and advocating for recreational cannabis and economic incentives, something he believed the minority community was looking for (Shelley 2023). Figure 3 in the Appendix shows how Illinois state districts have been uncontested from 1952 to 2000. After cumulative voting was abolished for the state legislature, there needed to be more competition amongst candidates, and voters had only one choice at most times when electing representation.

In Chilton County, Alabama, cumulative voting was adopted in 1992 to settle a lawsuit in which minority voters from the African-American community claimed their votes were being diluted in the previous system. While they only constituted 9.9% of the county's population according to the 1990 Census, they successfully reelected Bobby Agee to the city commissioner position. African American voters were able to cumulate their votes together for Agee successfully. Exit polling deliberately over-sampled African-American voters to assess how much of the minority votes went for him. On average, 85.7% of African-American votes went for Agee and received 6.28 votes from each one; "Agee was clearly the most preferred candidate among the African-American voters, and the ability to express the intensity of their preference was critical to his electoral success" (Kirksey et al. 1995). Although Agee won considerable support from the African-American community, comparing it to non-African-American voters provides a holistic picture of his success. Among those voters in the exit poll, Agee finished 12th out of all the candidates, with only 13.4% even casting a single vote for him (Kirksey et al.
1995). Cumulative voting showed its strength for Agee, as by consolidating the African American vote, he could win reelection in a county that was barely 10% of that minority.

Figure 3 of the Appendix shows a sample ballot from the 2020 election in Chilton County, where voters can cast up to seven votes for county commission members. The practice is still being done today in

this county, and it has been primarily said to be successful for Black candidates in a predominantly White, Republican town. Citing Chilton County as an example, nearby towns in Alabama, such as Pleasant Grove, Centre, Guin, and Myrtlewood, have also adopted cumulative voting. (AL 2019). “Chilton County, Alabama continues to elect its county commission using cumulative voting, and it has elected a black representative every cycle since its adoption” (FairVote 2013). Its influence is being spread, and a factor to note is that it has been successful in minority representation. It allows minority voters to choose their preferred candidate, reflecting their demographic and interests.

In Amarillo, Texas, cumulative voting has been used since 2000 for school board districts and in 2008 for the College of Regents. After that, Governor George W. Bush signed legislation in 1995 allowing cumulative voting and limited voting methods to be implemented in school districts. Before 1999, Amarillo was 16% Latino and 6% Black but virtually had no minority representation on its board due to the at-large, winner-take-all system. Table 3 shows the demographic makeup of Amarillo from the 1990 U.S. Census. This factor largely contributes to adopting cumulative voting in these towns and cities. The white majority has controlled Amarillo up until 2000.

> For minority communities, a string of defeats bestowed upon them:
>
> Blacks or Hispanics were candidates at least 10 times from 1980 through 1996; Anglo candidates defeated all. In 1980, a black candidate was unsuccessful in a runoff election. The same candidate ran against two Anglo candidates in 1988 and was defeated. In 1990, an Anglo candidate defeated a black candidate and a Hispanic was unsuccessful in a bid to retain his seat. The Hispanic candidate was able to force a runoff, but an Anglo candidate in the two-person contest defeated him. A black candidate ran unsuccessfully against four Anglo opponents in 1996. An Anglo candidate defeated a Hispanic candidate in 1996. In 1998, their Anglo opponents defeated three Hispanic

candidates, running in separate numbered places. (FairVote Archives)

After the 1998 election, two Hispanic residents and one Black resident filed a suit against the Amarillo Independent School District, saying the at-large system was not beneficial for Hispanics and Black people. Another factor is filing lawsuits against county and school boards when an at-large system fails minority voters. The city decided to model their system after Alamogordo, New Mexico, and adopt cumulative voting. In the 2000 election, a Black candidate won the election for the first time, and since the 1970s, a Latino candidate also won their seat on the school board (Cumulative Voting – Amarillo 2023). Voter turnout more than tripled from the last election. In the 2002 election, voters elected two Hispanic candidates and one Black candidate to the board, and their communities were more politically engaged than ever. The college board elected an African American incumbent back to their positions in 2008 (Cumulative Voting Winner Again in Amarillo 2023).

These historical case studies suggest how cumulative voting is crucial to electing minority representation. Peoria, Chilton County, and Amarillo represent the changing electorate in the United States and are a cure for what is to come.

