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“Diarios a la greña [Quarreling dailies]”, La Guacamaya, (Mexico), May 23, 1907; Courtesy of Benson Latin American Collection, The University of Texas at Austin.
The *Historical Perspectives* Peer Review Process

*Historical Perspectives* is a peer-reviewed publication of the History Department at Santa Clara University. It showcases student work that is selected for innovative research, theoretical sophistication, and elegant writing. Consequently, the caliber of submissions must be high to qualify for publication. Each year, two student editors and two faculty advisors evaluate the submissions.

Assessment is conducted in several stages. An initial reading of submissions by the four editors and advisors establishes a short-list of top papers. The assessment criteria in this process, as stated above, focus on the papers’ level of research innovation, theoretical sophistication, and elegance of presentation. No one category is privileged over the others and strengths in one can be considered corrective for deficiencies in another. The complete panel of four editors and advisors then votes on the final selections. Occasionally, as needed, authors may be asked to shorten or edit their original submissions for re-submission.
Table of Contents

Introduction .............................................................................................................................................i

Acknowledgments .................................................................................................................................iv

The Power of Biases: Anti-Chinese Attitudes in California’s Gold Mines
Joe Curran ................................................................................................................................................6

AIM & the Occupation of Alcatraz Island
Victoria Juarez ........................................................................................................................................21

Creating Masculinity and Homophobia: Oppression and Backlash under Mexico’s Porfiriato
Héctor Navarro ........................................................................................................................................30

The Legacy of Imperialism on Gender Law in India
Neil Datar ..................................................................................................................................................49

“Gives to Bigotry No Sanction”: The Dangers of Continued Misinterpretation of Washington’s Letter to the Jews of Newport
Michelle Runyon ......................................................................................................................................62

Press Coverage of Internal Divisions Over Reform Judaism, 1905-1920: A Classic Tale of the American Progressive Movement
Katherine Porter .........................................................................................................................................72

HIV and AIDS: The Shift from a Modern Plague to a Medical Malady
Amanda Dahl ............................................................................................................................................81
Introduction

As of late, there has been particular focus on the targeting and increased visibility of vulnerable groups. From their racial, gender, religious, sexual, and other identities, these communities’ voices have asserted their presence and their importance. This has become increasingly clear in light of both our national and global contexts in recent months and years. Because of these dynamics, the examination of marginalized communities and issues is more important than ever. Understanding the context behind their present condition in societies here and abroad, and seeing how those histories inform the construction of our community as we know it, are both critical functions of history.

In this issue, we explore the narratives of such marginalized communities, discussing anti-Chinese and anti-indigenous attitudes, gender politics abroad in India and Mexico, Jewish exclusion in the U.S., and how sexuality helped frame public perceptions of the HIV/AIDS epidemic. Finding new historical perspectives requires us to dig deeper into those stories and angles that have yet to be properly acknowledged within the dominant narrative. By analyzing the various ways in which these topics have played out over time, we hope to encourage you to continue to seek out these hidden realities.

This edition begins with an essay by Joe Curran, who explores the different reasons for anti-Chinese sentiment during the California Gold Rush. Curran takes advantage of previous literature to analyze the various bases for unfair treatment of Chinese miners, which include economic frustrations, racial prejudices, and cultural biases. His use of evolving historiography creates a clearer picture of the broader concerns over Chinese influence on white American miners and laborers. Curran challenges his readers to look deeper at historical and contemporary justifications of anti-immigrant opinions.

Victoria Juarez’s piece continues the analysis of racial discrimination in U.S. society by examining the media response to the Occupation of Alcatraz Island from 1969 to 1971, and the larger indigenous activism that surrounded it. The movement was led by activists who challenged a history of occupation and colonization by turning the notion on its head and
reclaiming a space in protest. Delving into the rhetoric used by mainstream media, Juarez emphasizes the importance of language in revealing and reiterating internalized bias, and how these choices shapes public memory.

The scholarly examination of identity and perception continues in Héctor Navarro’s essay, as he explores the roots of Mexican machismo as it relates to the dictatorship of Porfirio Diaz from 1876 to 1911. As the political elite framed indigenous and lower-class men as feminine due to perceived passiveness or uncontrollable sexuality, men of lower ranking responded by criticizing the dictatorship and feminizing its culturally European identity. Navarro argues that the embodiment of hyper-masculinity in defiance of the Porfirian regime laid some of the foundations of the homophobia and machismo that influence modern conventional Mexican ideals of manhood.

Focusing on the interaction between gender, religion, and custom, Neil Datar evaluates the long-lasting impact of British rule in India. Through his exploration of British Imperialism and the eventual Partition of India, he finds three resultant flaws that continue to manifest themselves in India. These socio-political failings have particularly significant consequences for women, which Datar further illustrates with an analysis of a divisive contemporary court case. His work reveals how disagreements over state and religious power can play out in negotiations, and eventual decisions, regarding women’s rights.

In the face of a recent uptick in anti-Semitic aggressions in the United States, Michelle Runyon challenges the misperception that Washington’s letter to the Jews of Newport in 1790 marked a growing policy of religious pluralism in the U.S. Although Washington made a promise that Jews would be protected to practice their religion in the United States, the mixed legal protections prior to and following the letter counter this conception. Runyon addresses the historiographical gap in Jewish-American history by combining knowledge of early Jewish legal rights and the actions of George Washington, particularly regarding the sentiments expressed in his letter to the Jews of Newport.

Katherine Porter evaluates the disagreements within American Reform Judaism during the Progressive Era as some Jews attempted to better assimilate into mainstream American society. Her analysis of press coverage
reveals the ubiquitous, but limited nature of progressive reform. While proposing specific changes within Jewish tradition, Reform Jews were also emulating the progressive attitude that the majority of Americans felt at the time. Porter’s work reveals how the goals and ideals, as well as the division within, Reform Judaism proved to be much more American than might have been previously understood.

Amanda Dahl’s essay closes out the issue, as she follows the evolution of popular perception of HIV/AIDS from the early 1980s to the present. She investigates the impact that presidential administrations, pop culture, and evangelical Christians had on public opinion amidst the mystery surrounding the growth of this disease. Dahl criticizes the roles Ronald Reagan and evangelical Christians played in portraying HIV/AIDS, especially due to the subsequent mistreatment of gay men and others afflicted. She credits the positive shift in opinion to the pervasiveness of pop culture and efforts of George W. Bush. Dahl’s work reveals how an assortment of influences can sway public thought, taking decades for accurate information and sympathy to take hold among the greater population.
Acknowledgments

We congratulate the talented student authors who submitted their essays and were willing to share their thought-provoking perspectives on history. We would also like to thank our faculty advisors, Naomi Andrews and Amy Randall, and Carole Wentz, the History Department office manager. Their work, dedication, and patience helped make this publication possible. Finally, we would like to thank everyone who has contributed to the History Department this year. Without the wonderful faculty, staff, and students at Santa Clara University, the History Department would simply not be the inspiring academic environment it remains today. We have had great pleasure serving as representatives of the History Department and are thrilled to showcase our peer’s work. We hope you enjoy this year’s edition of *Historical Perspectives*, and that these essays leave you inspired to delve deeper into the stories yet unheard, as it did for us.

Emma Chen and Katherine Porter
Student Editors
The Power of Biases: Anti-Chinese Attitudes in California’s Gold Mines
Joe Curran

A study conducted in 2015 found that 49 percent of Americans believe immigrants take jobs away from “true Americans,” and that 61 percent believe that immigrants take social services away.¹ These beliefs in the negative effects of immigrants, which inform immigration policy today, have deep roots. Anti-immigrant sentiments began in the United States during the first waves of immigration from Europe in the late 18th century. Various immigrant groups faced severe discrimination throughout the 19th century, but one group was the subject of the first prominent and targeted law restricting immigration to the United States in 1882: the Chinese. The anti-Chinese movement, like all anti-immigrant movements, was the result of a variety of factors. The motives that shape attitudes towards immigrants are often grounded in economic, racial, and cultural phenomena. In examining the interactions between these factors with regards to the Chinese in the gold mines of California in the 1850s, where the anti-Chinese movement first took hold, much may be learned about the American psychology regarding the treatment of immigrants.

A multitude of historians have discussed attitudes towards the Chinese in various contexts: in voluminous histories on California, in works on the Gold Rush, and in books and articles specifically on the Chinese and their treatment in California. Throughout time, the historiography has evolved with regards to both the explanations for animosity and in the portrayal of the Chinese. With regards to the latter, it is necessary to note that as time progressed, historians generally gave more attention to the Chinese as active participants of history in their own right rather than as the passive subjects of history. In this way, the historiography reflects the prevailing attitudes towards the Chinese in the United States, which have become significantly more accepting in recent decades, with the late 1960s and early 1970s as a

general turning point. For the present study, however, the focus of the
historiography is on the explanations for the anti-Chinese sentiments during
the Gold Rush.

The literature began with the first historians of California: Theodore
Hittell, Hubert Howe Bancroft, Josiah Royce, and Charles Howard Shinn,
who published their works in the late 19th century.\(^2\) To explain the causes of
problems during the Gold Rush, one of which was Chinese discrimination,
these historians blamed immorality. The blame was placed, according to
Leonard Pitt, on both “immoral foreigners” and on “otherwise moral
Americans obsessed with the pursuit of wealth.”\(^3\) Moral explanations for
discord were confined to these early historians, however, with the focus
shifting as time progressed from the theme of morality to one of economics.

The economic frustrations and threats felt by white miners exist as
perhaps the most prominent lines of explanation for animosity towards the
Chinese. One of the first historians to explicitly state this was Mary Roberts
Coolidge in 1909. According to Coolidge, the first initial anti-Chinese
sentiments came from white miners competing with the Chinese for good
placers and wage jobs. She described the initial reaction to the Chinese in
California as positive, which started a tradition among many historians to
portray a warm welcome for the Chinese. Coolidge acknowledged that
animosity as a result of racial biases existed upon the arrival of the first
Chinese workers, but argued that these were outweighed by the economic
benefits of a small Chinese presence. When, however, the belief that the
Chinese were detracting from the economic prosperity of whites became
more widespread, sentiments changed.\(^4\) According to Sucheng Chan, the
emphasis on economic reasons for negative sentiments towards the Chinese
continued to manifest in the early 20th century with historians such as John

\(^2\) Theodore Henry Hittell, *History of California* (San Francisco, CA: Pacific Press, 1885);
Hubert Howe Bancroft, *History of California* (New York: Bancroft Co, 1890); Josiah
Royce, *California: From the Conquest in 1846 to the Second Vigilance Committee in San
Francisco: A Study of American Character*; Charles Howard Shinn, *Mining Camps: A
Study in American Frontier Government*, (New York: Charles Scribner’s Sons; New

\(^3\) Leonard Pitt, “The Beginnings of Nativism in California,” *Pacific Historical Review* 30,
no.1 (February 1961): 23.

McGroarty, Henry Norton, Zoeth Eldredge, and Gertrude Atherton. Another prominent historian who approached the issue from an economic angle is Leonard Pitt, who argued in 1961 that the beginning of nativism in California was in late 1849 and early 1850 when most white miners wandered from camp to camp, fostering an “economic jealousy” of foreign miners and mining companies who took what they believed was their rightful gold as Americans. Along these lines, Pitt emphasized that the free labor preferences of whites contributed to anti-Chinese sentiments, the importance of which is echoed by Tricia Knoll. Throughout the historiography, economic threats and fears continued to manifest as primary explanations for animosity.

It is an inaccurate representation of the historiography, however, to isolate economic explanations for animosity from other factors. Historians have also acknowledged the role that race played in the anti-Chinese movement, even if to a lesser degree. As race became more central to historiography in the United States, which was largely the result of the reinterpretation of the Civil War as dominantly about the issue of slavery, racial explanations were portrayed as more important in shaping the treatment of the Chinese. Still, economic fears and frustrations continued to play a major role. In 1974, William Tung argued that Sinophobia was initially the result of economic competition, but was exacerbated by “American deep-rooted antipathy to color.”

Alexander Saxton, in The Indispensable Enemy, acknowledged the role that labor competition and the

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1873 recession played in the expansion of the anti-Chinese sentiment. He also stressed, however, the importance of the “ideological and organizational patterns” that shaped the treatment of the Chinese in California because the Chinese were placed into a certain “mental compartment, which in the East had been reserved for Blacks.”9 Daniel Cornford, in his contribution to the discussion, emphasized the independent pursuit of wealth, in addition to the centrality of the ideal of Manifest Destiny and the racist ideology, which he argued was integral to the “white working-class consciousness.”10 Rudi Batzell continued the discourse on Chinese discrimination by arguing that racism must be continually exacerbated by economics and power dynamics in order to have the prominence it did with regards to the Chinese in the West.11

Related to race, the comparison of Chinese mining practices to slavery has also been integrated into economic explanations for animosity. This is demonstrated by Roman Hoyos, who argued that a major force behind the anti-Chinese sentiment was the threat white workers felt due to the supposed resemblance of Chinese labor conditions to slavery.12 Another major book on the history of the Chinese in California is Gunther Barth’s Bitter Strength, which approached the topic from an economic angle. Central to Barth’s narrative was how white miners saw a resemblance between Chinese workers in the mines and slaves, which endangered the “health and virtue” of California as a growing state.13 These complaints against slavery must be taken in the context of the workingman’s problem with slavery, which is that it is impossible to earn fair wages when competing with slave labor.

Cultural differences between white and Chinese miners, in the context of assimilation, have also been acknowledged throughout the historiography.

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12 Roman J. Hoyos, “Building the New Supremacy: California’s ‘Chinese Question’ and the Fate of Reconstruction,” California Legal History 8 (January 2013): 322.
In 1959, Robert Seager attributed the different customs, habits, and language of the Chinese, in addition to the low wages they worked for, as factors contributing to animosity.\textsuperscript{14} S.W. Kung brought together various explanations for a more holistic examination, including economic competition, foreign customs, and the notion of America as a “White Man’s Country.”\textsuperscript{15} In 1939, Elmer Clarence Sandmeyer proposed that the Chinese were seen as slaves, uncivilized, unassimilable, unchanging, and alien. He also argued that the Chinese were thought to conflict with white labor and degrade the work they performed.\textsuperscript{16} Joshua Paddison, in \textit{American Heathens}, focused on a gap in the historiography by making a case for the centrality of religion, arguing that because the Chinese were not Christian, they could not be identified as American.\textsuperscript{17}

As the historiography on this subject shows, a multitude of factors have been identified as contributing to the anti-Chinese sentiment in Gold Rush era California. The driving motives of animosity, however, have disproportionately been related to economic competition, which resulted in a number of frustrations and fears. Existing racial prejudices and cultural differences are identified in nearly all works on the subject, but have been examined as the primary causal factors of the anti-Chinese movement by few. While economic fears and frustrations are undoubtedly of importance, using only an economic frame risks ignoring powerful and lasting forces in the American psychology. By examining the interactions between economic complaints against the Chinese and racial and cultural biases in a new way, the power of preexisting prejudices is illuminated. In California, cultural and racial biases influenced and shaped white perceptions and judgments of the Chinese and served as a frame in which the perceived economic injustices that strengthened the anti-Chinese movement were understood. This is most

\textsuperscript{17} Joshua Paddison, \textit{American Heathens: Religion, Race, and Reconstruction In California} (Berkeley, CA: Published for the Huntington-USC Institute on California and the West by University of California Press, 2012), 3–4, 37–44.
clearly demonstrated by examining several of the most powerful and widespread economic complaints against the Chinese in the gold mines. Before beginning, however, it is vital to understand the mindset of the miners who voiced complaints against the Chinese and called for their removal.

An influential and widespread sentiment among white Americans was that the Chinese were incapable of assimilating because of their cultural and racial inferiority. Multiple cultural factors contributed to this opinion. One was a perceived lack of morals, which was articulated by Creed Haymond, a California State senator, who said, “They have no morals that I could ever discover.”\textsuperscript{18} Their perceived lack of morality was intrinsically related to the fact that the Chinese were not Christian. The Chinese were described as, “wedded to the traditions of the past, looking backwards and never forwards.”\textsuperscript{19} In addition to being designated as immoral heathens, the Chinese were also characterized as, “dirty in their habits” and “filthy around their camps.”\textsuperscript{20} This demonstrates how the basic quality of life of the Chinese was deemed incompatible with the desired future for California. Additionally, the language of the Chinese was described as a “horrid jargon” and their clothes were deemed inferior.\textsuperscript{21} When considering the diversity of cultural critiques, it becomes evident that whites believed that the Chinese culture was unclean in both a physical and abstract sense. From their morality to their dress, the Chinese were thought to have a certain aura that was deemed both foreign and inferior, and which would ruin the white American vision for California.

The Chinese were thought to be incapable of assimilating not only because of their culture, but also because of their race. Racial biases were

\textsuperscript{19} Albert S. Evans, À la California: Sketch of Life in the Golden State (San Francisco: A.L. Bancroft & Company, 1873).
\textsuperscript{20} Chinese Immigration, 155.
\textsuperscript{21} John David Borthwick, Three Years in California: 1851-54 (Edinburgh: W. Blackwood and Sons, 1857), 51.
widely expressed, as demonstrated by an 1860 article in a San Francisco newspaper, which says of the Chinese, “They are an inferior race, and cannot assimilate with us.”  

Because of supposed racial inferiority, the Chinese were thought to have several possibilities. Hinton Helper, the author of an account of life during the Gold Rush, explains in 1855, “They have neither the strength of body nor the power of mind to cope with us in the common affairs of life; and as it seems to be a universal law that the stronger shall rule the weaker, it will be required of them, ere long, to do one of two things, namely—either to succumb, to serve us, or to quit the country.”

Given the widespread belief of white racial superiority, very few believed assimilation to be a viable course for the Chinese. Removal of the inferior race, however, was widely considered. This reflects the broader hardening of racial lines that was taking place throughout the United States. The superiority of whites in comparison to other races is articulated by Helper:

No inferior race of men can exist in these United States without becoming subordinate to the will of the Anglo-Americans. They must either be our equals or our dependents. It is so with the negroes in the South; it is so with the Irish in the North; it was so with the Indians in New England; and it will be so with the Chinese in California.

The parallels between attitudes toward the Chinese in the West and blacks in the South are significant. In the South, it was a common belief that whites and blacks could not live as legal equals. Many thought that the solution to race troubles was “the removal of one of the races from the Southern States.”  

Starting before the Civil War, and continuing after it, this was demonstrated by support for the Colonization movement that advocated for the return of free blacks to Africa. After the Civil War, towards the end

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of the 19th century, these sentiments were supported by the increasing prominence of scientific racism, which justified white supremacy and claimed proof for the limited “mental powers” of blacks.26 In this way, the belief that the Chinese could not assimilate was rooted in a long and entrenched history of racism throughout the country that was evolving and strengthening around the time of the anti-Chinese movement. With this context in mind, the most prominent economic complaints against the Chinese will be examined.