Situational Analysis

Cumulative voting has only been used at the state and local levels. However, there have been proposals to implement this method at the federal level, specifically for congressional elections. It would have to be a coordinated effort to enforce the law across all 50 states, but it has been heavily explored by voting rights organizations and election reform advocates. Cumulative voting would not be possible in the current system because Congress comprises single-member districts for the House of Representatives, and there are two senators per state in the Senate. The method is based on getting a certain number of votes based on the number of seats, so to implement cumulative voting, multi-member districts must happen.

> Instead of electing each of the 435 members of the House to represent a district with a single member, we could create fewer congressional districts but then elect several members in each of them. For example: Texas, which because of population growth will probably be able to send 39 representatives to Congress for the next decade, could decide to have 13 districts with three members each (Eckam 2020).

Single-member districts are winner-take-all systems, so there needs to be more proportional representation in each one. Minority communities will be blocked out and will be stuck with a representative who might only act for some part of the constituency. Having multiple members in a district will foster cooperation and bipartisanship, and each can tend to different issues in the same area. Implementing these districts would also involve demographic gerrymandering based on partisan or racial lines. Figure 5 shows how representation would happen between single-member and multi-member districts. A party sweeping all the seats in a state will only try to entrench their power for the future.

A combination of cumulative voting and multi-member districts could benefit the goal of minority representation in their respective areas. It will help to diversify legislative bodies and allow various schools of thought to have a seat at the table, the table being Congress. With cumulative voting, partisan bickering and party primaries can be eliminated, reducing hostility and encouraging candidates to reach the political spectrum to gain votes.

Multi-member districts also lower the threshold of exclusion for candidates to get elected, which has been a barrier to minority communities so far. The formula to determine the threshold is 1 / ((District Magnitude +1) + 1 vote). Every multi-member district could elect members of both parties because there is more than one seat, which would be more naturally competitive. In South Dakota, the state started to use multi-member districts after a crucial court case, *Bone Shirt v. Hazeltine*.

> Alfred Bone Shirt and others challenged the state's legislative map in federal court, saying that the votes of Native American voters had been packed into a single Senate district. Bone Shirt prevailed, and a new court-drawn map included creation of an additional sub-House district with a majority Native American population.
>
> "It increased Native American representation by one member," says Bryan Sells, a civil rights lawyer who worked on the Bone Shirt case. "It's not a lot, but it's important to those voters. It gives a little greater voice and a seat at a table to an important constituency that has been historically discriminated against." (Anderson 2021).

Using cumulative voting in congressional elections would be an arduous task. The federal government should incentivize state and local governments to adopt various forms of proportional representation. Cumulative voting in past cases has been consequential in electing minority representation consistently, and multi-member districts will decrease partisanship while encouraging members to reach across the aisle. While Section 2 of the Voting Rights did cause the fall of multi-member districts after its passage, a refined version of this setup is essential for democracy to move forward. From the analysis, cumulative voting would work best for congressional elections, but only in conjunction with multi-member districts. It will foster a collaborative work culture, allow representatives to work on necessary legislation, and drastically reduce the bickering of partisan fights.

Implications of Findings

Lessons Learned

The findings suggest that cumulative voting increases minority representation when used. The case studies of Peoria, Illinois; Chilton County, Alabama; and Amarillo, Texas exemplify that when giving voters the option, they will allocate their votes proportional to who they want to represent them. All these races had increased competition and

encouraged cross-racial voting. Throughout those election periods, cumulative voting was known for racial preferences not being the deciding factor in an election cycle. Instead, it was who the racial group preferred. Because of this, turnout also increased in those districts, which is a healthy sign for democracy.

Cumulative voting would work best when the minority portion of the population is significantly lower than the majority population. In the mentioned case studies, the minority communities comprised around 5-20% of the population. Cumulative voting also works best in local elections with bodies that have multiple seats, such as a county board, school board, commissions, etc. The United States electorate already experiences fatigue from voting in elections and learning about the process; upending it with a different method will take years of voter education, adjustment, and adoption, which is a monetary and political cost. Current state legislators might want to avoid adopting cumulative voting because they fear it will benefit the other side or party. Why would anyone help pass a law that might reduce their support and remove them from office? Political benefit is necessary when discussing cumulative voting, so it will only pass with enough support.

Lastly, with a drastic difference in minority vs. majority populations, a coalition of minority support and fighting the old system in court is necessary for cumulative voting to be adopted. All cases in which cumulative voting was implemented only came after a lawsuit was filed against local/state officials, ordering them to change the system because of the vote dilution of minority communities.

Barely any of the electorate knows about cumulative voting. It will be a massive learning curve to educate voters about proportional representation. This will take a concerted effort and time investment, so planning for the groundwork and foundation is necessary. Major news organizations have already started discussing this topic in the public sphere. Influential voting rights and election reform advocacy think tanks have invested in exploring cumulative voting and multi-member districts. With the rise of cries of voter fraud and election denial, many election pundits claim that democracy is on the line in the 2024 presidential election. They believe states adopting these techniques will

be vital to fighting against power grabs and conspiracy theories. There must be widespread support for cumulative voting and multi-member districts, and we must expand on the groundwork sooner.

Limitations of Research and Hypothesis

While the research question and hypothesis provide a solid framework for investigating the efficacy of cumulative voting in promoting minority representation, several limitations warrant consideration. Firstly, the historical analysis may need more data availability, particularly regarding the outcomes and impacts of cumulative voting in various jurisdictions over time. Additionally, the effectiveness assessment may need help in isolating the specific effects of cumulative voting from other factors influencing electoral outcomes, such as changes in demographics, political dynamics, or campaign strategies. Choosing those three case studies was essential for understanding the depth of the impact of cumulative voting. Studies have consistently shown that CV does increase minority representation, but it was also vital to see that effect across different minority groups, such as African Americans and Latinos.

Furthermore, while the hypothesis posits that cumulative voting is better suited to advance minority representation than the current system, it's important to acknowledge potential counterarguments and complexities. For instance, while cumulative voting may enhance minority representation in some contexts, it could also introduce challenges such as voter confusion, strategic voting, or unintended consequences on political dynamics. Moreover, the hypothesis assumes that cumulative voting will produce the best results for reflecting growing diversity when combined with majority-minority districts. However, the interaction between cumulative voting and districting strategies may vary depending on local factors, resulting in differing outcomes across jurisdictions. With a diverse range of minorities and different rules, community norms, and traditions, cumulative voting might not be more successful for one group than for the other. Thus, while cumulative voting holds promise as a tool for promoting minority

representation, its effectiveness and suitability may depend on various contextual factors that warrant careful consideration in the research analysis.

Counterarguments

Despite the potential benefits of cumulative voting in enhancing minority representation, there exist countering positions that warrant consideration. Critics argue that cumulative voting may not necessarily address the root causes of underrepresentation and could inadvertently perpetuate inequalities. Some contend that while cumulative voting may increase the likelihood of minority candidates being elected, it does not guarantee substantive representation or address systemic barriers to political participation. Moreover, opponents raise concerns about the complexity of the voting process and the potential for voter confusion, particularly in jurisdictions with diverse populations or low levels of civic engagement. Additionally, cumulative voting could lead to factionalized politics or exacerbate community divisions, as voters may prioritize their group interests over broader societal concerns. Furthermore, critics highlight the need for comprehensive electoral reforms that go beyond voting systems, including measures to address campaign finance, voter suppression, and institutional biases that hinder minority representation. Thus, while cumulative voting offers a potential mechanism for promoting minority representation, its implementation must be accompanied by broader structural changes to address systemic inequalities and ensure genuine inclusivity in the political process.

Contemporary Relevance

Pew Research Center has said that more U.S. locations are experimenting with alternative voting systems, such as cumulative voting, ranked-choice, top-two, single transferable or nontransferable vote, etc. Figure 6 shows where these systems have been implemented, with cumulative voting being adopted primarily in Texas and Alabama. There is not that much data on the present impact of cumulative voting

on minority representation. All the case studies mentioned were from the 1990s to the 2000s. More and more data will be released on its impact in a few years, with the media being prepared to explain to its viewers.

It is necessary to implement cumulative voting because of the further erosion of the Voting Rights Act. Recently, "a federal appeals court moved on Monday to drastically weaken the Voting Rights Act, issuing a ruling that would effectively bar private citizens and civil rights groups from filing lawsuits under a central provision of the landmark civil rights law" (Corasaniti 2023). Only the federal government is now able to file lawsuits against election or voting practices that discriminate against American voters based on race. This is already after the Supreme Court made an unpopular decision in *Shelby v. Holder*, in which the preclearance requirement was no longer required. Cumulative voting and other forms of proportional representation can serve as institutional safeguards for minority voters when electing a candidate.