One widespread economic frustration was expressed as the belief that when the Chinese extracted gold it was the equivalent of thievery against hard working Americans. Historically, however, Chinese miners often purchased claims for land that had already been mined and generally stayed out of the way of white miners. While racial and cultural prejudices can account for the frustration white miners felt working in the same profession as the “degrading” Chinese, economically the Chinese did not seem to have a directly negative effect on white miners. A former miner expressed the grounds for this complaint in a testimony, saying, “the Chinese made more money than the whites. This money (so far as my opportunities enabled me to judge, and my opportunities were of the best) nearly all left the mines in possession or ownership of Chinamen.”27 At the surface level, this seems rather straightforward; had the Chinese not been present in the mines, the reasoning goes, white miners would have extracted more gold. However, this does not accurately resemble the situation in many of the mines. An account of life in California published in 1857 says, “the Chinese are the easiest satisfied, with regard to paying ground, they were always the best customers for these indifferent claims, and by these means rose vastly in public estimation.”28 The Chinese, in paying for the worked out claims of white miners, were tolerated for a time. However, as immigration continued and the Chinese became more numerous in the mines, sentiments changed.

27 *Chinese Immigration*, 156.
The diary of a miner named Chauncey Canfield demonstrates this: “Six months ago it was seldom one was seen, but lately gangs of them have been coming in...We called a miner's meeting and adopted a miner's law that they should not be allowed to take up or hold ground for themselves.”

Canfield’s account seems to indicate that the Chinese did not pose a significant threat until their numbers threatened white miners. Numbers alone, however, do not suffice to explain the widespread movement against the Chinese because other ethnic groups of miners, such as Latin Americans, exceeded the Chinese in numbers but were not feared in the same way. Something more must have caused people, such as the author of an 1853 article in *Alta California*, to say, “Admitting this class of degraded foreigners is but another name for robbery of our own people.” It is at this point that the prevailing beliefs regarding assimilation, shaped by racial and cultural biases, are exceptionally informative. Upon the arrival of the Chinese, many thought, “If Chinamen came here under circumstances that made it probable that they would become identified with our country, our habits and language,” assimilation would be possible. However, because the Chinese were not believed to come under these circumstances, assimilation was never perceived as possible and the prevailing beliefs indicated that miners were “justly dissatisfied to see their substance torn from them.” This demonstrates that it was not the act of the Chinese extracting gold that spurred the anti-Chinese movement, but the assumption of white Californians that they did so with no intention of staying and assimilating.

In order to fully understand these sentiments, one must examine the related complaint that the Chinese did not sufficiently give back to the American economy by buying goods. While voiced as an economic frustration, this complaint is informed by the frame of mind that the Chinese were incapable of assimilating. The perceived injustice is clearly expressed

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33 Ibid.
in an issue of the *Sacramento Union* in 1852: “They literally spend nothing in comparison with the enormous amounts of treasure which they carry out of the country.”34 The seemingly closed nature of Chinese culture, in which economic interactions with Americans were limited, was an indicator of the inability of the Chinese to assimilate. Prevailing sentiments were that, “the Chinese are more objectionable than other foreigners because they refuse to have dealing or intercourse with us.”35 Given the context, the lack of economic dealings are what whites found objectionable. This is confirmed by the testimony of a former miner in the California State Senate, who said, “Nearly all their ware is evidently Chinese manufacture and they have their own merchants in the mining camps.”36 One must consider, however, whether the loss of business that store owners in mining areas faced explains the widespread nature of this complaint against the Chinese. Again, to understand more fully the animosity towards the Chinese, racial and cultural biases must be considered. Helper, in 1855, asks, “Will they discard their clannish prepossessions, assimilate with us, buy of us, and respect us? Are they not so full of duplicity, prevarication and pagan prejudices, and so enervated and lazy, that it is impossible for them to make true or estimable citizens?”37 Economic transactions are included in Helper’s list of complaints against the Chinese, but only presented as part of the larger objection to the way the Chinese lived and acted in California. In this way, the complaint that the Chinese did not contribute to the Californian economy was more than an economic frustration; it was an expression of the unassimilable nature of the Chinese that spurred from cultural and racial prejudices as well as from fears for what effects a lasting Chinese presence might have.

Another prevalent economic complaint denounced the “slave” labor of the Chinese miners that undermined whites. The complaint was framed economically: “we object to the Chinese capitalist buying and bringing here,

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34 "Review of Passing Events," *Sacramento Union*, 1 May 1852.
36 Chinese Immigration, 155.
for a term of years, slaves to be put in competition to our own labor.” The factual extent of this competition, however, has already been questioned. Some Chinese did work as wage laborers for American mining companies, but most worked for Chinese cooperatives and companies. These companies and cooperatives did not directly compete with white miners and the existence of bonded Chinese miners would not have necessarily brought white wages down. In an account of life in California from 1851 to 1854, John David Borthwick aptly describes the prevailing perceptions, saying, “it is well known that whole shiploads of Chinamen came to the country under a species of bondage to some of their wealthy countrymen in San Francisco, who, immediately on their arrival, shipped them off to the mines under charge of an agent, keeping them completely under control by some mysterious celestial influence, quite independent of the laws of the country.” This is most accurately understood as a fear of losing individualism. Around the time the Chinese arrived en masse to the mines, white miners were increasingly working for companies. They understood that the trend in mining practices was towards a loss of freedom, and reacted by reinforcing the ideal of individualism, meanwhile blaming the Chinese for the changes that were occurring. The Chinese, because of the way they worked in groups with little autonomy under a mysterious overlord and lived in frugal conditions, were denounced because their conditions were deemed unsuitable for white Americans. Furthermore, the Chinese mining practices served as a warning of where America could be headed, should Chinese presence go unchecked. Peter Burnett, the first American Governor of California, explains, “Were Chinamen permitted to settle in our country at their pleasure, and were they granted all the rights and privileges of the whites... in one century the Chinese would own all the property on this coast.” White Californians feared that they would soon be forced to live

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40 Borthwick, *Three Years in California: 1851-54*, 263.
and work without the individualism that they were already losing. Further frustrating was the sentiment that “though most of (the Chinese) are held as mere slaves by their wealthier countrymen, it goes desperately against the grain with them to take the situation of servants among white people, as they are constitutionally haughty and conceited, and believe themselves to be superior to us in all respects.” This is a manifestation of the belief that the Chinese did not want to assimilate because they thought Western culture was inferior. Helper voices the offense he takes at this questioning of American exceptionalism, saying, “They look upon us and all other white-skinned nations as ‘outside barbarians,’ and think we are unduly presumptuous if we do not pay them homage!” Men such as Helper feared that if the Chinese gained enough influence, which was tied to economic power, the superior culture of white Americans would be subordinated to the “degrading” and communal ways of the Chinese. In this way, the negative reaction towards perceived slave labor was the result of cultural biases that caused fears for the future of Californian culture, rather than simply the effect of economic threats.

The frame of cultural and racial biases informing an economic complaint is informative again when examining the similar frustration that white men could not compete with Chinese labor. While seemingly economic, this complaint is not against the working practices of the Chinese but against their culture, which, in the eyes of white Americans, did not appear to value individualism or family. While competition between Chinese and whites likely first appeared in the mines, where white and Chinese miners increasingly worked for companies by the early to mid 1850s, it expanded to other lines of work, especially after the Gold Rush winded down and the Union-Pacific Railroad was completed. As noted earlier, most Chinese worked for Chinese companies and cooperatives, but American companies did employ others. The complaint was expressed by Peter Burnett, saying, “The white man can do as much work, and as skillfully, as the Chinaman; but he can not live so cheaply.” Without considering the

43 Ibid., 91.
implications of this complaint, the centrality of economic competition seems obvious. However, the ability of the Chinese to work for less than white workers is the key factor that created this conflict. The low wages of Chinese workers went hand in hand with a frugal way of living, which was deemed inferior by whites. Burnett continues: “It would require many centuries of inexorable training to bring the white man down to the low level of the Chinese mode of living.” This statement demonstrates the prejudices white people in California had against the Chinese culture. It is important to note that they were decidedly limited in their exposure to Chinese culture. However, Chinese culture, as whites in California understood it, was not only inferior to white culture, but also a threat to the white way of living. This threat is demonstrated by an illustration titled “A Picture For Employers,” which is presented as Image 1. It contrasts a white man returning home to his wife and children with a room overflowing with Chinese men who are engaging in stereotypical activities such as smoking opium and eating rats. The caption of the picture reads, “Why they can live on 40 cents a day, and they can’t.” The frugal living of Chinese men in California, which is caricatured in the illustration, demonstrates the fear that the culture of California was being degraded because white men were unable to support families while competing with Chinese labor. In this way, Chinese culture was believed to threaten the nuclear family, which has consistently been one of the most highly valued aspects of American culture. It was this belief that resulted in arguments against the Chinese relating to

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economic competition, which demonstrates how cultural prejudices inform economic complaints.

Image 1. J. Keppler, “A Picture for Employers” Puck, 21 August 1878

Although the complaints that formed the basis of the anti-Chinese movement in the gold mines, and later throughout the West, were expressed economically, they were understood and framed in the context of the cultural and racial inferiority of the Chinese. In this way, economic complaints against the Chinese were expressions of the greater threat that the Chinese were believed to pose to the future of Californian society. The biases manifested largely in discussions about assimilation to American culture, which values ideals such as individualism and family. It is acknowledged that this study is of a relatively narrow frame, and focuses on prejudices that may be regarded by some as living only in the past. Persecution of immigrants in the United States, however, is lasting. Although the immigrant groups that face the most severe discrimination differ, it is important to be aware of the prejudices that are held in the American ideology. The current President, Donald Trump, said in a campaign speech, “Not everyone who seeks to join our country will be able to successfully assimilate. It is our right as a sovereign nation to choose immigrants that we think are the
likeliest to thrive and flourish here.” As the 2016 Presidential election demonstrated, the belief that immigrants must change their ways to conform to “American culture” is more widespread than one might like to accept. The demand of assimilation demonstrates the belief in American superiority that has persisted for centuries. Although economic justifications for the harsh treatment of immigrants are frequently cited and are undoubtedly important, it is necessary to search deeper. Underneath economic complaints, as well as underneath calls for assimilation, are cultural and racial biases that the population of the United States must understand in order to improve the treatment of immigrants.

AIM & the Occupation of Alcatraz Island
Victoria Juarez

While often overlooked in the overarching frame of social unrest that plagued the 1960s and 1970s, the American Indian Movement (AIM) was a pivotal part of this period of social change. Since the earliest foundations of this country, American Indians have been fighting to maintain their land, culture, and rights against the constraints of the U.S. government. AIM represented the frustrations of American Indians for hundreds of years and decisively used the public conflict of the time to make the plight of these people known to the general public. The American Indian occupation of Alcatraz was intended to raise awareness of the cruelty American indigenous people faced in the form of federal policies but was unsuccessful in portraying these grievances through popular media. However, the Alcatraz occupation did have a lasting effect on the lives of American indigenous people and acted as the catalyst for new perceptions of self-determination and liberation. Because of the occupation of Alcatraz, the Red Power movement took hold as a legitimate social movement during an era of changing perceptions and attitudes.

In 1969, a group of American Indians took over the federal penitentiary on Alcatraz Island in San Francisco Bay and laid claim to it by ‘right of discovery’ in an effort to expose the suffering of American Indians. The occupants cited the Sioux Treaty of 1868, which implied that vacated federal lands could be occupied by American Indians, and thus began a 19-month standoff against the U.S. government.1 The occupants were made up of mostly Native American university students, who studied at institutions in California and adopted the name ‘The Indians of All Tribes’ as tribute to the American Indians who were living on reservations across the country, in addition to those living in Canada and South America.2

A major part of the occupation was spreading awareness of the difficulty of an often overlooked and manipulated group of people through

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2 Ibid., 74.

Historical Perspectives, Series II, Volume XXII, 2017
more popular modes of media, including television and radio. On November 11, 1969, protesters read their ‘Proclamation to the Great White Father and all his People,’ which was broadcasted by San Francisco’s KPIX-TV. The proclamation “saw the occupying forces offer to buy Alcatraz for ‘$24 in glass beads and red cloth, a precedent set by the white man’s purchase of a similar island three hundred years ago.’” Accompanying this offer was the stipulation that white inhabitants left on the island would be held under the responsibility of the Bureau of Caucasian Affairs; these people would also be offered “‘our religion, our education, our life-ways, in order to help them achieve our level of civilization and thus raise them and all their white brothers up from their savage and unhappy state.’” The statement continued by comparing Alcatraz Island to the likes of a reservation: “it is isolated from modern facilities and without adequate means of transportation; it has no fresh running water, inadequate sanitation facilities, no oil or mineral rights, no industry…no healthcare or educational facilities.” This sarcastic yet extremely brutal rhetoric is used specifically to bring the struggles of American Indians to light by using the government’s own neglect to voice their grievances. The approach to engage the public through anti-government rhetoric did not last long, as more mainstream media often overlooked the perception of American Indians. Because of this overshadowing by non-American Indian reporters, the native voice was often lost or forgotten during the Alcatraz occupation and even moving forward into the Red Power Movement.

One of the most public forms of media during this time period was newspapers, which reported the entirety of the occupation movement from 1969-1971. An article from the Desert Sun, published on November 20, 1969, described the beginning of the occupation; “the Indians invaded Alcatraz today…proposing ‘profitable negotiation’ with the federal government on taking over the ‘Rock’ for an American Indian cultural center.” The article goes on to explain that the American Indians asserted
their right to occupy the island since it was currently not being used by the federal government. Before the occupation, several proposals were discussed regarding how the land should be used, including the idea to make the island into a “space-age museum” or “Disneyland-type amusement park.”

Dean Chavers, a member of the Lumbee tribe, asserted in a news conference that the occupiers had the same right to take over the island as anybody else; “They are out there for profitable negotiation. They have a legal and moral right to be there … nobody is armed, nobody will be armed.” It was noted in the news article that one particular building on the island was decorated with numerous stickers that read “Custer Had It Coming.”

While this news article appears to give a non-biased account of the events on November 20, 1969, it is clear that there is some negative sentiment towards the occupation of Alcatraz Island. The first indicator is the title of the article – “Indians Uprising Again at Alcatraz.” The use of the word uprising provokes feelings of violence and potential danger instead of the non-violent occupation that it was intended to be. Right from the start, the reader is influenced to read the article through a certain lens. The article compares the desire of American Indians to reclaim Alcatraz as land that is rightfully theirs in order to use it for a Native American cultural center to other petitions, such as using the land for an amusement park. This completely demeans the desires and goal of the occupiers to establish a center to promote American Indian culture and education, and trivializes it in comparison to using the land for capital gain. In addition to this petty comparison, it is also interesting to note that the author chooses to mention that a room in one of the abandoned buildings on the island is decorated with a sticker with the words “Custer Had It Coming.” While this is a seemingly insignificant comment, the author intentionally chooses to pick a detail that could be interpreted as portraying American Indians in a vengeful and resentful light. It could be argued that the wording on the sticker can be seen as forceful, but AIM interpreted their actions and slogan as justified since they were the true owners of the land that was wrongfully taken from them.

8 Ibid.
9 Ibid.
10 Ibid.
The inclusion of details such as the use of the sticker for decoration around the facilities concentrates the reader’s attention on seemingly trivial facts about the occupation, taking away from the much larger picture.

Two days later, on November 22, 1969, the Desert Sun published another article titled “Indians Still Squat On Alcatraz Island,” which illustrated that 120 occupiers continued to occupy Alcatraz Island. The articles opens with a statement on the occupier’s slogan, “this land is my land” and notes that “the young American Indians occupying Alcatraz Island have adopted it as their battle cry.”11 The author explains that “the phrase was painted on a sign roped across the back of the statue of an eagle which decorate[d] the doorway…” of one of the abandoned cellblocks on the island.12 This building is one from which the occupiers have “vowed” that the government will have to “flush them out.”13 The article goes on to describe one altercation between the Coast Guard and a group of “squatters;” “A brief skirmish took place in the bay Friday when a Coast Guard cutter tried to attack a tow line to a Chinese junk laden with Indian sympathizers…the sympathizers promptly cut the tow lines….”14 It is also reiterated that the occupiers want to use the abandoned land to build a Native American cultural and education center. As with the news story written on November 20, the language used and details that were included create anti-occupier sentiment. The title portrays the American Indians as squatters instead of calling them occupiers, demonstrators, or another word that does not elicit the negative image that the word squatter evokes. The article’s opening statement on the occupier’s slogan, “this land is my land” hints at negative American Indian sentiment in addition to the conclusion the author draws when referring to it as a battle cry. Instead of using words such as slogan or mantra, the author chooses a word that is associated with a negative connotation. Using vocabulary such as the word “vow” and including a threatening statement regarding government take over once again contributes to the overall negative sentiments that the public already held towards American Indians. The portrayal of the federal government as

12 Ibid.
13 Ibid.
14 Ibid.
showing no inclination to act violently uses ethos to give a peaceful picture of the government versus the unruliness and potential danger that the occupiers on the island display. While it is notable that AIM was successful in having their cause talked about in newspapers, it was often times not portrayed in a favorable manner.

Since Alcatraz was federal property, the media publicity that the occupation acquired grabbed the attention of President Nixon’s staff and policy-makers. In 1969, Robert Robertson, director of the National Council on Indian Opportunity (NCIO), was sent by the White House to Alcatraz Island in order to bargain with the occupiers.15 “When Robertson promised to build a park for the Indians on the island, the occupiers, calling themselves the ‘Indians of All Tribes, Inc.’ refused. They insisted upon…a cultural center.”16 It is evident in this quote that at this point in the occupation, the federal government was extremely out of touch with the occupiers’ demands and wanted to provide a quick fix rather than sitting down to listen to what the occupiers were hoping to accomplish through the movement. When bargaining with the group failed, Nixon’s advisors urged the president to remain patient given the recent events at Kent State and the current social situation in the United States. The federal government ultimately did not end up intervening directly during the Alcatraz occupation, although moderate members of the Nixon administration “used the occupation to plead for changes in Indian policy.”17 “The Alcatraz episode is symbolic…to the Indians and to us it is a symbol of the lack of attention to [their] unmet needs.” stated one of Nixon’s advisors.18 It is important to recognize that by the end of the occupation, at least part of the Nixon administration realized the importance of the occupation of Alcatraz; it was not simply a fight for a small piece of land, but was rooted in the lack of fair treatment they had received by the government long before 1969.

16 Ibid.
17 Ibid.
18 Ibid.
In addition to gaining popularity through mainstream media, the occupiers on Alcatraz Island were also responsible for producing their own forms of media. This media was and has often been overlooked because of the widespread popularity of non-indigenous forms of media. “Outside coverage in mainstream newspapers…is much more readily accessible, and, since it reached larger audiences, reflects mainstream responses to the occupation,” while sources such as the Alcatraz Newsletter have often been omitted.19 The newsletter, which was written and published by occupiers, was used to promote a united sense of identity and purpose amongst all American Indians, including those in South and Central America and Canada, and solidified the Alcatraz occupation as a legitimate political example of leadership and positive activism in the American Indian community.20 The Alcatraz Newsletter shared perspectives on the Alcatraz occupation through six frameworks: unity, leadership, history, symbolism, legal and treaty rights, and conservation.21 Historian Rhiannon Bertaud-Gandar also reflects that statements given by occupiers or supporters of the movement that were written in mainstream newspapers were often “interpreted, reframed, and mediated by non-Indians” and [were] correspondingly written for “non-Indians” as well.22 While the Alcatraz Newspaper was not able to spread its message quite as wide as more mainstream forms of media, it is important in the scope of building a stronger sense of self-determination and influencing future activism.