Policy Recommendations

How can state and local governments, and even Congress, pass policy encompassing cumulative voting or an equivalent form that secures proper minority representation? There are different systems that cities can test, with approval from the public through a ballot initiative, to stray away from the winner-take-all approach. Alaska and Cambridge, Massachusetts, use ranked-choice voting, while California has the top two primaries and abolished party primary. In California, all candidates must run against each other, regardless of party. This produces a wide range of ideological candidates and, theoretically, a better sense of political responsibility. In Georgia, elections have an instant runoff mechanism applied. If no candidate receives 50% of the vote, the top two candidates move to a runoff election. This ensures that the representative or official elected will reflect a majority of voters.

In Congress, there is the proposal of the Fair Representation Act, which would establish ranked-choice voting for senators and representatives, implement multi-member districts, and require

independent commissions to draw those districts (H.R.3863 - Fair Representation Act 2022). Due to Republican control of Congress and it not being a pressing issue, this act will not be passed soon. It increases creativity with legislation and allows representatives to experiment with ideas before they become law. There should also be federal legislation that incentivizes state and local governments to adopt cumulative voting.

Conclusion

Future research on cumulative voting should prioritize several vital areas to deepen our understanding of its potential impact and effectiveness in promoting minority representation. Firstly, studies should investigate the long-term outcomes of cumulative voting implementations, including its effects on voter turnout, candidate diversity, and the quality of governance in diverse jurisdictions. Additionally, research should explore the interaction between cumulative voting and other electoral reforms, such as districting strategies or campaign finance regulations, to identify synergies and potential trade-offs. Furthermore, comparative studies across different electoral systems and cultural contexts can provide valuable insights into the relative advantages and limitations of cumulative voting. Finally, interdisciplinary research that incorporates perspectives from political science, sociology, and legal studies can enrich our understanding of the broader societal implications of cumulative voting for democratic inclusivity and social cohesion. By addressing these research priorities, scholars can contribute to evidence-based policy recommendations and facilitate informed debates on electoral reform efforts to enhance minority representation in democratic societies.

Overall, cumulative voting is practical and necessary to increase minority representation. It has been used then and now in state and local elections, giving each voter a certain number of votes based on the number of seats up for election. It is most used in county boards, commissions, state representatives, school boards, etc. The Illinois House of Representatives is the most cited example, and it is used in

North Dakota and South Dakota today, amongst other states. Cumulative voting is the most impactful in minority districts and coalition-building resources. While it could technically work for congressional elections, there is a long way to go before it is adopted for federal representation. Voter education and widespread local use are necessary to do. The democracy of the United States will be best when all of them represent it. Implementing alternative voting and election systems, such as combining cumulative voting and multi-member districts, is imperative so that minority representation will be proportional to the population. Elected officials should reflect their electorate, and the groundwork has just started.

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Appendix

Table 1: 2015 Peoria City Council Consolidated General Election Results

FOR CITY COUNCILMAN AT LARGE, Vote For 5									
Ryan Spain	403.0000	13.19%	1,581.2500	18.52%	7,995.6665	18.06%	9,979.9165	17.86%	
Beth Jensen	818.6666	26.80%	2,037.8333	23.86%	8,761.0830	22.04%	12,617.5829	22.58%	
Beth Akeson	433.4167	14.19%	1,139.4166	13.34%	5,323.8335	12.02%	6,896.6668	12.34%	
Katherine Coyle	222.8333	7.29%	777.8333	9.11%	3,394.5833	7.67%	4,395.2499	7.87%	
W. Eric Turner	579.6667	18.97%	1,308.5834	15.32%	7,737.1665	17.47%	9,625.4166	17.23%	
Chuck Weaver	597.4166	19.56%	1,695.0833	19.85%	10,072.6670	22.75%	12,365.1669	22.13%	
Cast Votes:	3,054.9999	98.39%	8,539.9998	98.64%	44,284.9998	98.49%	55,879.9995	98.50%	
Over Votes:	5.0000	0.81%	0.0000	0.00%	0.0000	0.00%	5.0000	0.04%	
Under Votes:	25.0000	0.81%	118.0000	1.36%	681.0000	1.51%	824.0000	1.45%	