The concept of self-determination appeared in the 1960s and became an established policy in the 1970s. While its meaning can be interpreted in a variety of ways, most American Indians agreed that the term was central to the idea that they needed to take control of their own lives and destinies.23 “Tribal people desired self-determination because they maintained correctly that the Euro-Americans, including the Bureau of Indian Affairs (BIA), had

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20 Ibid.
21 Ibid.
22 Ibid.
controlled the lives of Native people for more than a century.”

A large part of this control centered around education, as the BIA often encouraged native people to pursue education at a low-level vocational school rather than pursuing a higher form of education. In an effort to maintain their self-determination, “tribal people desired higher levels of education that included the creation of Native-run colleges and universities.”

Through various means, including education, self-determination represented the desire for native people to take control of their own lives and live free of government constraints. Whether or not it can be credited to the turbulent social changes during this time period, American Indian self-determination burst forward, creating a new policy that united native people under the same principle of liberation.

Through this empowering notion of self-determination, more research has been conducted into finding out the realities behind the Alcatraz occupation apart from the often-inadequate statements that were released in newspapers between 1969-1971. Edward Willie was a member of the Alcatraz occupation and traveled with his family from his home on a reservation to join occupiers in 1969. While Willie was only a young boy when he reached Alcatraz, he has been able to share the experiences of the movement.

It was like visiting with lost family…There was an instant connection, but at the time I was not sure of the source of that connection. It was not until years later that I was able to pinpoint the cause of the good feeling in my heart. I realized that this was the important ingredient that had been missing from our lives. They were our people: Indians, Indians, and more Indians.

Not only does Willie reflect on the day-to-day activities of his life on Alcatraz Island, but he also gives insight into the perceptions he felt as an American Indian standing in solidarity with other indigenous people who

24 Ibid.
25 Ibid.
27 Ibid.
supported the cause for self-determination and liberation. “Most importantly, though, my vision of Indians as bloodthirsty, war-whooping terrorists turned into a vision of family, community, and people struggling and laughing amidst great cultural changes.”

28 It is evident through Willie’s statement that even he, an American Indian, had become disillusioned by the vision of indigenous peoples that the media and the U.S. government presented to the public. The value of looking at a perspective such as Willie’s reveals the truth behind what was happening on Alcatraz Island and is able to offer a much deeper and emotional anecdote than a short piece in a newspaper.

Other American Indian voices from the occupation have also reflected on the power that the Alcatraz Occupation had in changing their perceptions about themselves, their people, and their culture. “If you wanted to make it in America as an Indian, you had to let them (the government and White American society) remold you. Alcatraz put me back into my community and helped me remember who I am,” said John Trudell, another member of the Alcatraz occupation.

29 Trudell was 23 when he moved to San Francisco to be part of the occupying movement, and was well known amongst the occupiers as the voice of Radio Free Alcatraz, a pirate station that broadcasted from the island with the help of local news stations. Because Trudell was able to reach so many people, he was able to garner support for the occupation from celebrities such as Jane Fonda and Marlon Brando, in addition to support from the general public.

30 Trudell used his voice to become a leading member of the occupation movement and continued to be a figurehead of the Red Power movement through the early 2000s. The narratives of American Indians such as Edward Willie and John Trudell are increasingly important, especially when attempting to gain a comprehensive perspective of the Alcatraz occupation. It is through their testimonies that evidence can be presented regarding the power the occupation had in shaping the policy of self-determination and indigenous liberation for future generations.

28 Ibid.
30 Ibid.
31 Ibid.
While the American Indian occupation is often perceived as a failed attempt to take over a 22-acre piece of government property, it has proven to be a catalyst for the growing empowerment of Native Americans through the Red Power movement. “The occupation of Alcatraz Island…initiated a unique nine-year period of Red Power protest that culminated in the transformation of national consciousness about American Indians and engendered more open and confident sense of identity among people of Indian descent.”

Although perceptions of the movement at the time were often negative, as shown through mainstream media, insights into personal perspectives of the movement have shown the truth behind the occupation and self-determination moving forward. The Red Power movement often becomes lost in the overwhelming number of social and political movements that occurred during the 1960s and 1970s, but it does not by any means signify that it was any less important than other movements. What is important to remember about the Alcatraz occupation is that it was a promoter for social and political change for an especially disparaged group of people who had been under governmental control for 200 years.

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Creating Masculinity and Homophobia:
Oppression and Backlash under Mexico’s Porfiriato
Héctor Armando Navarro

The dictatorship of Porfirio Díaz, which lasted from 1876 to 1911, brought political stability to Mexico, which in decades prior had seen caudillos, military strongmen, seize and then lose power one after the other. In hopes of modernizing and industrializing the nation, Porfirio Díaz welcomed foreign investment from the United States and Europe, and his regime promised “Order and progress.”¹ Part of “progress” meant adopting new social concepts of masculinity and establishing class distinctions to elevate the status of middle and upper class men. Porfirio Díaz and his científicos, his technocratic advisors, believed that in order to carry out this mission of modernity, they had to behave as bourgeois men did in Europe and in the European colonies. Consequently, they consulted self-help manuals, including Manuel Antonio Carreño’s Manual de urbanidad y buenas maneras (1854), which promoted European, colonial values such as self-mastery, repression of one’s passions, cleanliness, proper grooming, and control of social “inferiors” such as women and children.² In the process, the Mexican political elite reworked old imperial notions of race and class to characterize indigenous and lower class men as either passive or uncontrollably sexual, which were both represented as feminine qualities. As decades of Diaz’s oppressive authoritarianism angered much of the population, men of lower ranking social groups reacted by depicting him and his regime as elitist and effeminate. To criticize the dictatorship, opponents of the Porfiriato feminized its culturally European identity, targeting scandals like the famous Baile de los cuarenta y uno (a private dance in Mexico City where forty-one upper-class men, nineteen of whom cross-dressed, were arrested by police in 1901) and championing more brutish, macho standards of manliness. This embodiment of hyper masculinity in defiance of the Porfirian regime laid some of


Historical Perspectives, Series II, Volume XXII, 2017
the foundations of the homophobia and machismo that influence conventional Mexican ideals of manhood to this day.

Most scholarship on Mexico’s Porfiriato overlooks the topics of gender and masculinity largely because this historical period is deemed unpopular, as Diaz ruled autocratically.\(^3\) Indeed, when defining Mexico’s national self-perception, many look to and revere the Mexican Revolution, which was fought to oust the dictator. As a result, the majority of analyses of Porfirian Mexico focus on his liberal, market economic policies, political and economic oppression, and the ensuing collapse of the regime during the war; but from a gender lens, the revolution also played out as a struggle against effeminate elitists, who in the eyes of the oppressed did not merit the right to rule. Homosexuality and transvestitism, markers of Porfirian effeminacy, were now an enemy of the nation and a threat to maleness.\(^4\) Therefore, the macho, “protest masculinity” would define the new ideal man of Mexico who rejected bourgeois, effeminate behavior associated with Diaz and upper class men.\(^5\) However, post-revolutionary Mexican cinema, literature, and political discourse defined the nation as a male entity by contradictorily celebrating male heroes and homosocial bonding,\(^6\) and the latter could be a slippery slope towards homosexuality. Consequently, Mexican art and the Mexican state would try to expel or deride effeminacy and homosexuality from national expression.\(^7\) Cleansing the nation’s image therefore entailed celebrating macho values and distancing Mexican identity from queer culture. Thus, the Porfiriato saw a development of masculinity and femininity as a mechanism for delegitimizing those in power and redefining a national identity that was up for grabs.

**Markers of Elite Men**

Some of the categorizations of gender which Díaz and his científicos adopted paralleled the discourse on gender found in nineteenth century British

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\(^6\) Domingues-Ruvalcaba, *Modernity and the Nation in Mexican Representations of Masculinity*, 34.

\(^7\) Ibid.
imperialism in India. In the context of colonial India, the ethos of masculine behavior was “aggressive-but-gentlemanly” meaning that white, British men exhibited not just physical strength, but also rationality. By contrast, according to colonial officials, Indian (and especially Bengali) men were unable to exercise rational control over their appetites. Lack of self-mastery was associated with femininity, implying that Bengali men were less masculine and thus inferior to their white rulers. Easily succumbing to moral vices led to the “vigor of their race” being “sapped;” and in the British colonial imagination, this is why Bengali men were “weak and sickly.” On the other hand, British men in power were depicted as “robust” with an inherent “manly character” that vindicated their right to rule over “puny” subordinate males with a “diminutive physique.” Additionally, the Indian Medical Gazette claimed that Indian premature sexual activity – which was identified as a symptom of male degeneracy – lead to “physical deterioration of the human stock, and physical deterioration implies effeminacy, mental imperfection and moral debility.” British authorities attributed controversial practices such as child marriages to Indian males’ unnatural lust or “sexually indulgent attitudes.”

As a result, Indian women were seen as vulnerable since they were in danger of being violated by unrestrained native men. Consequently, women’s bodies became the sites for establishing and violating the boundaries between male communities (predators and protectors), a consistent theme throughout the colonies of France and Britain, and as we shall see, in Mexico as well. Ultimately, categorizations of gender were constructed to cement power structures between colonial rulers and their subjects. In Porfirian Mexico, the political elite denoted levels of masculinity and femininity, in terms of restraint, degeneracy, sexuality, and morality, in a similar fashion to justify their authority over indigenous and lower-class men.

10 Ibid.
11 Ibid., 226.
12 Ibid.
13 Ibid.
14 Ibid.
One way in which upper class men in Mexico could reaffirm their masculinity was to abide by rules of conduct found in self-help manuals. Manuel Antonio Carreño’s *Manual de urbanidad y buenas maneras* (1854) illustrates some of the principles of manhood that Porfirio Díaz, his political advisors, and wealthy *letrados*, “men of letters,” sought to emulate. The manual outlines standards of personal comportment in the public and private sphere, which mirror nineteenth century bourgeois values of Europe and European colonies. Regarding men’s clothing and grooming for example, the document states, “Our attire must always be neat, not just when we present ourselves in public or walk down the street, but also when we find ourselves in our homes… Neat clothing is not the only condition that enforces our tidiness: it is necessary to not wear anything ripped or tattered.”16 In the same manner, men were “to have cleanliness and restraint in our personalities, in our attire and in our homes, to encourage respect.”17 In relation to women and children, proper men were expected to exhibit dominance, cloaked by a gentle touch of personal restraint and morality. Such behavior can be seen in the expectations of husbands and fathers. “The father takes care of his wife with more tenderness than ever. He lives concerned about the dangers that surround her, accompanies her in her distresses, consoles her when she suffers, and gives himself to her to watch over the sweet fruit of his love.”18 The manual also reasons that tolerance is necessary in domestic life, and as long men do not repress their anger, pride, and hate, they can never achieve moral perfection. Thus, male superiority was framed largely in paternalistic terms, as husbands and fathers were expected to act as stewards of their wives and children. Elite men’s behavior was supposed to uphold civilized society and maintain the “harmony that should exist among men.”19

Mexico’s political elite during the Porfiriato strived to appear as civilized as bourgeois, European men were depicted to be, which can be seen in photographs of Porfirio Díaz and his technocrat advisors. Figure 1 shows Díaz in his later years sitting among his cabinet members after a presidential procession that took place in Puebla, where the Mexican victory over France was commemorated. Despite the

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17 Ibid., 33.
18 Ibid., 6-7.
19 Ibid., 32.
celebration being centered on a victory over a European power, Díaz and his científicos are dressed in European fashion, including a suit and top hat, which were marks of status and wealth. Figure 2 (also Díaz) and figure 3 (his finance secretary José Yves Limantour) demonstrate the stoic, restrained qualities of manliness outlined in the Manual de urbanidad y buenas maneras. Both Díaz and Limantour are neatly dressed and express a calm demeanor. Opponents of the government would later characterize this elitist aesthetic as a “feminine touch.”

References to physicality and morality as measures of manliness can also be found in the memoirs of Díaz. In these writings, he both derides men he deems inferior and lauds those (including himself and his brother, Félix Díaz) for living up to physical and moral standards of manly conduct. Díaz, who served in the liberal army during Mexico’s Reform War (1857-1861), writes of his military

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campaigns, often in a boastful manner. His methods of ascribing feminine or masculine qualities are rooted in colonial constructions of race and class. When referring to his own behavior, he tries to depict strength, control of one’s passions, and clemency. In his memoir about the 1859 invasion of Oaxaca, which was controlled by the conservative army forces, Díaz recounts his experience in handling prisoners of war. In the treatment of captives, he portrays himself as a moral, enlightened general in contrast to his supposedly more brutal opponents. He writes:

My humanitarian sentiment determined that I did not shoot the prisoners, exchanging them for a weapon and warning them not to take part in the war again. But the experience showed me that they did not know how to appreciate my generosity, since they fell for a second and even a third time with the weapons in their hands, which made war endless, and then it was necessary to change my behavior. On the other side, since my adversaries did not give quarter to the few prisoners they made of my men. I decided to follow their example and make reprisal a means of defense.21

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Distinguishing himself as a “humanitarian” practicing “generosity” speaks to the European-inspired ideals of manhood which entail standing strong in the face of one’s immoral enemies. British poet Rudyard Kipling incorporates similar rhetoric about keeping calm in the face of adversity in “If,” (1895) a poem written in the form of fatherly advice to his son, John: “If you can keep your head when all about you are losing theirs, and blaming it on you, If you can trust yourself when all men doubt you, but make allowance for their doubting, too.” In General Díaz’s account, he depicts himself as the enlightened individual demonstrating a code of combat in front of untrustworthy prisoners. Moreover, he attributes his need to “change behavior” to the fact that his enemies maltreated his men first, casting the blame on them. By portraying his adversaries as men of cruelty, he is able to frame his subsequent retaliation – his harsher treatment of his prisoners – as a defensive measure. Díaz also calls out physical strength as a marker of masculinity. Hardened men were deemed necessary for carrying out colonialism in both nineteenth century Britain and the Third Republic of France. France after the Napoleonic era juggled two ideological frameworks of imperialism, civility and power. The French, who saw their colonial project as a civilizing mission to spread republican values, also acknowledged that controlling colonized peoples required physical force. Consequently, the French ideal was a colonial man with high intellect, yet also superior physical attributes. Britain in the 1880’s also tried hardening its youth to prepare young school boys for carrying out imperialism. Public schools incorporated intense sports programs that emphasized discipline and endurance, while organizations like the Boy Scouts and the Boys’ Brigade promoted principles of fair play. Historian Gail Bederman calls this two-sided (and somewhat paradoxical) model of masculinity “middle-class men with doses of barbarism,” where men adhered to fair rules of conduct yet retained brute strength. Diaz echoes this language when describing his esteemed brother, Félix,

24 Ibid.
25 Ibid.
27 Ibid.
in his memoirs. He compliments Félix’s physical attributes in a manner akin to characterizations of the ideal British and French man, emphasizing virility but also restraint and self-mastery. Félix is said to have been “very fond of all the athletic exercises,” and he possessed a “robust, muscular constitution.” Additionally, he studied at a military college to learn the tactics of war. To distance Félix from the “barbarian Indians” whom he campaigned against as a soldier, however, Díaz points out that Félix “showed great courage and serenity” in battle. The general frequently references stoicism and grace throughout his memoirs to differentiate between men of power and their inferiors, reflecting the colonizer-colonized relationship characteristic of British and French imperialism.

As proponents of nineteenth century liberalism, Díaz and those within his elite circle also advocated individual liberties and Social Darwinism, believing that indigenous people were uncivilized, weak, and incapable of comprehending modern ideas. This racist concept had been reinforced by European visitors to Mexico and continued by the Díaz government. A study conducted by a French Doctor Jourdanet in 1865, for example, claimed that the indigenous race was degenerate, and that the native inhabitants of Mexico’s Anahuac region for example were predisposed to weakness due to the high elevation of their plateau environment. A similar relationship between natives and their milieu was identified in British India. During outbreaks of venereal diseases in British army regiments, physicians surmised that Indian men, via contact with Indian women and a tropical climate, were so immersed in such diseases that they had developed a resistance, one not found in European men. As in India, medical discourse in Mexico traced the health of indigenous men – in this case their purportedly fragile state – to their physical environment as well as their social milieu.

Another study in 1878 titled “Influence of the altitude on the life and health of the habitant of Anahuac” characterized the typical Anahuac male as “less robust than at lower elevations in the country, his muscles little developed, and his

28 Ibid., 119.
30 Robert M. Buffington, Criminal and Citizen in Modern Mexico (Lincoln: University of Nebraska Press, 2000), 146.
The author also contends that the Anahuac natives had a yellowish, sickly complexion and lived apathetic lives, even though these people were known for transporting heavy loads on their backs. Historically, the few times where native men were recognized by Mexican authorities during the modern era was for their manual labor. Overall, however, especially under the Porfiriato, commentators labelled Indians as backwards or criticized them for their outdated, traditional practices; and since they lived on lands that the Porfirian state desired for export agriculture (essential for Díaz’s modern economy), natives were seen as an impediment to economic development. Therefore, what can be taken from the disingenuous description of Anahuac Indians is that elite men embodied productivity and progress, two tenets of nineteenth-century liberalism, as commendable and necessary for the nation’s success, yet unachievable for indigenous people. Moreover, “scientific” studies, such as the report on Anahuac inhabitants, reinforced this racist attitude by diagnosing inherent symptoms of weakness and sickness in native populations. Criminals were deemed predisposed to degenerative behaviors as well. Carlos Roumagnac, a criminologist and científico who served Díaz, writes, “Criminals constituted an identifiable class with distinct traits that included atavistic homosexual tendencies.” According to Roumagnac, criminals developed such negative traits because they possessed psychological deficiencies and lived within a degenerative environment. In order to keep indigenous men below white and mixed-race men on the racial and gender hierarchy, the Mexican elite had to downplay their role in providing manual labor to society and criticize or feminize their physical health; and similarly, criminals who threatened societal order had to be portrayed as innately flawed. That way, modernity and a national, masculine image – conceptualized as productive capitalism and principles inspired by other Western economies – would be the preserve of lighter skinned, elite males.

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32 “Influencia de altura sobre la vida y la salud del habitante de Anahuac,” Boletín de la Sociedad Mexicana de Geografía y Estadística, 4, no. 4-5, (1878), 303. Cited in Robert M. Buffington, Criminal and Citizen in Modern Mexico, 146.
33 Buffington, Criminal and Citizen in Modern Mexico, 145-146.
34 Ibid., 145.
35 Ibid., 144.
36 Carlos Roumagnac, Los Criminales en México, (Mexico City: Tipografía el Fénix, 1904), 180.
Díaz also incorporates language of degeneracy to feminize indigenous men in his memoirs, specifically the *juchitecos* (inhabitants of the indigenous town of Juchitán, Oaxaca) who served in his battalion when fighting against conservative forces stationed in the city of Tehuantepec. Here, he assigns grades of manliness and weakness as a way to establish power relations between high ranking generals like himself and the subordinate troops under his command. Even though most of the soldiers who fought in Díaz’s army were indigenous, he gives them little to no credit for his military successes; instead, he refers to them as backwards and in constant need of his instruction. Díaz proclaims himself an enlightened individual while portraying the indigenous *juchitecos* under his command as wild and degenerate. He writes that the “alliance with the *juchitecos* was not very solid, nor was it based on principles, but in its great enmity and rivalry with the town of Tehuantepec.” He goes on to say that they are “impressionable” and “voluble,” lacking the cognition of true soldiers. In addition, he disrespectfully characterizes the indigenous community as ignorant and superstitious in an account where the inhabitants of Juchitán want Díaz to embalm a fallen indigenous soldier and prepare his body in their native tradition. Lacking the time, will, and necessary supplies, Díaz orders his doctor to gut the corpse and stuff it with hay, and the *juchitecos*, who “did not know any different,” are tricked into thinking that the body was indeed embalmed.