Source: Peoria City Council Commission

Table 2: 2023 Peoria City Council Consolidated General Election Results

CITY OF PEORIA FOR CITY COUNCIL AT LARGE - (VOTE FOR ONE, TWO, THREE, FOUR OR FIVE)

Precincts			Voters		
Counted	*Total*	*Percent*	*Ballots*	*Registered*	*Percent*
65	65	100.00%	11,851	68,978	17.18%

Choice	Party	Election Day		Early Voting		Vote by Mail		Total	
Mike Vespa		2,034.3333	8.71%	760.2500	6.97%	3,555.1667	14.70%	6,349.7500	10.86%
John Kelly		4,322.6667	18.51%	1,303.0000	11.95%	3,023.7500	12.50%	8,649.4167	14.80%
Kiran Velpula		3,790.0000	16.23%	1,988.3333	18.23%	2,836.3333	11.73%	8,614.6667	14.74%
Bernice Gordon-Young		3,184.1667	13.63%	2,014.5000	18.47%	4,265.4167	17.63%	9,464.0833	16.19%
Zachary M. Oyler		3,737.1667	16.00%	1,405.4167	12.89%	2,666.5000	11.02%	7,809.0833	13.36%
Benjamin R. Nicks Jr		380.5833	1.63%	194.0000	1.78%	507.5000	2.10%	1,082.0833	1.85%
Lawrence J. Maushard		816.9167	3.50%	285.7500	2.62%	970.7500	4.01%	2,073.4167	3.55%
Demario A. Boone		2,162.1667	9.26%	1,054.7500	9.67%	2,412.7500	9.97%	5,629.6667	9.63%
Anu Uddavolu		1,986.3333	8.50%	1,272.1667	11.67%	2,342.8333	9.69%	5,601.3333	9.58%
Clara Underwood-Forman		940.6667	4.03%	626.8333	5.75%	1,609.0000	6.65%	3,176.5000	5.43%
	Cast Votes:	23,355.0000	100.00%	10,905.0000	100.00%	24,190.0000	100.00%	58,450.0000	100.00%
	Undervotes:	240.0000		180.0000		340.0000		760.0000	
	Overvotes:	3.0000		0.0000		6.0000		9.0000	
	Unresolved write-in votes:	0.0000		0.0000		0.0000		0.0000	

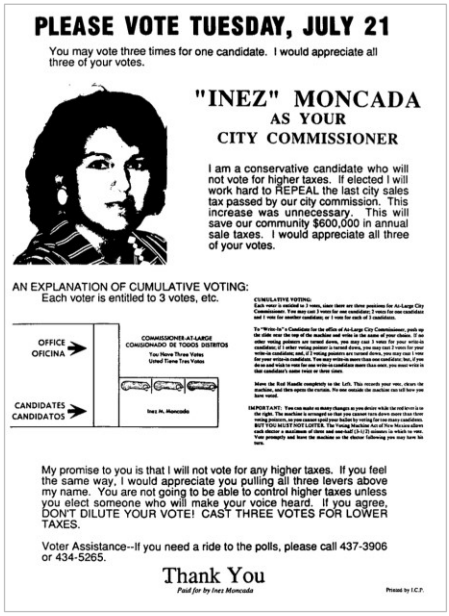
Source: Peoria County City Commission

Table 3: Demographic Data of Amarillo Independent School District

Population	148,811
Percent Hispanic	15.3
Percent Black	6.1
Percent "other"	2.6
Voting-age Population	107,300
Percent voting-age Hispanic	12.4
Percent voting-age Black	5.3
Percent voting-age "other"	2.3
AISD registered voters in October 1998	95,936

Source: 1990 U.S. Census; "AISD Voter Demographics," Amarillo Sunday News-Globe, 1 August 1999, p. 7A.

Figure 1: Moncada's City Commissioner advertisement in the 1987 Alamogordo, New Mexico election



PLEASE VOTE TUESDAY, JULY 21

You may vote three times for one candidate. I would appreciate all three of your votes.

"INEZ" MONCADA
AS YOUR
CITY COMMISSIONER

I am a conservative candidate who will not vote for higher taxes. If elected I will work hard to REPEAL the last city sales tax passed by our city commission. This increase was unnecessary. This will save our community $600,000 in annual sale taxes. I would appreciate all three of your votes.

AN EXPLANATION OF CUMULATIVE VOTING:
Each voter is entitled to 3 votes, etc.

OFFICE / OFICINA
COMMISSIONER-AT-LARGE
CONSIGNADO DE TODOS DISTRITOS
You Have Three Votes
Usted Tiene Tres Votes
CANDIDATES / CANDIDATOS
Inez M. Moncada

CUMULATIVE VOTING.

IMPORTANT:

My promise to you is that I will not vote for any higher taxes. If you feel the same way, I would appreciate you pulling all three levers above my name. You are not going to be able to control higher taxes unless you elect someone who will make your voice heard. If you agree, DON'T DILUTE YOUR VOTE! CAST THREE VOTES FOR LOWER TAXES.

Voter Assistance--If you need a ride to the polls, please call 437-3906 or 434-5265.

Thank You

Paid for by Inez Moncada

Printed by I.C.P.

Source: Engstrom, Richard L., Delbert A. Taebel, and Richard L. Cole, 1989. "Cumulative voting as a remedy for minority vote dilution: the case of Alamogordo, New Mexico." In The Journal of Law & Politics, 5(3): 469–497

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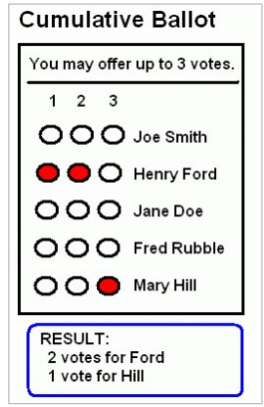
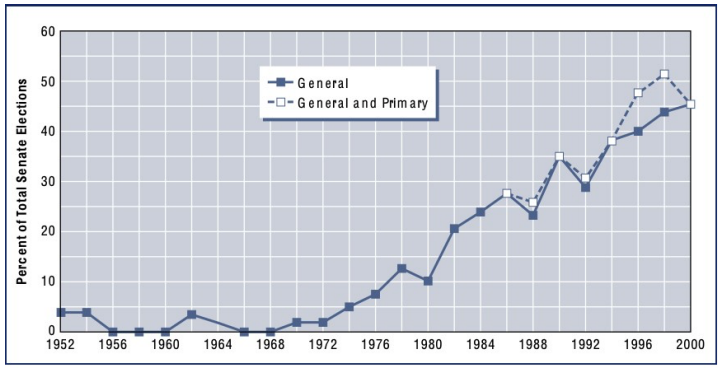
Figure 2: Example Ballot that Uses Cumulative Voting



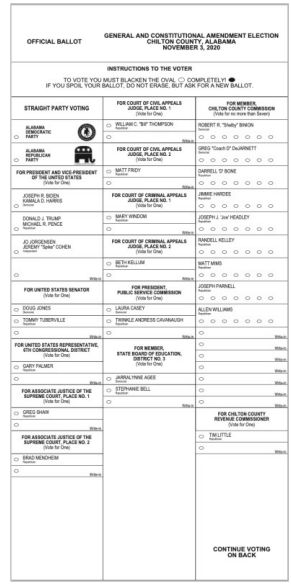
Source: FairVote; User Tomruen in the public domain

Figure 3: Percent of Illinois Senate Districts Uncontested in the General Election and in Both the General and Primary Elections, 1952 to 2000.



Source: 2021 Executive Summary, Illinois Assembly on Political Representation and Alternative Electoral Systems

Figure 4: Sample 2020 Ballot from Chilton County, Alabama



OFFICIAL BALLOT

GENERAL AND CONSTITUTIONAL AMENDMENT ELECTION
CHILTON COUNTY, ALABAMA
NOVEMBER 3, 2020

INSTRUCTIONS TO THE VOTER

TO VOTE YOU MUST BLACKEN THE OVAL ○ COMPLETELY! ●
IF YOU SPOIL YOUR BALLOT, DO NOT ERASE, BUT ASK FOR A NEW BALLOT.