As much as native men were denigrated for being passive or physically weak and thus in feminized terms, the opposite was also true. For instance, Díaz attacks his indigenous soldiers for becoming “so intoxicated that they commit all manner of disorders, are wounded, and killed in great numbers, and waste much ammunition.” Unlike the ideal European man, the *juchitecos* are described as violent, unable to control their passions. By not fulfilling Europeanized codes of masculine conduct that demand self-mastery and morality, they are, according to Díaz, feminine and subordinate to him. Another account in which he depicts them as savages involves his assault on Tehuantepec in which Isidora Manzano, the wife of a prominent colonel, Eustaquio Manzano, finds herself stuck in the crossfire between Díaz and the conservative army’s troops. Caught in the combat, she is

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37 Ibid., 84-85.
38 Ibid....
39 Ibid., 85.
40 Ibid., 93.
shot (and almost killed) by one of Díaz’s juchitecos. Díaz claims the reason was that juchitecos were accustomed to conducting war without taking prisoners, therefore willing to kill anyone among the enemy – even women – at all costs. With Isidora Manzano now in his ranks, the boundary between potential rapists and a vulnerable woman is in danger of being crossed. As a result, Díaz assumes the role of her protector:

The lieutenant Montiel declared himself as Isidora’s nephew in order to protect her from the juchitecos’ fury, and with utmost care and great difficulty, I took her to Juchitán with the wounded soldiers. Not having a place to put her, since she was a woman, I could not leave her in the barracks with the wounded men. So to save her from the danger that threatened her life, I entrusted her to the wife of Luis Eduardo del Cristo, who I asked to care for her; she attended to her until Isidora recovered and was able to search for her husband.

The “fury” of the juchitecos emphasizes again their supposed ruthlessness, presenting them as a danger to Isidora not only on the battlefield, but also in a more private sphere among the wounded. Furthermore, Díaz constructs the situation as protecting a vulnerable, presumably upper class, woman from uncontrollable indigenous men. In a sense, he keeps the social and gender boundaries intact, shielding the wife of a prominent colonel from her brutish, male, and social inferiors with “utmost care.” She is then entrusted to another woman, who in the colonial context, would be expected to police such barriers; and in accordance with gender roles, Díaz hopes that Isidora recovers in time to find her husband, who would be responsible for protecting her in the first place.

### Scandal and Backlash

While Díaz and his científicos preached morality and modernity, the majority of Mexico’s population endured poverty and oppression. The government promoted economic “progress” in the form of an extractive, export economy that relied on mining and large scale agriculture. To sustain these economic activities, indigenous people and the rural peasantry often had their land

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41 Ibid., 94-95.
42 Ibid., 96.
43 The Storm that Swept Mexico, directed by Ray Telles, (Berkeley, CA: PBS, 2011)
seized by force. Additionally, working conditions on *haciendas*, export plantations, were akin to slavery. The political elite also alienated the urban lower and working classes, whose labor strikes were met with violent suppression by federal troops. As Díaz’s regime grew more unpopular, his opponents blamed Mexico’s economic and social woes on upper class elitism and its culture of excess. Porfirian politicians and *catrines*, “dandies,” it was argued, engaged in “feminine” activities such as overconsumption and self-congratulation. Working and lower class men depicted themselves as laborers defending the nation, which was now threatened by the wealthy bourgeoisie who dressed too fancily and spoke too effeminately to be considered legitimate rulers of the country.

Anti-Porfirian and anti-elitist attitudes would manifest following an incident on November 11, 1901 at 3:00 AM, when Mexican police raided a ball in Mexico City that was held on *La Paz* Street (now called *Calle Esequiel Montes*). The ball involved forty-one men, and between nineteen and twenty-two of them had dressed as women. Although the identities of these men as well as an official account of the ball are still unknown, it is agreed that among these dancers were lawyers, dentists, and even priests. According to legend, (which sprang from rumors circulating in Mexico City) one of the men caught in the scandal was the nephew of Porfirio Díaz, Ignacio de la Torre y Mier, and the myth recounts that de la Torre bought his way out of the ensuing forced labor that was punishment for the rest of the men. Although no sources can confirm this, the total number of dancers listed mysteriously changes from forty-two to forty-one after the initial press releases on the ball. Most importantly, the rumor is indicative of the lower and working classes’ animosity towards the government and those tied to it; *El Baile de los cuarenta y uno*, “The Dance of the Forty-one,” allowed the public to link Porfirio Díaz and his fellow elites to sexual deviation, femininity, and homosexuality. Reports on the “nefarious ball” by police officers, newspapers, and political

44 Ibid.
45 Ibid.
48 Ibid., 14.
49 Ibid., 170.
Commentators reveal much about how Mexicans perceived (and would perceive in the future) homosexuality and masculinity.

The Mexican press exaggerated many of the stories of the drag ball. Depending on the newspapers’ political slant, each periodical rebuked the forty-one men differently. The most vivid descriptions chide the crossdressers for wearing “resplendent hairdos, their fake cleavage, with their shiny sparkling earrings, with their false breasts like the ones worn by anemic society girls.” An article from El Universal paints the scene as follows:

The guard on duty on the fourth block of La Paz Street noted that in an annex to one of the houses on the block, a ball was being held behind closed doors, and he knocked on the door to request a proper permit. An effeminate type answered the door dressed as a woman with his skirt gathered up, his face and lips full of makeup, and a very sweet and affected way of speaking. At this sight, which turned the stomach of even this most hardened sentinel, he entered the annex, suspecting what might be going on, and found there forty-two such people, some dressed as men and the others as women, dancing and merrymaking in that lair. The watchmen felt an urge to tackle the matter by using his stick and by slapping those scoundrels, but instead, containing his justified ire, he took everyone into the station, and from there they were remitted to Belem Prison.

The article attacks the “sweet and affected” nature of the crossdresser’s speech as a way of connecting his bourgeois demeanor to sexual deviation. Interestingly, the watchman is said to have exercised self-restraint when he refrained from beating the crossdressers; this echoes the ethos of moral conduct which was integral to elevating elite men over their social inferiors. Perhaps noting the officer’s control over his “justified ire” is a way to emphasize the decadence of the dancers whose caked makeup suggests a fixation on fashion. El Popular, a periodical known for...

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52 “Baile de Afeminados [Ball of Effeminate Men],” El Universal, (Mexico), November 19, 1901.
its sensationalism, also produced several reports on the ball. One of its articles lists “attacks on morality” as the dancers’ crime:

As a compliment to the previous report, we will say that among the individuals dressed as women, several were recognized as dandies who are seen daily on Plateros Street. These men wore elegant ladies’ gowns, wigs, fake breasts, earrings, embroidered shoes, and a great deal of eye makeup and rouge on their faces. Once the news hit the boulevards, all kinds of commentaries were made, and the conduct of those individuals was censured. We will not provide our readers with further details as they are summarily disgusting.

Again, the dancers are attacked for their elegance, and they are depicted as dandies. Although the act of cross dressing is supposedly too “disgusting” for the article to provide more details, *El Popular* and *El Universal*’s lurid reimagining of the ball suggests a contradictory desire to explore homosexuality, a topic that in previous decades had never been explicitly mentioned in Mexican discourse.

Now that a crossdressing ball was exposed in the form of scandal, the press pounced on the incident, trying to recreate it as decadent, moral corruption as well as a negative evolution. *El Hijo del Ahuizote*, an anti-clerical and anti-Díaz periodical, pokes fun at a priest who apparently was among the transvestites, calling him an “exquisite priest who was caught among the women.” He is also referred to as a corrupt, wealthy man, like all priests who “are flour of the same sack.” *El Popular* also chips in to frame the crossdressers as corrupt Porfirian elites, “a bunch of little rich boys; raised with silver spoons in their mouths.”

Eventually, the forty-one were taken to the southern state of Yucatan to dig trenches for the Mexican army, which was fighting against a Mayan insurrection. Daniel Cabrera, founder of *El Hijo del Ahuizote* did not take this very well,
warning that allowing crossdressers to serve in the army endangered Mexico’s national identity. “The army cannot receive among their ranks individuals who have abdicated their sex, the Nation ought to honor with its uniform neither those who have degraded themselves with rouge and the dresses of prostitutes, nor those who served as their partners.” For Cabrera, allowing feminized men who have subverted their gender and compromised their character shames the country. On a global spectrum, his commentary mirrors nationalist discourse found in the writings of anti-colonial rebellions. Indonesian independence fighters in the late 1940s for instance deemed women who collaborated with Dutch oppressors (and women in general) as problematic. Furthermore, Indonesian men attacked women for being “seduced” by the imperialist cause and insisted that men define the nation. Similarly, Cabrera believed that the Mexican nation should be represented by men and not women or effeminate men like the forty-one. Ultimately, for political opponents of the Díaz government, the scandal was a rallying point where they could insult the crossdressers with embarrassing, imaginative representations of the ball and tie them to elitist excess. In turn, the nation could be defined in distinctly male chauvinist terms.

Figure 4: José Guadalupe Posada, “Los 41 Maricones, [The 41 Faggots]”, 1901.

More conservative newspapers, specifically those tied to the Díaz government or the Catholic Church, avoided delving into “details” of the ball raid, instead focusing on the moral shame that betrayed the good character of decent society, to which the forty-one belonged. *El País*, a Catholic journal that opposed liberalism – which in the nineteenth century meant secularization and terminating church privilege – attributed the forty-one’s aberration to the “fundamental abyss of liberalism.”

Its article on the scandal titled “The Nefarious Ball” argues that the men, like others supposedly seduced by liberalism, were led into the “most unbridled licentiousness.” According to *El Pais*, the structural problem that bred the scandal was the absence of religious adherence, which allegedly led to “degeneration of the greatest proportions.”

*La Patria*, which received federal subsidies from the government, also held back from using descriptive language such as that found in *El Popular* and *El Universal*. It mentions the good character of the families of the forty-one in an effort to preserve the reputation of Mexico’s upper class: “It is shameful and highly irritating that among those arrested, there were many who frequent Plateros Boulevard and are from good families.”

*El Imparcial*, a semiofficial journal of the Díaz government, also tried defending the reputation of Mexico’s bourgeoisie. Its article titled “The Scandalous Ball” portrays the forty-one as an anomaly, people “well known for their depraved customs and who more than once have figured in similar scandals.”

Regarding the “more or less fantastic version of events” provided by journals like *El Popular* and *El Universal*, *El Imparcial* hoped to “rectify those opinions.” However, the *El baile de los cuarenta y uno* sparked public curiosity about homosexuality, and the

Figure 5: José Guadalupe Posada, “El Feminismo se Impone [Feminism Imposes Itself]”, La Guacamaya, (Mexico), July 25, 1907.

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62 “El Baile Nefando [The Nefarious Ball],” *El País*, (Mexico), November 22, 1901.
63 Ibid.
64 Ibid.
66 “Los Cuarenta Y Un Bailarines [The 41 Dancers],” *La Patria*, November 22, 1901.
67 “El Baile Escandaloso [The Scandalous Ball],” *El Imparcial*, November 23, 1901.
68 Ibid.
ensuing political cartoons would help shape the homophobia prevalent in Mexican popular culture.

Mexico’s homophobic penny press and the artwork of José Guadalupe Posada, both of which catered to the urban working class, targeted the forty-one as well as archetypal upper-class men as a means of contesting the Porfirian elites’ social domination. 69 One strategy involved harsh mockery in the form of derogatory language. For instance, in Posada’s famous print titled “Los 41 Maricones,” which can be translated to “The 41 Faggots,” the dancers are called “Very cute and coquettish” as well as “queers.” (Figure 4) Posada also implies that the scandal entails the subversion of gender roles. His cartoon titled “Feminism imposes itself,” (Figure 5) found in a periodical whose subtitle is “of the people and by the people,” states the following. “As women roam freely in bars, men stay at home cooking breakfast, ironing, and caring for the kids, and everyone with great affection call these men the forty-one.” 70 Other illustrations found in the penny press present crude images that involve phallic objects and penetration in an effort to attack rival newspapers. For example, El Chile Piquin published an editorial in 1905 whose cover image is of a peasant worker with a syringe forcefully injecting a crippled parrot – which is labelled “La Guacamaya [the Macaw],” also the name of another newspaper. A similar illustration is found in the cover art of an El Chile

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70 José Guadalupe Posada, “El Feminismo se Impone [Feminism Imposes Itself]”, La Guacamaya, (Mexico), July 25, 1907.
Pequin article published that same year (Figure 6). It shows its editor about to inject the rear end of rival newspaper El Moquete’s editor.71 Rather suggestively, he is drawn bent over and with his pants rolled down.72

The press indirectly attacked Díaz too; the 1907 cover of La Guacamaya portrays the editors of El Diario and El Imparcial (Mexico City’s two major dailies that were favorable to him) with fake breasts and dresses made of newspapers. (Figure 7) What these images demonstrate is that after the Dance of the Forty-One, the ensuing homophobic scare compelled the penny press to depict cross-dressing politicians, mock the forty-one dancers, and attack the masculinity of rival newspaper editors with comical, offensive illustrations. In so doing, periodicals hoped to win over the hearts of the working class by playing on its newly exacerbated disgust for effeminate elites. If looked at through a gender lens, the Mexican press homed in on a power struggle between a neo-colonial oppressor (the Díaz dictatorship) and the male, lower and working class who would later dominate the narrative of the Mexican Revolution.

Conclusion

In Porfirian Mexico, masculinity, in terms of self-discipline, morality, effeminacy, and homophobia, was constructed to both solidify social control over indigenous and lower-class men as well as contest the authority of elites. Men with political power and social status bought into European ideas of self-mastery and

71 “Lavativas [Injections],” El Chile Piquin, February 23, 1905; cited in McCaughan, The Famous 41, 32.
72 Ibid.
cleanliness as a way to distinguish themselves as the rightful leaders of the “modern” nation. Stoicism, a strong physique, and European dress were markers of morality in the face of lower class men who fell short of such codes of manly conduct. To uphold this power structure, politicians, physicians, and Porfirio Díaz himself consulted racist ideological frameworks that described indigenous men’s degeneracy, passivity, unrestrained violence, and hypersexuality in gendered, feminine terms. Criminals and other people who were excluded from political power were also deemed susceptible to sexual deterioration. However, as Díaz’s reign lengthened, lower class men and the press that catered to them used gendered discourse of power to combat social domination. Especially after the Dance of the Forty-One, opponents of the Porfiriato reworked the concept of femininity to mean dandyism, excess, effeminacy, and homosexuality in Mexico’s bourgeoisie. As a result, hatred of Díaz’s oppressive regime became linked to hatred of the effeminate, elite class. The social and political climate on the eve of the Mexican Revolution, which in many ways constituted an anti-colonial and anti-elitist struggle, marks a key moment in which modern Mexican homophobia sprouted; and since most of Mexican society still views Porfirio Díaz as the definitive antagonist of the country’s modern history, homophobia – in the dandy, effeminate context – and machismo remain as cultural foundations of Mexican popular culture today.
The Legacy of Imperialism on Gender Law in India

Neil Datar

The British Raj by the turn of the twentieth century governed an extensive territory that today forms the states of India, Pakistan, Myanmar (Burma) and Bangladesh (formerly East Pakistan), as well as Indian Ocean islands and the Colony of Aden in the Middle East (see Exhibit A). British rule had both positive and negative effects on the people and land they governed. The extent of each of these effects and the harms imposed by colonization continue to be a hotly debated topic in the former Raj and the United Kingdom.\(^1\) While a broader discussion on the ethics of empire can be seen in existing scholarship, this paper focuses on the interplay between religion, gender, and custom that British rule in India caused. The effects of British divide and rule policies can be seen in the immediate aftermath of Partition, as well as in the long run through the prevalence of gendered discussions and outcomes in the legal and political sphere. An analytical look backwards and forwards from the Shah Bano court case of 1985 has important things to say about India’s complex history with colonialism and the way the decisions of the past continue to affect the country today—particularly the destabilizing strength of communal politics and the ensuing subversion of gender equality to religious claims.\(^2\)

\(^1\) Bolton Doug, “‘Dr Shashi Tharoor Tells the Oxford Union Why Britain Owes Reparations for Colonising India in Viral Speech,’” *The Independent*, July 2015.

Ahmed Khan v. Shah Bano:  
A Case Study of the Post-Independence Gender Dynamic

A review of the Shah Bano court case of 1985 allows modern historians to analyze India’s post-independence gender dynamics through the lens of religion and social tension. While criminal and civil law are uniform for all Indians, personal laws are not. India, unlike almost every other democracy in the world, operates under a legal framework where codified personal laws vary between Hindus, Muslims, and Christians.3 Personal laws existed before British rule in India—the British codified and strengthened the institution for reasons that will be discussed in this paper. Personal status laws apply to issues of custom within a given religious group of people. In India, these issues typically revolve around marriage, adoption, kinship, succession, and religious law as it applies to families.4 In the 1985 Shah Bano case (Mohd. Ahmed Khan v. Shah Bano Begum (1985 SCR (3) 844)) before the Supreme Court of India, plaintiff Shah Bano sued her former husband, Ahmed Khan, for alimony support under the Indian criminal code. Shah Bano and Khan, both Indian Muslims from the central state of Madhya Pradesh, had five surviving children together over the course of their marriage. Their status as Muslims would normally send the case to the personal status courts, but Shah Bano’s suit fell under the criminal code. The Supreme Court ruled that Section 125 of India’s criminal code, requiring the payment of maintenance money for former spouses, did not conflict with Muslim Personal Law. Thus, Khan would be required to pay alimony to Shah Bano—because the criminal code has a general applicability to all Indians.5

However, the Supreme Court’s decision divided the government between the Indian National Congress (INC or Congress) and the Bharatiya Janata Party (BJP). Congress, having won a parliamentary majority in the general election of 1984, believed that the crucial support it received from India’s largest minority—the Muslims—would decrease if it did not take action against the Court decision. For perspective, in 2010 the Muslim population of India reached nearly 180 million,  

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roughly equal to the entire population of India’s post-independence rival Pakistan.\textsuperscript{6} The BJP, as a Hindu nationalist party, neither needed the support of Muslims, nor would they ever be able to win it. They organized and protested against any potential move by the government to nullify or dilute the Court’s decision. Muslim conservatives, led on this issue by the All India Personal Law Board, protested heavily against what they claimed would be a direct attack on the rights of Muslims in a Hindu-majority India. Hindu nationalists and Islamic conservatives filled the streets of major cities as this decision became less about the rights of Muslim women and more about the pride of Hindu and Muslim men. In the imperial period, scholars reason that women’s bodies became the grounds on which the power struggles of colonization played out. The same holds true in the power struggle of post-independence Indian politics. In 1986 the Congress-controlled Parliament of India passed the Muslim Women Act, which reversed the gender-progressive decision of the Court. Specifically, the Act prevented the Courts from ordering alimony payments after the iddah period of separation. Iddah signifies the length of time a Muslim woman must wait before remarrying—normally a period of three to six months in India.\textsuperscript{7} Muslim men have no such restriction as iddah law applies only to women, rendering its institutionalization in Indian law inherently gendered. Even more insulting to Indian feminists, Congress justified the act—as implied by the name itself—by claiming the purpose of legally protecting divorced Muslim women.\textsuperscript{8}

The debate on personal status law in the context of the decision of the Court raised important questions in Indian society. For policymakers and citizens genuinely concerned with gender fairness, as well as maintaining stability between Hindus and Muslims, the question inevitably arose of whether gender equality was being compromised by “yielding to the dominant voices within a particular religion or cultural tradition.”\textsuperscript{9} Since independence, religious riots in India have had the potential to kill hundreds or even thousands, as in the case of the Gujarat riots of

\textsuperscript{7} Mullally, “Feminism and Multicultural Dilemmas in India,” 671-92.
\textsuperscript{9} Mullally, “Feminism and Multicultural Dilemmas in India,” 672.
2002. The ethical choice between maintaining stability and promoting gender equality is not a decision that most democracies have to make, at least with these stakes. Therefore, the argument goes that promotion of gender equality and the nurturing of a multicultural state stand at odds.