STRAIGHT PARTY VOTING

ALABAMA DEMOCRATIC PARTY

ALABAMA REPUBLICAN PARTY

FOR PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES (Vote for One)

JOSEPH R. BIDEN / KAMALA D. HARRIS — Democratic

DONALD J. TRUMP / MICHAEL R. PENCE — Republican

JO JORGENSEN / JEREMY "Spike" COHEN — Libertarian

Write-in

FOR UNITED STATES SENATOR (Vote for One)

DOUG JONES — Democratic

TOMMY TUBERVILLE — Republican

Write-in

FOR UNITED STATES REPRESENTATIVE, 6TH CONGRESSIONAL DISTRICT (Vote for One)

GARY PALMER — Republican

Write-in

FOR ASSOCIATE JUSTICE OF THE SUPREME COURT, PLACE NO. 1 (Vote for One)

GREG SHAW — Republican

Write-in

FOR ASSOCIATE JUSTICE OF THE SUPREME COURT, PLACE NO. 2 (Vote for One)

BRAD MENCHEMI — Republican

Write-in

FOR COURT OF CIVIL APPEALS JUDGE, PLACE NO. 1 (Vote for One)

WILLIAM C. "BIF" THOMPSON — Republican

Write-in

FOR COURT OF CIVIL APPEALS JUDGE, PLACE NO. 2 (Vote for One)

MATT FRIDY — Republican

Write-in

FOR COURT OF CRIMINAL APPEALS JUDGE, PLACE NO. 1 (Vote for One)

MARY WINDOM — Republican

Write-in

FOR COURT OF CRIMINAL APPEALS JUDGE, PLACE NO. 2 (Vote for One)

BETH KELLUM — Republican

Write-in

FOR PRESIDENT, PUBLIC SERVICE COMMISSION (Vote for One)

LAURA CASEY — Democratic

TWINKLE ANDRESS CAVANAUGH — Republican

Write-in

FOR MEMBER, STATE BOARD OF EDUCATION, DISTRICT NO. 3 (Vote for One)

JARRALYNNE AGEE — Democratic

STEPHANIE BELL — Republican

Write-in

FOR MEMBER, CHILTON COUNTY COMMISSION (Vote for no more than Seven)

ROBERT R. "Shelby" BINION — Democrat

GREG "Coach D" DeJARNETT — Republican

DARRELL "D" BONE — Republican

JIMMIE HARDEE — Republican

JOSEPH J. "Joe" HEADLEY — Republican

RANDELL KELLEY — Republican

MATT MIMS — Republican

JOSEPH PARNELL — Republican

ALLEN WILLIAMS — Republican

Write-in (7)

FOR CHILTON COUNTY REVENUE COMMISSIONER (Vote for One)

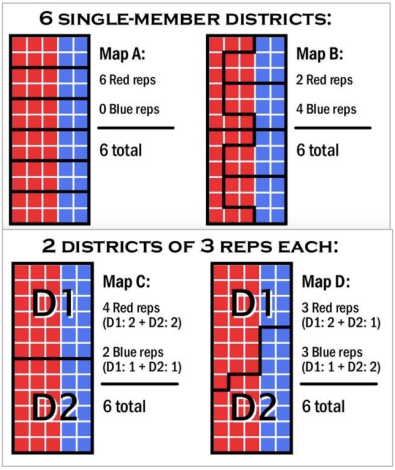
TIM LITTLE — Republican

Write-in

CONTINUE VOTING ON BACK

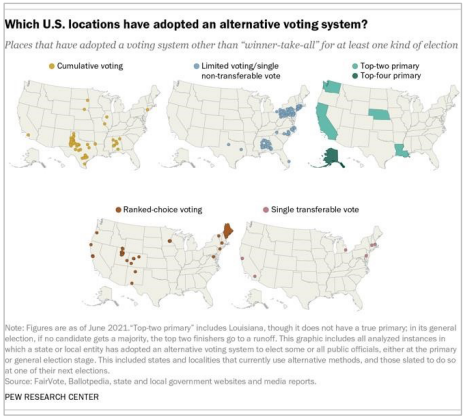
Source: Chilton County Commission

Figure 5: Comparison of Single-Member and Multi-Member Districts



Source: Eckam, Dan. 2020. "How multimember districts could end partisan gerrymandering." Fulcrum. 24 September. https://thefulcrum.us/redistricting/how-multimember-districts-couldend-partisan-gerrymandering. Viewed 30 November 2023.

Figure 6: U.S. Locations of Alternative Voting Systems



Source: DeSilver, Drew et al. 2021. "More U.S. locations experimenting with alternative voting systems." Pew Research Center. 29 June. https://www.pewresearch.org/shortreads/2021/06/29/more-u-s-locations-experimenting-with-alternative-voting-systems/. Viewed 30 November 2023.