Women in post-independence India are caught between the state’s need to devolve communal authority and the paternalistic nature of the state, leaving them bereft—at least in the early period after independence. The Shah Bano case, and the public and political response to it, reveals three fundamental problems in post-independence India that were either shaped or created by the British imperial state. Firstly, the Shah Bano case demonstrates the divisiveness of communal politics in India—a phenomenon shaped by the legacy of British divide and rule policies. Secondly, the public reaction and political response to the Shah Bano case reflects the assumption of monolithic cultures—Hindus and Muslims—and ignores the plurality of voices and dissent within each respective community. Thirdly, the Parliamentary intervention exposes the underlying paternalism in the Indian political system—an attitude shaped by the interaction between the independence movement and the imperial administration.

**British Rule in India**

The foundation of the Indian National Congress in 1885 marked the beginning of political reform efforts, but not the start of the independence effort. As one of the founders of Congress, Scotsman Allen Hume brought together a council of educated Indian elites and social reformers with the goal of creating a lasting dialogue between Indians and colonial leaders of the Raj. The approval of the charter in December of 1885 signaled that Hume and the reformers wanted to integrate Indian male elites rather than push them outside the system. While the first congress had seventy-two delegates across the Raj, only two were Muslim and zero were women. In future years, leaders like Muhammad Ali Jinnah would criticize Congress for its inability to represent all Indians, leading to the creation of

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11 Mullally, “Feminism and Multicultural Dilemmas in India,” 673.

12 Ibid., 674.

the Muslim League—which advocated for, and received, a separate state for the Muslims called Pakistan in 1947.

Some describe the Sepoy Revolt of 1857 as the first war of Independence. In the uprising, Indian armed forces under the command of the British East India Company revolted against Company rule. The conflict, lasting over two years, convinced Parliament to forcibly dissolve the East India Company and replace it with British direct rule in India—termed the British Raj, as a crown territory. Though the states of Oudh and Gwalior joined the revolting forces, the British were backed fully by their twenty-one other dependent Indian states. These states, called the princely states, functioned as protectorates of the British Empire until the time of independence in 1947. The government takeover of India ended the rule of the Company but not the social impacts of policies it enacted before 1857. One must remember, while most of the British Raj period was focused on maintaining the social and economic stability of an already-formed empire, the Company period was largely focused on creating footholds and expanding territorial holdings. The Company, often under-budget and under-staffed, ruled in a much scrappier manner than officials in the Raj.

The instability and uncertainty of the Company period led to several interesting racial, religious, and gender interplays. For instance, though Catholics faced discrimination, and in some cases outright persecution, in 18th and 19th century Britain they constituted a majority of the Company’s Anglo-Indian military force. This caused the Company’s largely Protestant leadership to make the accommodation of difference a necessity, both internally and externally. Keep in mind, Company-led India was by no modern measure a pluralistic society, but differences between multiple power-holding populations made tolerance a strategic necessity for anyone to who wished to govern India. In the tradition of the British associational colonial model—where colonists preferred to leave local elites and local legal and cultural customs in place—the first Governor General of India, Warren Hastings, separated the administration of English civil and criminal law from that of personal law—left largely to individual communities across India.

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This allowed native councils and judges to rule on matters of marriage, adoption, kinship, succession, and religious law.\textsuperscript{15}

The complexity of the communal and gender interplay in British India has divided scholars on the topic of social progress during this period. Outside the major cities and cantonments, the Company realized it could never enforce personal law. Delegating this authority to native male elites stabilized their Indian territories and prevented revolt. Shruti Iyer makes the point that this power negotiation between colonial rulers and colonized men resulted in an institutional failure to protect the rights of women. This failure underlies what Iyer calls the traditional suspicion of state power within the Indian feminist movement, a fear that manifested itself as recently as the Delhi crisis of 2012-13.\textsuperscript{16} In particular, the concessions of the Company, which continued under the Raj, allowed native elites a free hand in enforcing religious and marriage laws that severely limited the rights of women, largely relegating them to the domestic sphere. In the conservative Hindu and Islamic communities of the Raj, as in many other parts of the world, the domestic hearth was equated to the moral strength of a culture.\textsuperscript{17} Control over women meant control over the success or failure of the community. Furthermore, dividing the country into different zones of control over personal status law resulted in a widening separation between the religious communities. The beginnings of the religio-cultural monoliths seen during the Shah Bano case have their roots in the divide and rule policies enacted in British India.

The division of the country into different personal status regions was intensified after the Sepoy Revolt of 1857. In policy, the British abandoned their expansionist mentality and instead decided to rely upon Indian princes and native elites to uphold their rule in the country. Most importantly, the British decided that the “existence side by side of hostile creeds” in India would be their strongest tool to maintaining their political position.\textsuperscript{18} Believing that the revolt in Bengal during the Sepoy Rebellion was a direct cause of the unity among the native troops, the

\textsuperscript{15} Kolsky, “The Colonial Rule of Law and the Legal Regime of Exception,” 1230.
British decided that their military in each district would be divided among every possible combination of caste, religion, and nationality—the argument being that this would disallow unity among the native troops, thereby making the British position more secure.¹⁹ The indiscriminate mixture of nationalities and castes into regiments deployed across the nation caused fear of the “other” and served the end goal of dividing the people of India against each other.²⁰ The military policy of splitting groups against each other to prevent unity—and therefore to prevent revolt—is reflective of the general strategy across the Raj. In policies deriving directly from Machiavelli’s *The Prince*, in which the Italian diplomat advises a leader to divide the forces of his enemy by making them suspicious of one another, the British enacted communal elections and pitted Hindus and Muslims against each other in negotiations on Home rule. In communal elections, local regions would choose judges and local political leaders to administer laws that the Raj had delegated to them. The communal elections cemented the division between Hindu and Muslim law—in fact, these two terms did not exist as singular entities before the British took power—and created fear among both groups that, in the eventuality of Home rule, one would try to dominate and diminish the other. The fear was especially prevent among the Muslim community beginning in the early 1900s, because Jinnah and his supporters instilled the belief that a Hindu population majority would result in the imposition of Hindu government and Hindu law.²¹

Though the British allowed native customs to continue in personal status law, the British leadership, throughout their time in India, effectively linked their perceived view of Indian men as effeminate with the degeneracy of native leadership. The British dismissal of native leadership manifested itself during the debate on the treatment of Eunuchs. First, the British demanded that Awadhi rulers take action against eunuch men to make the princely state conform to Victorian ideals. When the rulers of Awadh expressed reluctance to do so, the British sought to equate Awadhi maladministration with the “gendered and sexual disorder” of

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¹⁹ Stewart, "Divide and Rule: British Policy in Indian History," 53.
²⁰ Ibid., 57.
the eunuchs (British perception of the eunuchs, that is). Eventually, the Company applied the doctrine of lapse to legalize a seizure of the state of Awadh (also spelled as Oudh). The British doctrine of lapse meant that the Company could seize any dependent (princely) Indian state that governed in an incompetent manner or was left with no suitable male heir after the death of the previous ruler. These conditions for the seizure of a princely state were left up to the interpretation of the Governor General. In the case of Awadh, the presence of Eunuchs in the state allowed the Company to build a case for incompetent administration. Equating unmanly activities with Eastern government traditions allowed the colonists to make sweeping generalizations about the lack of competence of Indian leadership. In Bengal, the Raj pursued a similar approach.

In the middle of the 19th century, the Bengali middle class mounted a serious intellectual challenge to British rule. At first supporting the British administration during the debates on sati, Rah Mohan Roy and the reformers sought to modernize the outdated aspects of their cultural practices. Even advocating for the introduction of mandatory English courses in all schools—known as vernacular education—Roy and his reformers were seen as “clubbable” Indians. Empowering moderates like Roy helped the British claim the legitimacy of educated governors. However, allowing Indian men into the inner circle created a breadth and depth of policy alternatives, which were pursued further than the British conservatives hoped they would be. The 1884 Ilbert Bill—proposed by Courtenay Ilbert, an English advisor to the Council of India—was a partnership between Indian moderates and British pragmatic liberals which sought to empower Indian judges—in the British civil and criminal court system—to have the same legal authority as their European counterparts. Griffith Evans and planters in Bengal led the opposition to the bill. Fearing that Indian judges would refuse to look past their abuses of Indian plantation workers, the planters framed their argument in terms of the effects that empowering Indian judges would have on European


women. In the end, the bill was signed by the viceroy but only after negotiating a compromise: that Europeans would have the right to demand a jury composed of at least half European members.

The Ilbert Bill demonstrated an effective ceiling on the upward mobility of native men. The argument formed that Bengali men mistreated Bengali women, as evidenced through the practice of child marriage, and hence, “the moral and physical effeminacy of” these men would compel them to mistreat European women too. The grouping of all men into the effeminate category, even though most did not engage in child marriage, exacerbated the push and pull factors that drove Indian male elites to a form of hyper-masculinity to protect their image and reputation. Of course, the rhetoric among Indian male elites was that the British legal posturing was an attack on Hindu religion and Indian women. With this line of reasoning, it fell to the devout Indian male to uphold the honor of Hindu women. Women’s reform “stemmed more from a desire to demonstrate the barbaric practices of the Hindu male than from a purely humanitarian concern for the plight of the Hindu female.” Indian women were a bargaining piece in the ongoing negotiation between British and Indian men over the power hierarchy. Because of women’s significance without an actual voice in this—and many other—debates on power dynamics in the state, “Indian feminism has been traditionally suspicious of state power.”

The Partition of India

The Partition of India resulted in “the killing of an estimated one million people, hundreds of thousands of rapes and between six and fifteen million people who became refugees.” Two aspects of Partition that are especially pertinent to the points of this article are the honor killings of women and the paternal nature of Partition.

26 Ibid.
27 Ibid., 221.
After the partition of India, a mass migration of Hindus from Pakistan into India, and Muslims from India to Pakistan, occurred. This, combined with a territorial dispute in Jammu and Kashmir, resulted in an outbreak of violence that stranded many on the wrong side of the border. Scholars define honor killing in this context as the “premeditated killings of women perceived to have brought dishonor to their families, often by engaging in illicit relations with men.”

Many Indian and Pakistani women were sexually assaulted in the course of the mass movement and violence of Partition. When these women were repatriated, many were not accepted back into their families. Many women, because of this and other factors, continued to live with the men that had taken them against their will. Rohimmi Noor makes the point that “the honor killing of women during Partition is due to the perception of the time, place and society that women, as well as their sexuality, are symbolic constructions of male honor.”

Through no fault of her own, a woman could shame her family. Even as a victim, the responsibility for the engendered violence, and violations, of Partition fell on the affected woman. To many families, the assault committed against their wives and daughters made them physically and morally unfit to uphold the domestic hearth they had been bound to maintain. Their assaults, deaths, and disappearances were often swept under the rug and written off as part of the nasty price of Partition. In contrast, the death of Gandhi was treated as a great national tragedy.

As the symbol of nonviolent resistance to imperialism, Gandhi’s death was indeed a tragedy for the entire subcontinent. However, the causes of his death, according to Mira Debs, were explored immediately after Partition while the violence against women took a back seat until decades later in political and historical inquiry. Gandhi’s death was the death of a symbol of paternal renewal, whereas the mass death on the border was only a product of a long-standing internal tension. For many Indians, Gandhi gave them a way to reclaim their masculine prestige, which had been systematically attacked by the British. Though

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31 Ibid., 221.
33 Debs, “Using Cultural Trauma,” 637.
perhaps unintentionally, Gandhi had stepped into the role of paternalistic leader of the new nation, according to contemporaries “still scolding his errant children in his feeble voice” as the conflict between India and Pakistan raged on. While Gandhi gave Indian men a way to reclaim their manhood, the disappearance and sexual assaults of women in their family reminded them of their inability to protect the women.

**Moving Forward: Multiculturalism, Feminism, and the Uniform Civil Code**

The three fundamental flaws that imperialism left to the status of women: communal politics, the religious monolith, and the paternal state, were cemented through the Partition and the end of British rule. The debates over the multicultural nation and the status of women within it during the Shah Bano case, revealed deep tensions within India. To many observers, the discourse resulting in the Parliamentary action to reverse the Shah Bano decision through the passage of the Muslim Women Act of 1986 shows that multiculturalism in India is antithetical to the promotion of women’s rights. Outside observer Susan Okin reasoned from these events that Indian “feminists should oppose the politics of multiculturalism” because it stands directly against their interests. Okin’s argument draws from the centuries-old fear that devolution of powers to communal authorities would inevitably lead to the subjugation of women—a fear somewhat grounded in historical facts. Seyla Benhabib further developed this idea in her book, *The Claims of Culture*, where, drawing on the ideas of Ayelet Shachar, she developed a framework for women to avoid the paradox of multicultural vulnerability. Shachar’s paradox tells of an ongoing structural cycle whereby women become the bearers of culture and the repository of tradition. According to Shachar, women must break this cycle, and the way they must break it is to stand against the devolution of national authority to communal male leaders. Citing the cruel outcome of the Shah Bano case, feminist scholars (and many others) argued that further centralization of the legal system was necessary for the equality of Indian women.

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35 Mullally, “Feminism and Multicultural Dilemmas in India,” 686.
37 Shachar, *Multicultural Jurisdictions*. 

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However, though this particular circumstance resulted in a political decision against the rights of divorced Muslim women and in favor of a legally devolved India, Siobhan Mullally makes the case that vilifying multiculturalism in the Indian women’s rights debate prevents the chances of coming to a just multicultural arrangement.38 While the Shah Bano case certainly reflects the three flaws prevalent in post-colonial India, it does not prove that feminism is doomed to take a back seat to India’s primary concern of communal stability. Here’s why:

Firstly, the Muslim Women Act of 1986, nullifying the Court’s decision, was at least partially a product of circumstance. Two years after the assassination of Indira Gandhi, Congress, fearful of sliding electoral majorities, sought to appease its most vocal Muslim supporters. Of course, these voices were likely not representative of all Indian Muslims and certainly displayed a lack of recognition for the plurality of views within the Muslim community. Had the BJP held a governing majority in Parliament, the Act never would have passed, or even come to a vote.

Secondly, the Danial Latifi case of 2001 resulted in a judicial nullification of the Muslim Women Act. The alimony provision in Section 125 was brought back under the purview of criminal law, preventing the Muslim custom of iddat from interfering with any woman’s right to spousal or child support.39

Lastly, the view that Indian multicultural politics stands at odds with feminism is premised on the belief of monolithic religious groups. Recent developments demonstrate that the full range of views within the Hindu and Muslim communities are starting to be seen. For instance, in the Danial Latifi decision, the All India Shia Board on Personal Law decided to support the Supreme Court’s decision to nullify the Muslim Women Act—an act supposedly created at the behest of all Muslim Indians. Perhaps the religio-cultural monolith of the post-independence era has started to break apart, finally releasing the full riches of diversity within the different religions of India. However, while Parliament and the judiciary have taken steps to legally level the playing field for Indian women, many legal scholars point out that these laws and rulings have yet to benefit women in rural communities and autonomous areas.40

38 Mullally, “Feminism and Multicultural Dilemmas in India,” 674.
40 Narain, “Postcolonial Constitutionalism in India,” 107-35.
The legacy of British imperialism certainly feeds the three fundamental flaws in post-independence socio-political treatment of women’s issues in India: communal politics, the belief in monolithic religio-cultural groups, and the paternalism inherent in the state system. After the Shah Bano verdict, the majority argued—in a rare occasion interjecting itself in politics—that a “common civil code will help the cause of national integration by removing disparate loyalties to laws which have conflicting ideologies.”41 The proposal for a Uniform Civil Code in India seeks to eliminate the differential statuses accorded to communities in personal status law. This code itself is shaped by the communal politics between Hindus and Muslims. While the Hindu nationalist BJP sees the Uniform Code as a way to unite the country with one law, they also see it as a strategic policy to take long lasting legal autonomy away from Muslims. Much of the debate around the Uniform Code centers around the differential status specifically accorded to women in religious law. Once again, women’s rights and bodies serve as the grounds on which the struggle and negotiation over state power occur. However, this time women have more of a voice in that contemporary discussion—serving as members of Parliament and in the judiciary at historic levels. Protecting multiculturalism and feminism in India may require a more dynamic solution than the Uniform Code.

“Gives to Bigotry No Sanction”: The Dangers of Continued Misinterpretation of Washington’s Letter to the Jews of Newport

Michelle Runyon

In 2017, the United States is confronting an uglier part of its heritage, one of bigotry against non-Christians. As activists search for examples of early religious pluralism in the United States, several hail George Washington’s letter to the Jews of Newport, Rhode Island as a shining example of early religious freedom in practice. Exactly 227 years ago, George Washington made a promise to the Newport Jewish congregation, saying that Jews would be protected in the new United States and be free to practice their religion without fear of persecution. Washington’s words have been hailed by modern activists as a start to American pluralistic democracy, especially in response to virulent anti-Islamic prejudice. However, this ahistorical interpretation ignores the complex legal reality that American Jews faced following the American Revolution, through the early nineteenth century. In “The Political Rights of the Jews in the United States: 1776–1840” (1958) Stanley F. Chyet found that the Constitution of the United States granted universal religious freedom at the federal level, but political rights at the state level were much more ambiguous, often denying Jews the right to hold public office or vote. Several scholars, such as Fritz Hirschfield in George Washington and The Jews (2005) and Vincent Phillip Muñoz in “George Washington on Religious Liberty” (2003), have examined how George Washington interacted with Jews. However, no one has combined knowledge of early Jewish legal rights and the actions of George Washington, especially regarding the words written in his letter to the Jews of Newport, to analyze their significance for Jewish-American history and religious pluralism in the United States more broadly. Washington’s letter to the Jewish congregation of Newport has been held up as an early model of religious pluralism, yet this acceptance is not reflected in the mixed legal protections early Jewish-Americans received. This contradiction is perpetuated in the present day, as various contemporary groups continue to interpret the letter to suit their own particular purposes.

Most early American Jews came first to the British and Dutch colonies after fleeing Brazil in 1654 after the Portuguese regained control of the colony from the Dutch. The Dutch were much more tolerant than the Portuguese, who expelled all
Jews who refused to convert to Catholicism by threat of prosecution by the Inquisition. Even in the British and Dutch colonies, which tended to be more tolerant, Jews were still denied many rights of citizenship. Not all colonies practiced religious tolerance even towards all Protestants, not to mention non-Christians. Maryland’s Toleration Act of 1649 was particularly hostile towards religious minorities who did not believe in Trinitarian Christianity. The law legalized the death penalty for those who blasphemed against the Trinity or related doctrine. The Pennsylvania Assembly of 1682 was less extreme, but still required all civil officers to be Protestants. Generally, Jews could obtain permanent residence, but not the right to vote or hold political office. Additionally, Jews were denied when they petitioned to fight in the New Amsterdam army during the late seventeenth century. This was a large blow to many Jews, as they sought to gain social status through military service. There was also a hope that Jews could “earn” political rights through providing useful service for the colonies, an important theme that dominated much of early Jewish-American history.

Prior to the American Revolution, Rhode Island Jews were denied full political rights, including the free exercise of religion. Some Jews were naturalized, but only when specific Jews rendered particularly valuable services to the state. Naturalization did not carry political rights. It merely allowed Jews to have legal permanent residence and to live more as subjects to the colonial government than as citizens, with less legal autonomy than the latter. Two Jews within the colonies, Aaron Lopez and Isaac Elizer, were even denied naturalization in 1761. Jews had previously been granted naturalization under the Naturalization Act of 1740, which allowed foreigners of various religious backgrounds in British-held territory to be naturalized to attract settlers to the small colony of Rhode Island. However, the Superior Court of Rhode Island ruled in 1761 that since Rhode Island had sufficient residents there was no need to naturalize more Jews, especially ones who already resided in the colony as Lopez and Elizer did. While

local political tensions played a role in this decision, there were also growing concerns about the impact of religious diversity in the British colonies on the future state that many hoped for. Some believed that a more diverse environment would breed indifference towards religion, especially as intermarriage became more common between people of various faith traditions. For this reason, violence against religious minorities commonly considered to be highly heretical, such as Universalists and Quakers, increased.⁴ These sentiments came to shape the political climate of the future United States and led to push back against the proponents of religious freedom, such as James Madison and Thomas Jefferson.

After the American Revolution, Jews were granted religious freedom on the federal level. The Constitution ultimately guaranteed religious freedom, but the Free Exercise of Religion Clause was not uncontested.⁵ Article Six of the Constitution, forbidding a religious test as a requirement for holding a government position, was also challenged; the debate would carry over to the state level. Despite the challenges that came with ensuring freedom of worship at the federal level, the efforts of the proponents of religious freedom were not in vain; several states, including Georgia and South Carolina, perhaps encouraged or shamed by the Framers, altered their constitutions to be more inclusive of religious minorities.⁶ It was during this same time period that George Washington penned the letter that came to have a profound impact on how the Jewish community felt about its place in the United States and on how social and legal bigotry against Jews was manifested.

Many of George Washington’s actions affected how Americans relate to religion in a civic capacity, particularly in regard to the separation of church and state. The traditional scholarship holds that Washington was not as involved as other Founding Fathers were in debates over religious freedom. Thomas Jefferson and James Madison were more directly embroiled in the nitty-gritty, day-to-day work of establishing religious pluralism in the legal tradition of the United States, such as promoting the Free Exercise Clause in the U.S. Constitution. Washington

⁶ Ibid., 45.
did not produce writings that clearly articulated his personal views on the subject; thus scholars must infer more from his actions.

Washington was known to butt heads with Madison over the issue of the separation of church and state, as Washington did not see the need for their explicit separation. Another issue that was particularly divisive between the two of them was whether or not it was constitutional to have congressional chaplains. Madison felt that such a measure was inappropriate while Washington disagreed. Madison worried that appointing chaplains would lead to solely the appointment of chaplains from the religion of the majority in Congress and that, “the tenets of the chaplains elected shut the door of worship against the members whose creeds and consciences forbid a participation in that of the majority,” as it was unlikely that a minister of a minority religion would ever be appointed. For this reason, he opposed any attempt to put religious leaders on the government payroll. However, Washington saw civic responsibility and religiosity as related virtues, so he championed the cause of providing chaplains in Congress and in the military. From various letters he wrote during his time as the Commander-in-Chief of the Continental Army and the President of the United States, it is apparent that he considered issues of minority representation among military chaplains. For example, Washington discusses this in one section of his general orders, which were military directives issued by superiors regulating personnel conduct in situations not explicitly covered by other military regulations. Washington writes, “As the Troops are to be exempt from all duties of fatigue to morrow (on the Sabbath), the regiments are … to be marched from thence a little before Ten, to Hear Divine Service from their Respective Chaplains.” He was well known for encouraging his troops to attend church services as often as their duties permitted them and was known himself for being particularly pious. These values substantially influenced how he related religion to government and led to fascinating ways in which he enacted his faith in a civic setting. For Washington,

men of various religious backgrounds were admirable for their commitment to their faith, as long as it did not interfere with their ability to be good citizens. For example, he took issue with many of his Quaker recruits in the Continental Army, but only due to their pacifism interfering with his attempts to lead a unified military force. Overall, he took significant strides to make various religious minorities feel included in the new United States.

Washington reached out to several religious minority groups and emphasized their particular importance in the new American nation. While it would have been easy enough to have allowed Jews, Quakers, and Unitarians to remain on the fringes of society even while granting them legal protections, Washington did not settle for this. He made a point of replying to several congregations that had reached out to him throughout his presidency, but most especially after his First Inauguration. When Moses Seixas of the Jewish Newport Congregation expressed hope that the new government would give Jews full rights, George Washington assured him, “It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights.” This letter concerning the place of Jews in the new nation is significant because it represented the opinion of a vocal minority, including many Founding Fathers, that was working to change the United States for the better by giving religious minorities a place in American society and governance. Washington’s views did not seem to have an overt or immediate impact on the status of Jews in American law, but they did have some influence, marking a gradual evolution towards a more inclusive United States.

It was not until the first quarter of the nineteenth century that most American Jews received religious freedom and full political rights at the state level. Tied into ongoing issues concerning state versus federal power, states were much more powerful in the early United States than they are today. Most states opted to grant particular freedoms piece by piece. A notable exception was the state of Virginia, where Thomas Jefferson wrote the Virginia Bill of Religious Freedom in 1786, the

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10 Ibid., 23–27.
precursor to the Free Exercise Clause in the Constitution that ensured religious freedom on the federal level. However, there were plenty of individuals that opposed the bill. For example, John Swanwick, voiced concerns about granting equal federal rights to people of all faiths. According to scholar Chris Beneke, Swanwick feared that, “Under its unaccountably generous provisions, anyone, even an atheist or Muslim, could serve in the legislature, however hostile or indifferent he might be to the fate of republican government.” Swanwick himself questioned, “what the religion is which the assembly of Virginia calls our religion,” as he was skeptical of the strength of the state’s moral character if “they [the assembly of Virginia] do not require their citizens to be of any religious denomination whatever.” As for allowing the free exercise of religion, particularly non-Christian religion, it would “destroy the most powerful seeds of…virtue…in the state they represent.” The ability to hold public office at the state and local level was one of the last rights to be granted to Jews, a particularly significant delay as Jews tended to be more interested in running for local offices than those at the federal level. Moreover, the inability to run for local political offices effectively blocked Jews from running for federal offices as they could not gain political experience at the local and state level before running for higher office. Also, political immobility at the local and state level had a notable impact on local Jewish communities. Like many merchants at the time, Jews wanted to run for local offices in order to be more recognizable and build up their reputation to draw in more business. At the state and local level, Jewish communities greatly suffered from lack of representation in civic bodies; the social implications of this are seen in the debates surrounding the Maryland Jew Bill of 1826.

Maryland was the last state to allow Jews to hold public office. The repeated defeat of the Maryland Jew Bill became a source of national shame for the state until it finally passed in 1826. Virginians especially criticized their neighbors to the

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13 Ibid., 168.
north given Virginia’s progressive legal stance on the treatment of non-Christians. There is ample evidence of bigotry against the Jews in Maryland. Numerous people wrote to newspapers during the various times that the bill was debated by the state legislature, reflecting private citizens’ debates upon the same issue. One editorial published anonymously in the *Maryland Gazette* attacked the right of Jews to participate in any capacity in the governance of the United States: “Government being founded in civil compact *only* in this state, … [Jews] were not parties to the compact…Is it not more rational, that a few dozen of a wandering tribe of people should conform to the laws of the state…than that the whole state and laws conform to them?” On the other side of the heated debate, Jews and non-Jews endorsed increased rights for Jewish Americans by highlighting the fact that most Jews from the colonies fought in the struggle for independence despite their second class status. George Washington’s letter was also cited by proponents of the legislation to assert the legitimacy of the bill and to shame its opponents. One legislator, to further accentuate his argument, even read aloud in the middle of his speech from both the original letter from Moses Seixas and the response from George Washington. In an 1819 letter that was published as part of an article about the Jew Bill, Thomas Jefferson also commented on the bill’s defeat in the previous year. The struggle Maryland Jews faced, according to Jefferson, was due to “the universal spirit of religious intolerance inherent in every sect.” “The only antidote to this vice,” he declared, was “protecting our religious as they [the laws] do our civil rights, by putting all on an equal footing.” However, Jefferson also acknowledged that, “although we are free by the law, we are not so in practice.” He compared anti-Jewish bigotry to “an inquisition,” that “exercises its office with as much fanaticism as fans the flames of an *auto da fe* [act of faith, the public sentencing of guilty parties during various Inquisitions].” This type of

comparison resonated strongly with American Jews of the time, most of whom were descendants of those who fled from the Spanish and Portuguese Inquisitions. The Maryland Jew Bill signaled a turning point in American political discourse as it made public virulent debate over the rights of Jews specifically, not merely the rights of religious minorities in general. The history of the resistance to granting Jewish-Americans full rights contradicts the idealized and ahistorical assertion of present day activists that Washington’s letter was the beginning of the end of institutional anti-Jewish bigotry in the United States.

Contemporary activists promote the George Washington letter of 1790 as a sign of early religious toleration in the United States without demonstrating understanding of the political and legal context in which Washington wrote the letter. Eboo Patel, a Muslim-American interfaith activist who was part of President Obama’s Advisory Council on Faith-based Neighborhood Partnerships, regularly cites the Washington letter as an example of early religious pluralism in the United States. In his book *Sacred Ground: Pluralism, Prejudice, and the Promise of America*, Patel idealizes interpretations of the impact of the Washington letter. Patel implies certain nuanced interpretations of the text that do not correspond to the lived reality of early American Jews. For example, when describing Moses Seixas’ reasons for writing to George Washington, he says, “Seixas was worried about the fate of Jews in the new nation. Would they be harassed and hated as they had been for so many centuries in Europe?” Patel implies that Jews were a new group to the United States, one that did not already have an established history in America.

In no part of Patel’s discussion of the letter does he contextualize the history of Jewish-Americans to reveal why they might have reason to doubt their freedom to practice Judaism in the United States based on their own history in the American colonies. This omission suggests that Jews in America in 1790 were treated better than their European counterparts, an interpretation open for debate. Patel includes in *Sacred Ground* a section on the persecution of other religious minorities in colonial America, but not Jews. As a public intellectual, Patel’s refusal to provide sufficient context for understanding George Washington’s attitude towards the

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Jews perpetuates the decontextualized interpretation of the latter’s letter and inappropriately sanitizes the United States’ history of religious pluralism.

Contemporary Jewish-Americans vary in how they present the context of their early history in America. Some focus on the letter without providing the necessary historical context for understanding its importance and how it differed from the mainstream opinion of American Jews. The Touro Synagogue of the Newport Jewish congregation has made a unique effort to preserve its history and educate the public as to how George Washington’s letter impacted American religious liberty. However, their exhibits and information about religious liberty in relation to the 1790 Washington letter tend to romanticize Rhode Island’s stance on religious liberty in an ahistorical way. This distortion is particularly problematic given the Touro Synagogue’s prominence due to its unique place in this history.

Other Jewish-Americans have made more of a commitment to being historically accurate by contextualizing the letter. David Grubin in his documentary series *The Jewish Americans* effectively contextualizes the Washington letter by giving a fair and accurate assessment of how early Jewish immigrants were treated in the British and Dutch colonies in New England.

Contemporary Jewish groups who comment on the Washington letter all emphasize how it made an impact on their communities feeling welcome in the United States, yet various groups have interpreted the letter to support their own particular ideas, especially about modern day religious pluralism, without taking into account the complex legal status that early American Jews faced in the United States. This is a classic case of how interpretations of history can be distorted by reactions to contemporary events. Many seek a golden ideal of religious pluralism in American history and the George Washington letter has been misinterpreted as proof of that ideal. Yet a religiously pluralistic society no more existed at the founding of the United States than it did in Islamic Spain. Even now, Muslims and Sikhs face incredible prejudice against them in the aftermath of September 11, 2001. Some Jews have felt very unsafe given political tensions arising out of the Israel-Palestine conflict and its impacts in the United States. With the election of Donald Trump to the presidency, Americans are especially frightened as bigotry

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against non-Christians intensifies.\footnote{Matthew D. Taylor, “Why Are Christians Supporting Trump the Heathen?,” The Huffington Post, 22 Feb. 2016, <http://www.huffingtonpost.com/matthew-d-taylor/donald-trump-embodies-wha_b_9287596.html>.} We need only to look to the recent events of Charlottesville, Virginia for ample fuel for those fears. Conditions like these make it all the more difficult to achieve objective scholarship concerning religious pluralism. However, only that scholarship can make the case for religious pluralism stronger. A lack of religious pluralism hurt American-Jewish communities for hundreds of years, from the foundation of the American colonies until the early nineteenth century. History has the power to help avert repeating the same mistakes as those who came before. Americans should listen well, study comprehensively, and not give over to sensational bigotry or unmitigated idealism.
Press Coverage of Internal Divisions Over Reform Judaism, 1905-1920: A Classic Tale of the American Progressive Movement

Katherine Porter

In 2017, anti-Semitism is alive and well, as Jewish cemeteries are vandalized and Jewish community centers around the country are terrorized by an increasing number of bomb threats. Over the course of history, Jews have been persecuted and discriminated against as “others” socially, economically, and politically. There is a distinct and enduring identity that comes with being Jewish, however in the last few centuries, Jews around the world have made a clear effort to prove that they are as much a citizen of their home country as they are Jewish, demonstrating their civic pride and inclusivity. Although modern, racial anti-Semitism was a generally new idea during the Progressive Era, Jews worldwide had already experienced different types of discrimination and knew of its damaging effects. Many Jews sought to prove their ability to adapt to a new society by showing the flexibility of their faith. In the new, quickly changing society, every aspect of life needed to be reconsidered and adjusted to maximize acculturation. Reformers sought a variety of ways to modify Judaism so that it fit better within American society and its ideals. Some modifications were simple, such as shortening a prayer, while others were much more complicated and controversial, such as dismantling kosher dietary laws. These efforts generated much debate among American Jews and rabbinical leaders, often making headlines. Dana Evan Kaplan, a Reform rabbi, has written extensively about Reform Judaism, focusing on the need for a central theological belief in order to sustain the reform movement. Another prominent scholar is Michael A. Meyer, who has dedicated his life’s work to Reform Judaism, writing Response to Modernity: A History of the Reform Movement in Judaism, a comprehensive history demonstrating Judaism’s growth and detailing triumphs and failures within the context of the greater world. This paper focuses specifically on the disunity within American Reform Judaism during the Progressive Era through the lens of popular press coverage. Analysis of contemporary accounts in the New York Times, America's newspaper of record, on

the internal divisions over Reform Judaism reveals both the pervasiveness and the limits of progressive reform.

Reform Judaism, while strongly associated with the United States, actually has its origins in Europe. Many countries in Western and Central Europe during the late eighteenth century saw the emancipation of Jews.\(^2\) With this new freedom, Reform Judaism originated as a German movement. Jews began focusing on establishing a national identity, as opposed to a religious one, throughout the next century. Jews saw some success as they attempted to integrate into society, although this came to an end by the early twentieth century when racial anti-Semitism took a strong hold across Europe.\(^3\) Reform Judaism made its way to America before this shift in Europe, and the first reform attempt was made in 1824 in Charleston, South Carolina.\(^4\) “Reform Judaism proved especially popular in the United States after the middle of the nineteenth century, and over 90 percent of Jewish congregations were Reformed by 1880.”\(^5\)

Without the same religious persecution and age-old social structures that prevailed throughout Europe, America was the perfect place to take an untraditional stance on religion.\(^6\) In 1885, Jews composed the Pittsburgh Platform. This document outlined the eight principles of Reform Judaism, which stressed universalism and optimism.\(^7\)

While other platforms would take shape up until the present day, this one served as the foundation for American Reform Judaism during the Progressive Era. With new reforms come disagreements and different perspectives, and Reform Judaism was no exception.

Supporters of Reform Judaism believed in the fluidity of their faith and the necessity of progressive change to match the progressive sentiment taking place within the United States. As society moved forward and evolved, so must religion, otherwise it would get left behind. Daniel P. Hays, a prominent figure among


\(^3\) Ibid., 51.


Reform Judaism organizations in New York, noted, “As Jews we must revere and respect the ancient history of our race, but feel that Judaism, our religion, must be progressive, a religion that assists us in our daily life, not merely a religion of the synagogue, but of the home.” It was highly controversial for a religion so entrenched in tradition and history to make any changes to practices and values. However, reformers saw that the current customs within Judaism were not working for everyone. Jews either stood out too much because of traditional practice, or they viewed these practices as outdated and ineffective and gave them up altogether, allowing Judaism to be swept away with modernization. Reform Jews were willing to take a close look at Judaism and discover ways to make it more applicable to modern life, ways that would allow Jews to feel a more genuine connection to their faith. Similarly, Rabbi Samuel Schulman supported the tough decisions that needed to be made as he claimed, “In a reform…we must not stop at sentiment and sentimental indignation.” Simply because people had worshipped a certain way for a long time did not mean it would always be the best way. The act of reforming Judaism was recognized as a process. Reform Jews were aware the revisions would probably not be successful right away. Because of that, they would need additional reforms to help improve initial reforms in order to get it just right. Others, particularly Orthodox Jews, were against any kind of religious restructuring. They were not afraid to speak up against reform, as they saw certain customs to be so intrinsic to their faith that they could not be compromised. For example, two European rabbis traveled to Cincinnati, then seen as the heart of Reform Judaism, to begin an anti-reform crusade. Orthodox Jews presented the biggest challenge, as they pushed for strict guidelines and the preservation of long-standing customs. Nevertheless, Reform Jews continued to emphasize personal spirituality over prescribed ceremonial displays of belief. They allowed for individuals to choose how to develop their faith, reflective of the individualistic spirit of many Americans.

White Anglo-Saxon Protestants made up the majority of Americans at this time and immigrants struggled to find their place within their new home. The Progressive Era was marked by intense discrimination towards immigrants,

especially the large influx of people from Southern and Eastern Europe. Jewish Americans therefore sought to highlight their citizenship as Americans, not their immigrant status. Reformers believed that behaving and working like any other American, while adjusting their faith to fit more within religious norms, would only serve to benefit Jews: “They were not theologically motivated but rather saw the practical benefits of adapting religious practices to the American patterns of living.”12 As a result, reformers were willing to keep their traditions open to Christian influence. “Reform was dynamic towards the Christian world, unafraid of its influence, confident of its inner strength, believing even that it will change the world in its ethical and spiritual life.”13 The sixth plank in the Pittsburgh Platform even acknowledged the positive impact that Christianity could have in promoting monotheism, truth, and morality. In this way, Judaism could hopefully become a more acceptable religion. In turn Jews would be able to maintain their faith in a way that was more manageable to practice in everyday Progressive Era America.

This amount of religious inclusivity was still controversial within the Jewish community. In an effort to demonstrate acceptance of Christianity’s impact and work together for the moral betterment of society, a joint service was held for Christians and Jews in New York City in 1910. Jacob H. Schiff, a prominent member of the Jewish community, protested. “He declared the union of Jew and Christian in worship was impossible so long as part of the Christian world persecuted Jews.”14 This statement reflects the tense relationship between Christians and Jews that still prevailed around the world. It was surely difficult for many Jews to accept influence from a religion that some felt had historically mistreated their people all over the world.15 For others, a joint service simply deviated too far from Judaism’s basic principles. These services also outraged Rev. Dr. Samuel Schulman, who stated, “It is too radical a movement…because it destroys the allegiance to the characteristic Jewish worship or Christian worship.” Despite support for reform, there was a fine line between valuable adaptation and

13 Ibid., 9.
completely losing sight of the basic teachings of Judaism. He stated adamantly, “Watering away Judaism cannot make better Jews.”

Supporters of Reform Judaism believed that this theological transition did not hurt their Jewish identity, but instead enhanced their American identity. Jewish reformers sought to affirm their status as American citizens and acculturate into conventional society. Abraham Cahan, a Russian immigrant, explained that Jewish Americans encountered many of the same obstacles as all other Americans and should do their part to join in uplifting society. Arguably the most influential American Reform Jew was Rabbi Isaac M. Wise. He “had the charisma and determination to develop into a national Jewish religious leader and to actively work to build American Jewish institutions and organizations.” Although an immigrant, he was American through and through, and many praised him for his eagerness and success in assimilation. According to one of his colleagues, “He fitted thoroughly into [the] American environment. Freedom was the breath of his nostrils.”

Another significant player in this movement was Rev. Dr. Kaufmann Kohler. He too noted the advantageous qualities of collaboration between Judaism and American values. Kohler enthused, “American Judaism! What a power of inspiration lies in these two words! They spell the triumph of the world’s two greatest principles and ideals, the consummation of mankind’s choicest possessions, the one offered by the oldest, the other by the youngest of the great nations of history, the highest moral and spiritual and the highest political and social aim of humanity.” While many agreed with Wise and Kohler’s pride in their adoptive country, others did not share this same sense of passionate nationalism. Zionism stood at the other end of the spectrum, centered on the creation of a Jewish state. L.J. Greenberg, a member of the Chief Executive Committee of the Zionist Organization, declared, “With the achievement of Zionism a Jewish culture would arise. We should as Jews, be proving ourselves of use to the world, becoming something the world wants. Hence anti-Semitism

18 Kaplan, American Reform Judaism, 11.
would largely disappear.”

Although this would change, many Reform Jews initially considered themselves anti-Zionists, giving rise to intense disagreements within the Jewish community. Some even went so far as to claim Zionism to be a worse evil than anti-Semitism. They chose to focus on assimilation instead and in that way Reform Jews felt that they could start fresh and move forward as true Americans.

The main tenets of Reform Judaism fit neatly within the prevailing progressive reform agenda. Prized qualities like morality, altruism, and efficiency were just as likely to be reflected in Reform Judaism as the day’s mainstream social reform. “Reform Judaism has historically emphasized what it interpreted as the central message of the prophets: the need to fight for social justice. The Reformers believed deeply in working with their Christian neighbors to help make the world a place of justice and peace.”

The eighth and final plank in the Pittsburgh Platform reflects this desire for increased social responsibility. Judaism provided moral guidelines that might otherwise be lost in the swiftly modernizing society. Dr. Wise expressed this need as he professed, “We need a reformation of the Jew not because he is orthodox, nor yet because he is reform, but because he is neither; because in large part he is unattached and drifting rudderless; because he is threatened with the gravest perils that can befall a people, the loss of religion and the loss of moral ideals.”

Industrialized society offered new opportunities and freedoms that many considered degenerative and dangerous. Reform was seen as the only way to preserve Judaism, thereby protecting morality. As other progressive reformers were concerned with uplifting society, proponents of Reform Judaism shared their concerns. In 1918, the Central Conference of American Rabbis adopted a social justice platform, advocating many of the same reforms other progressives were working for, such as an eight-hour workday and the right to bargain collectively. Besides proving to be progressive in more ways than one, supporters of Reform Judaism believed this growing religious branch would continue to foster the right values within the Jewish population.

23 Kaplan, American Reform Judaism, 15.
One of the most controversial suggestions within the movement was celebrating the Sabbath on Sunday instead of Saturday. American life was heavily designed to accommodate a Christian lifestyle. Many businesses closed on Sunday, as that was the day of rest and worship for most Americans. However, Jews’ day of worship, Shabbat, begins on Friday at sundown and ends after nightfall on Saturday. Despite Jewish efforts to fit into American life, weekends were a time in which Jews and Christians lived distinctly separate lives. Some reformers sought to allow for worship on Sunday instead of Saturday, and there were several reasons to push for this change. The biggest motivation was the economic disadvantage that the Saturday Sabbath placed on Jews. Jewish business owners who closed their shops while observing the Sabbath missed out on the week’s biggest shopping day for Christian consumers. On Sunday, Jewish consumers were severely limited in what they could purchase or do when Christian business owners shut down their stores. Moreover, many synagogues were experiencing diminishing congregations. They hoped that by moving the Sabbath to Sunday more people would attend, even Christians who might be interested in hearing sermons. Moving the Sabbath would allow Jews to more smoothly integrate into mainstream society.

The Chicago Sinai Congregation was the leading force behind the Sunday-Sabbath movement. Rabbi Kohler pushed for this change in order to better serve his congregants. He was mainly concerned with lack of attendance, but was confident the change would attract non-Jews as well. He assured objectors that it would not damage the traditional Jewish Sabbath.\(^{26}\) Kohler was ineffective in increasing attendance, however, his successor, Emil G. Hirsch, drew in much larger crowds.\(^{27}\) Despite this indication of success, some reformers concluded this modification strayed too far from Jewish tradition and could not back it if it was solely for the sake of convenience.

Although a prominent figure in Reform Judaism, Rabbi Wise was against changing the Sabbath. He initially chose not to take too strong of a stance in order to avoid a large division within the movement, but eventually voiced a stronger opinion as support for the idea grew. He saw Sabbath reform as too significant of a change and was fairly consistent in his opposition to the issue. Wise was never


\(^{27}\) Ibid., 361.
convinced by claims that it would support assimilation or aid the working class, going so far as to state that rabbis choosing to employ a Sunday-Sabbath were doing so at their own will and without the support of the Hebrew Union College.\textsuperscript{28} Despite this disunity, Chicago Sinai Congregation eventually replaced Saturday services with Sunday-Sabbath entirely and a few other congregations eventually followed their example.\textsuperscript{29} This controversy within Reform Judaism parallels the inconsistencies and internal divisions that afflicted just about every reform movement during the Progressive Era.

Contemporary articles from the \textit{New York Times} reveal how clashes over Reform Judaism reflected the progressive ideals of the time. Reform Judaism proved successful in the United States, however it did not necessarily have a smooth transition when it was first brought over from Europe. Reformers believed in the necessity of progress and adaptation of religion. They emphasized collaboration with Christians, their shared American nationality, and strong morals. The proposed modification of the Sabbath day demonstrates how these qualities are reflected in Reform Judaism. It also exposes the divisions within the movement. While Reform Judaism was restricted to a religious denomination, its development clearly mirrors that of other types of reform during the Progressive Era. Be they social, economic, or political, all progressive reforms received pushback and raised questions. Reformers took note of modernizing society and saw the problems that could arise if certain aspects of life remained unchanged. They pushed for adjustments and transformations, emphasizing morality, efficiency, and truth. This analysis reveals how Reform Judaism pursued these same ideals as well.

Reform Judaism is still practiced today, and it has continued to evolve over the last hundred years. Whether practicing Reform Judaism, Orthodox Judaism, or a subdivision that falls somewhere in between, there are at least 5.3 million Jews in America.\textsuperscript{30} Progressive ideals of social justice and unity are still apparent in American society today, unfortunately being applied to some of the same issues. Even now Jews are facing intense discrimination because of their faith despite

\begin{footnotesize}
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\item Ibid., 365.
\item Ibid., 366.
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American citizenship and civic participation, suggesting that acculturation was not enough to truly curb bigotry. A study of Reform Judaism in the Progressive Era, however, shows that even more than one hundred years ago, Jewish immigrants were eagerly adapting to the ways of the dominant society by incorporating change and highlighting their commitment to the social justice so central to the prevailing progressive movement. Even the internal division over Reform Judaism is a hallmark of the progressive discourse. The history of Reform Jews in the Progressive Era disproves the charge of Jews as “other” and demonstrates their contribution to the depth and breadth of American reform.
HIV and AIDS:
The Shift from a Modern Plague to a Medical Malady
Amanda Dahl

Humans have always feared disease and the death it brings. Reactions to disease can be intense and often bring out people’s worst qualities. It was exactly this type of negative reaction that emerged as a response to the first identified cases of Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS) in the United States in the early 1980s. Although the disease was initially puzzling to all who came across it, once it was identified as a distinct disease, it soon came to be identified with gay men and intravenous (IV) drug users. Associations with these groups in particular led to increased stigma surrounding these already marginalized communities. Knowledge of HIV and AIDS has greatly increased since the 1980s, though, and as a result, perceptions of the disease have changed. Since the initial outbreak, HIV/AIDS has been viewed as a threat to humanity. But if initially the public placed blame for the disease on its victims for their perceived moral deficiencies, it eventually began to view HIV/AIDS in medical terms, focusing on the disease itself as the problem. This shift is most emphasized in how Ronald Reagan’s administration handled addressing HIV and AIDS compared to George W. Bush’s administration; Reagan chose to ignore the problem for many years while Bush initiated the President’s Emergency Plan for AIDS Relief (PEPFAR), directly addressing the disease on an international level. It is easy to place blame or give credit to individuals based on key actions, however, as public representatives, presidents also reflect the will of the people. Just as public sentiment and pop culture affected attitudes towards HIV/AIDS, so did presidents and their administrations, although neither remained a dominating influence over the other. Overall, there were three major influences on the shift in the perception of HIV/AIDS. These included the presidential administration, pop culture, and evangelicals. Pop culture, as this paper will call it, will refer largely to the influence of major celebrities and icons in addition to major publications with a wide audience. Although in the early 1980s, the

1 Renata Simone et al., *The Age of AIDS*, videorecording (PBS Home Video, 2006).
2 Ibid.
presidential administration and its lack of response to HIV/AIDS most influenced rhetoric surrounding the disease, by the mid-1980s, pop culture had begun to gain hold, starting to shift public sentiments away from a severely negative perception of the disease. In the beginning of the epidemic, evangelical opinion also meshed with public opinion, however, these opinions began to diverge later in the 1980s. Throughout the 1990s, the sway of pop culture on public opinion secured a stronger hold, encouraging a more benevolent view of those affected by HIV/AIDS, while evangelical influence and its continued condemnation of those with HIV/AIDS lost ground and became a minority viewpoint. Both pop culture and evangelicals impacted the presidential administration in the 1990s, although there was an innate tension between the two as they desired opposing actions. Heading into the early 2000s, religious influence further faded, however, and President Bush reasserted the role of the President in heavily influencing public perception of those with HIV/AIDS. Through initiating PEPFAR, he helped turn HIV/AIDS into an imperative issue, pushing both evangelicals and the general public to see it as a worthy cause.

From the beginning, the issue of morality was at the center of discussions of HIV and AIDS, and like many other diseases it was viewed through the lens of past epidemics. Powel Kazanjian approached the topic from a historical perspective, analyzing the pandemic through the context of past conceptions of disease. In the 19th century, diseases were conceptualized in a moralistic framework and seen as pestilences. Those who became sick were thought to suffer from some moral deficiency, and generally the environment they lived in was also believed to increase their susceptibility to disease. The poor tended to live in filth, and this, along with their supposed lack of morality, was believed to cause disease. A parallel was also drawn to the beginning of the AIDS epidemic. HIV/AIDS was generally constructed as a moral issue, especially due to its association with gay men and IV drug users, individuals already viewed as morally lacking by much of the public. Similarly, Thomas R. Blair placed the initial outbreak of HIV in the context of past diseases, particularly the plague. Comparing mental health professionals involved since the start of the San Francisco outbreak to plague doctors, Blair emphasized the historical marginalization of all plague victims. Just

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As past victims were pathologized and certain groups tended to be identified as the cause, the gay male community came to be pathologized by the contemporary general public. Repercussions of this persecution had very real psychological effects, in addition to the devastating effects the disease had on physical and mental health. As a result, mental health professionals, although often overlooked, were key figures in the initial response and in developing future ways to treat HIV/AIDS.4

AIDS was also viewed as a reason for a “moral panic.” In examining the development of how HIV and AIDS were viewed in the 1980s from a sociological perspective, Janet Holland et al. described the early conceptualization of the disease as a “gay cancer.” This later developed into a “moral panic” in the mid-1980s as it became clear that this was not solely a gay man’s disease, nor confined to other perceived high-risk groups. All were vulnerable. For many, AIDS became a symbol of fear and of what was wrong with society, exemplifying the “wrongness” of homosexuality.5 Evangelicals and many other religious groups also constructed AIDS as a moral problem, often describing it as a God-sent punishment on sinners.6 In general, news of HIV/AIDS sparked panic and fear, including one instance of a dentist transmitting HIV to a patient during a tooth extraction.7 For the most part, the medical community resisted constructing HIV/AIDS as a moral issue, instead focusing on the medical aspects. Unfortunately, there were still some health care workers who refused to treat HIV positive patients.8 Some refused to help patients out of fear of catching the disease themselves, and others saw the disease as a punishment from God.9

Having examined several general interpretations of how HIV/AIDS has been approached, particularly with regard to the 1980s, it becomes important to more closely examine this era. Within the public, there was widespread fear present from

the first sign of the disease. San Francisco was also one of the major centers of the epidemic. Although considered a liberal city, many residents refused to frequent restaurants owned by gay men and steered clear of “gay” neighborhoods out of fear. Some gay men were even evicted from their homes. Police in both San Francisco and Washington D.C. were also provided with masks and gloves when dealing with protests. One man actually reported that healthcare workers refused to wash his partner or clean his hospital room, and when the partner was moved to another hospital, “the pilot wanted to throw him off the plane.” There was considerable worry that the disease could spread through casual contact. In 1983, according to a Gallup poll, 25 percent of people believed that HIV/AIDS was spread by casual contact and 16 percent were unsure.

Much of the fear was also based in religion and the idea that God punishes sinners. A doctor from New Orleans was quoted saying “do you think God’s trying to punish them? ‘Cause if he is, it ain’t enough.” This sentiment was also very much in line with the general right-wing viewpoint, which asserted the “plague” was here to force individuals back to being in monogamous, heterosexual relationships. Religion very much affected politics, and many politicians subscribed to the view that HIV/AIDS was a disease of sinners. At a Republican convention in southern California early in the 1980s, there was a bumper sticker that proclaimed: “AIDS -- it’s killing all the right people.”

Some of the most conservative religious groups also made the most extreme statements. In California, the Traditional Values Coalition was run by Lou Sheldon, a former Presbyterian minister. Beginning in the 1980s, he tried to warn others about the “gay threat.” Although Sheldon was not specifically referencing HIV/AIDS, his sentiments represented the view of a considerable number of Americans at the time, particularly highly religious ones. They thought the “gays” were out to get them, threatening the sanctity of the family. The view also found tacit acceptance in the Reagan administration, where Sheldon’s daughter, Andrea

10 Ibid.
11 Ibid.; Simone et al., The Age of AIDS.
12 Lootens, “AIDS.”
14 Lootens, “AIDS.”
15 Ibid.
16 Simone et al., The Age of AIDS.
Lafferty, served as an official.\textsuperscript{17} Evangelicals, especially, were associated with a negative view of gay individuals. Dr. Ralph Blair, an evangelical, wrote in 1983 of the shame he felt in being associated with the general evangelical attitude towards AIDS. He wrote how “the following [comments] are made in our name: ‘To add insult to sodomy, those who cry in the streets for “Gay Rights” are now screaming for you and me to come up with millions of dollars in tax money to find a cure for the diseases spread by their continuing iniquities.’” Blair did not agree with this view and found it distasteful. In writing his piece, Blair also commented on how “justice has not been what we have found in the coverage of AIDS in the fundamentalist press,” implying that his perspective was that of an outlier, and most evangelicals subscribed to views that constructed gay individuals as sinful and AIDS as “God’s judgment.”\textsuperscript{18}

Major events occurring in the realm of popular culture, however, began to contribute to a change in how many people conceptualized HIV/AIDS. Pop culture, as this paper will call it, will refer largely to the influence of major celebrities and icons in addition to major publications with a wide audience. Rock Hudson was the first famous figure to publicly announce his diagnosis with AIDS, and according to \textit{People} magazine, “his words released social avalanches” that were “still rolling strong” in December 1985.\textsuperscript{19} In July, Hudson had gone to Paris to see a specialist on AIDS regarding a new treatment, but had fallen ill during the stay and was hospitalized. He was then transported to UCLA medical center.\textsuperscript{20} The spokeswoman also told the press that Hudson had known about his condition for a year already but claimed that “he [did not] have any idea now how he contracted AIDS. Nobody around him has AIDS.”\textsuperscript{21} She claimed he was recovering, although this was actually highly inaccurate.\textsuperscript{22} The announcement came as a shock to the public. Hudson was considered a heartthrob and had often played the romantic lead in films. Mervyn Silverman, San Francisco Health Director, said that when his

\textsuperscript{20} Simone et al., \textit{The Age of AIDS}.
\textsuperscript{22} Times Wire Services, “Rock Hudson Has Had AIDS for Year--Friend,” \textit{Los Angeles Times}, 25 July 1985; Simone et al., \textit{The Age of AIDS}.
mother-in-law heard about Hudson she had called him and told Silverman “I didn’t realize AIDS was such a problem.” He had been telling her about the issue for years.23 Those much farther removed from the issue also had similar reactions. Hudson was “someone everybody knew and accepted as practically a member of the family” according to People. It drove many Americans to the conclusion that AIDS truly was a danger to the entire nation and that it needed a response. Over $1.8 million in private donations towards AIDS research and patient support poured in between July and December of 1985, over twice as much as in 1984.24

The revelation that Hudson had AIDS also led to speculation about his sexual orientation. For years, many members of the public had suspected he was gay, based on the reported words of acquaintances, but Hudson had never confirmed or denied claims.25 In August 1985, People ran a cover story on Hudson. They revealed that those in Hollywood had known he was gay for years, although it had always been kept a secret from the public. In 1955, Hudson’s agent had even arranged his marriage to Phyllis Gates, the agent’s secretary, in order to keep up pretenses.26 For the majority of Americans, he would have been the first gay man they could identify by name. He familiarized the public with AIDS. Lela Scherer, an 83-year-old fan from Olney, Illinois said that prior to Hudson’s announcement she “hadn’t heard of AIDS really.” She and her husband were deeply disturbed by the news. They could not accept that a man with Hudson’s impeccable public image would ever be diagnosed with AIDS. Scherer and her husband both were shocked that he was gay, too, claiming “he was just always such a good person.”27 Like many other Americans, they saw AIDS as a moral issue. Hudson’s diagnosis, however, would prove to be a major turning point in how AIDS was constructed. Although, many inevitably would continue to see AIDS as a gay man’s disease, Hudson’s diagnosis brought the issue to public attention and forced Americans to confront the idea that the man they were such huge fans of was, in fact, gay. It shook people’s conceptions of the world. The writer of a Broadway play about AIDS, William Hoffman, was quoted talking about the importance of the announcement: “If Rock Hudson can have it, nice

23 Simone et al., The Age of AIDS.
24 People Staff, “Rock Hudson.”
27 Ibid.
people can have it. It’s just a disease, not a moral affliction.” Similarly, psychologist Robert Eichberg talked about the psychological aspects of the revelation and how it could influence the public, telling People how “it’s difficult to turn against someone you love, and the public has grown up with him.”28 The case of Rock Hudson challenged people across America to think differently about what many viewed as a purely moral issue.

The government also took notice. Reagan personally called Hudson when he was hospitalized in Paris, despite having not yet publicly addressed AIDS.29 With AIDS drawn into the national news cycle, it was inevitable that the pressure on Reagan to address HIV/AIDS increased, culminating in the first public address on the topic in September 1985. Later, after Hudson died on October 3, 1985, Congress pledged $221 million towards AIDS funding.30 The influence Rock Hudson carried had forced the issue of HIV/AIDS, and moving into the second half of the 1980s, the government finally sought to address the disease to a greater extent. Earlier in the 1980s, the government’s silence had greatly impacted the issue of HIV/AIDS, stalling research and movements toward prevention and education, but in the latter half of the 1980s, the influence had shifted to lie with the public.

Public opinion appeared to heavily influence Reagan’s administration and how it handled HIV/AIDS. Many critics, such as Samuel O. Thier, have placed the blame on Reagan for the government’s failure to address the issue of HIV/AIDS in a timely manner, believing his negligence only served to help reinforce stigma and discrimination.31 Between 1981 and 1984, Reagan made no mentions of HIV or AIDS in any public remarks.32 By 1983, the New York Times had reported that many were already criticizing Reagan for what they perceived as “indifference” to the disease. In 1985, the administration claimed that a hefty sum of over $500 million had already been dedicated to research, although they included in that the

28 Ibid.
29 Ibid.
30 People Staff, “Rock Hudson.”
$126 million budgeted for 1986 alone. 33 Fewer than three years prior in 1983, only $2 million had been set aside by Congress for research that year. At that point, there was already a 40 percent fatality rate for those affected by HIV/AIDS. Writer Edith Butler believed that this was a paltry amount designated for research given the high fatality rate, theorizing that Congress considered the disease not worth more funding because it primarily affected the gay community. It was a politically dangerous topic to deal with due to the common belief that AIDS was a moral issue and those affected were undeserving of help. 34 And although Reagan claimed that “$126 million in a single year for research has to be something of a vital contribution,” one top scientist working on HIV/AIDS research disagreed, stating that this amount of funding was not enough “to go forward and really attack the problem.” 35 As leader of the government at the time, Reagan was hardly blameless. He certainly could have advocated more strongly for research funding, and even after increasing funding, he failed to increase it to what some scientists believed would be an impactful level. At least in the beginning, the government gave the impression that it tacitly accepted the moral view of the disease in failing to outright reject that view. The extended time that it took to actually increase research funding also sent the message that this issue was of low priority, even though the funding was aimed at uncovering more about the disease, which would later help dispel many misconceptions.

When Reagan finally did speak out publicly about AIDS in September 1985 he did so shortly after the death of Rock Hudson. He was likely pushed to address the issue due to the publicity surrounding Hudson’s death. Unfortunately, Reagan failed to assuage public fears. Talking about the possibility of AIDS spreading through casual contact such as between children at school, Reagan claimed that “medicine has not come forth unequivocally and said, this [manner of contact] we know for a fact…is safe.” 36 This was a vast departure from what the original speech had said. Reagan was supposed to assure the public that casual contact was safe, however, John G. Roberts, White House lawyer and current Chief Justice of the Supreme Court, had written a legal memo telling Reagan not to make this

35 Boffey, “Reagan Defends Financing for AIDS.”
36 Ibid.
claim, incorrectly believing it lacked evidence. Roberts appeared to fear the government could be held liable if HIV was later found to pass through casual contact. Top public health officials, including James Mason, Director of the CDC, immediately responded with their own press conference, contradicting the President’s claims. The damage had already been done, however, and fear was still very much prevalent. In 1986, a Newsweek poll conducted by the Gallup Organization found that 49 percent of the public believed that a fear of HIV/AIDS infection was contributing to discrimination against homosexual individuals. The administration was certainly to blame for the spread of misinformation and for addressing the issue so late.

Reagan’s speech also occurred, quite notably, after he was elected to his second term as President. In October 1983, a year before the election in 1984, there was already talk about his potential for re-election. He was having trouble finding support with evangelical voters though, according to a piece in The Daily Oklahoman. When comparing Reagan and Senator Jon Glenn, D-Ohio, a poll of 1,000 evangelicals and religious fundamentalists had Reagan winning 41.3 percent to 37.2 percent. When compared to Walter F. Mondale, Reagan won 47 percent to 33.8 percent. Although Mondale was eventually the other contender for the presidency, the slim margin by which Reagan might have won over Glenn would still have been worrying to his re-election campaign. Additionally, polling at under 50 percent would have been concerning, especially because “evangelicals [were] Reagan’s natural constituency.” This constituency of evangelicals was one of the most opposed to homosexuality and the idea of providing any government aid. HIV/AIDS was a gay man’s disease in their view, making it unworthy of research and those with it unworthy of help. In avoiding public discussion of

37 Simone et al., The Age of AIDS.
41 Gamino, “Evangelicals Reluctant to Aid Reagan, Poll Says.”
HIV/AIDS, Reagan avoided offending a major portion of his supporter base. Although it may have been incidental that Reagan spoke about HIV/AIDS after his re-election, the timing certainly lends itself to the idea that Reagan avoided the subject to increase his chances of being elected to a second term. In this instance, it appears the public view, and especially the religious conservative view, on HIV/AIDS held major sway in how the topic was discussed on a national level. It was Reagan’s choice to avoid the subject, but it was certainly heavily influenced by national opinion.

Although Reagan’s 1985 speech contained inaccuracies and demonstrated his hesitancy to make any firm claims in regard to HIV/AIDS, it did appear to have a bit of positive influence in bringing the issue to increased government attention. In 1986, the Acquired Immune Deficiency Syndrome Service Coordination Act of 1986 was developed in the Senate. It allocated funds to be put towards diagnosing and treating HIV/AIDS, along with funding health care, mental health services, case management services, and HIV/AIDS education. Demonstrating a shift away from a focus on gay men, the Act placed a specific emphasis on helping children who were born to HIV/AIDS positive mothers and had acquired the disease from them. The Act also acknowledged the rate of infection through heterosexual contact had increased and emphasized the need to treat all those who were ill in a humane manner.

Although the public often still constructed the disease as a moral issue, the government was no longer as reluctant to address or fund HIV/AIDS research as it had been only a few years prior.

From 1986 on, descriptions of the disease were increasingly medical in nature and acknowledged a greater universality to the disease. Surgeon General, C. Everett Koop, also released the “Surgeon General’s Report on AIDS” that year. It emphasized that “AIDS is not spread by common everyday contact but by sexual contact” and told readers, “We would know by now if AIDS were passed by casual, non-sexual contact.” The report also encouraged education on the disease and voluntary HIV testing. One of the most controversial aspects of the report

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was its endorsement of condoms to prevent the spread of HIV/AIDS. Koop also repudiated the moral view of HIV/AIDS, writing:

At the beginning of the AIDS epidemic many Americans had little sympathy for people with AIDS. The feeling was that somehow people from certain groups ‘deserved’ their illness. Let us put those feelings behind us. We are fighting a disease, not people. Those who are afflicted are sick people and need our care as do all sick patients.

This was echoed to some degree in Reagan’s first official speech on HIV/AIDS on May 31, 1987. He encouraged “urgency, not panic…compassion, not blame…[and] understanding, not ignorance.” And he finally publicly stated “AIDS is not a casually contagious disease,” something he had failed to do in 1985. Although met with mixed reviews due to the proposal that HIV positive individuals be barred from entering the country and encouragement of testing that could lead to discrimination, it was still extremely important that Reagan come out in support of HIV/AIDS from a medical perspective and revise his previous statement that casual contact may spread HIV/AIDS.

On the other hand, Reagan’s speech rested upon the idea that those with HIV/AIDS may be morally corrupt and this manner of discourse played into an innately negative view of the disease. Although Reagan stated that the “final judgment is up to God; our part is to ease the suffering and to find a cure,” simply the fact that he inserted this phrase into the speech referenced and, in a way, validated the negative view that many held of those afflicted with the disease. The speech on the whole sent a rather mixed message. It drew upon preconceived notions of the disease as a moral one, and although it urged compassion and was meant to assuage fears, it never completely dismissed the idea of AIDS as a moral issue like Koop’s report had. As president, Reagan’s voice would have held greater

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50 “Remarks at the American Foundation for AIDS Research Awards Dinner.”
sway over the public and drawn greater attention than a surgeon general’s report. Koop’s scientific treatment of the disease demonstrated that the government was in theory willing to move forward looking at AIDS as a disease, but Reagan’s speech demonstrates the continued political delicacy of this position.

Although Reagan’s speech was not a hit with most conservatives, it was Koop that gained the greatest notoriety in the conservative and evangelical communities in 1988. He launched the Understanding AIDS campaign to educate the public on the dangers of HIV/AIDS and how it was spread, talking about the disease frankly and scientifically.\(^{51}\) The largest public health mail campaign in the history of the United States up until then, Koop had a booklet sent to 107 million homes. It rejected the construction of HIV/AIDS as a disease resulting from sin and promoted the use of condoms. Conservatives and evangelicals were furious and saw this as a betrayal. Koop, himself, was an evangelical, but as a medical doctor and public health official, he believed that the science of the disease and education were more important than anything else.\(^{52}\)

For the first half of the 1980s, the public and religious groups were generally united in their view of HIV/AIDS as a moral issue. From the mid-1980s and onward, however, the view of the general public begins to diverge from that of religious groups, especially evangelicals. With the publicity Rock Hudson provided the disease and with increased government efforts at education, the public fear of HIV/AIDS decreased. It is likely that what created the largest impact in decreasing public fear was the emphasis that the disease was not casually contagious. During the summer of 1987, for example, Fire Island in New York saw renewed tourism. The previous three summers, the island had faced economic hardship because it was well known that a large population of gay men lived on the island causing many vacationers to avoid the once-popular vacation spot.\(^{53}\) Renewed tourism, however, demonstrated a changing conception of the disease. Even if it was still a moral issue for many, there was substantially less fear surrounding the disease. It is still likely, however, that none of those tourists were evangelicals. That particular group was firmly set in seeing HIV/AIDS as a moral

\(^{52}\) Andriote, “Doctor, Not Chaplain.”
disease and even as of 1988, had an irrevocable stance that sex should only occur between a married man and woman, framing all other actions sinful.\textsuperscript{54} Those who subscribed to these beliefs would have avoided even association with Fire Island due to its substantial population of gay men. Although this divergence of popular and evangelical opinion was only beginning in the 1980s, by the 1990s the gap between the two continued to widen.

Even within the 1980s there was the start of a shift. Demonstrating a decreasing gap in public knowledge about HIV/AIDS compared to the scientific community, between 1983 and 1986, Gallup polls had found that there was a 21 percent decrease in the percentage of people who believed that HIV/AIDS was passed through kissing; it was down to 29 percent from 50 percent. Additionally, only 6 percent of people believed that they could catch HIV/AIDS from working in the same office as an HIV positive individual in 1986 according to a CBS poll. This was in comparison to 12 percent one year prior according to CBS/\textit{New York Times}. Another Gallup poll in 1987 indicated that in the past year, the percentage of people who believed AIDS patients should be treated with compassion had increased from 78 percent to 87 percent. Furthermore, there was also an increase of people who believed that it was wrong to dismiss an individual from a job for being HIV positive; it jumped from 43 percent to 64 percent.\textsuperscript{55} On the other hand, 37 percent of Americans said in 1985 that due to HIV/AIDS, their opinion of “homosexuals” had changed for the worse.\textsuperscript{56} Though progress was made in decreasing stigma surrounding the disease and gay individuals from the early 1980s to later in the decade, there was still a long way to go until affected groups saw even the semblance of equality.

In pop culture, attention to HIV and AIDS gradually increased. Ryan White was a young man who suffered from hemophilia and was diagnosed with AIDS in 1984 as a result of a blood transfusion. He was one of the first children to develop AIDS, and his case raised the issue of if he would be allowed to attend school as an individual with AIDS. It took over a year and a half of legal battles for him to be re-admitted to public school, and the issue reached the national news, making

\begin{footnotes}
\item[54] Ayers, “The Quagmire of HIV/AIDS Related Issues Which Haunt the Church,” 204.
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White famous. His story increased awareness of the issues facing those infected with HIV/AIDS and helped inspire the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, which by August 18, 1990 had passed through Congress and become law. The Act outlined how assistance should be established and funded for those with HIV who needed assistance and also promoted early intervention. White had inspired political action that would have a meaningful impact on the lives of thousands, and he “open[ed] many hearts,” promoting a tolerance for HIV/AIDS-afflicted individuals. After his death on April 8, 1990, celebrities and friends alike mourned him. Reagan was even quoted saying, “We owe it to Ryan to open our hearts and minds to those with AIDS.” Yet for all this acceptance, or at least the façade of it, there were also many who would have disagreed with the compassionate route. In Chicago, an evangelical church banned a 5-year-old from Bible classes because he had AIDS. After public backlash, the decision was reversed, but this occurred only a few weeks after White’s death. The “AIDS frenzy” was no longer what it had been in the early 1980s, and much of the general public appeared inclined to change their views on HIV positive individuals, however, this example of the evangelical church demonstrates that intolerance was still very much present. Furthermore, this view tended to be found within conservative religious groups.

Bringing an even more universal and relatable face to AIDS, the movie Philadelphia, starring Tom Hanks and Denzel Washington, was released in 1993. Hanks played a lawyer who is fired because he has AIDS, and Washington played the lawyer who reluctantly takes on his case. Although the tale is fictional, it certainly reflects the discrimination that many people with AIDS had historically faced. In his review, critic Roger Ebert said he believed that “for moviegoers with an antipathy to AIDS but an enthusiasm for stars like Tom Hanks and Denzel Washington, it may help to broaden understanding of the disease.” The film had been considered a risk, but one critic saw the film as a success even though it

unfortunately made Hanks’ character “a gay Everyman.”\textsuperscript{61} In a harsher condemnation, famed activist Larry Kramer lampooned the film for its inaccurate portrayal of AIDS saying it did not “have anything to do with the AIDS I know.” Kramer refuted other claims that the movie could change people’s views on AIDS, writing “it’s simply not good enough and I’d rather people not see it at all.”\textsuperscript{62} Although Kramer’s criticism certainly has merit, his claim that the movie had no effect on how AIDS was viewed was an extreme stance. \textit{Philadelphia} made over $77 million, and Hanks won an Academy Award in 1994 for Best Actor in a Leading Role.\textsuperscript{63} The revenue alone demonstrates that the public engaged with the film, and just watching the film would have influenced how people thought of AIDS (even if their opinion did not change). It is the positive critical reception, however, that may be more telling. Hollywood was generally considered liberal, but even in the 1980s, Rock Hudson had been careful not to openly reveal he was gay to the public; it was still a delicate subject. That Hanks could win an Academy Award for his portrayal of a gay, HIV positive man in a box-office hit shows a shift toward a more open and public acknowledgement of HIV positive individuals as human. Reflecting on the film in 2015, the film’s screenwriter, Ron Nyswaner, recalled that he had heard positive feedback on how the film changed the pop culture image of gay individuals, even being told once by an individual that “My parents stopped talking to me, then they saw \textit{Philadelphia}.”\textsuperscript{64}

A comparison of Gallup polls in 1987 and 1997 also indicated a decrease in discriminatory attitudes towards those with AIDS. In 1987, 51 percent of people had agreed that “it’s people’s own fault if they get AIDS,” whereas in 1997, 40 percent of people agreed with the statement. There was also a decline in those who believed that AIDS was “a punishment for the decline in moral standards” from 43 percent to 31 percent. The greatest change, however, was in the percentage of people who believed those with AIDS should be isolated from society, down to 7 percent from 21 percent in 1987. In a comment to \textit{USA Today}, Human Rights

\begin{footnotes}
\item Ramin Setoodeh, “‘Philadelphia’ Screenwriter on Gay Marriage, Legacy of Tom Hanks AIDS Drama,” \textit{Variety}, 1 July 2015.
\end{footnotes}
Campaign fund spokesman, David Smith, said he believed that “the irrational fear with AIDS has declined.”

Despite an increasingly positive view of those who identified as gay or lesbian, there was still considerable stigma in the 1990s. Those with HIV or AIDS might be pitiable and in need of help but to be gay or lesbian was still seen as a problem for many Americans. This was extremely evident in the reactions to Ellen DeGeneres coming out both on her sitcom Ellen and in real life. Before the episode in which DeGeneres came out, there were many rumors circulating, and a poll run by Entertainment Weekly found that “44% of respondents say the trend toward more gay characters on TV is bad…[and] 40% believe viewership would fall if Ellen came out-and 41% wouldn't let their kids watch a sitcom whose main character is gay.” Evangelical leaders like Rev. Jerry Falwell and Pat Robertson were quick to call DeGeneres “Ellen Degenerate” and claim that her coming out on the show was a “blatant attempt to promote homosexuality.” Nevertheless, many others also sent her letters thanking her for what she had done. Ellen was the first person to play a lead television character who was openly gay or lesbian. The fact that she even came out on a mainstream network television show speaks volumes to how tolerance had increased, which also helped contribute to an increased conceptualization of HIV/AIDS as a medical issue. Although not everyone agreed, a large proportion of the population held no ill will toward gay or lesbian individuals. The disease was no longer inherently connected to their sexual orientation nor was the disease a punishment for a lack of morals.

Both the public and government continued to influence how HIV and AIDS were perceived in the 1990s. As discussed, pop culture displayed an increasing humanization of those affected by the disease and an increasing acceptance of gay and lesbian individuals. The government’s actions reflected an increasingly scientific view towards HIV/AIDS. In 1990, the Americans with Disabilities Act provided protection against discrimination for many disabled Americans, including those who had HIV and AIDS. In 1995, President Clinton also established the Presidential Advisory Council on HIV/AIDS, a body designed to advise the

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68 “A Timeline of HIV/AIDS.”
president on current HIV/AIDS research and develop suggestions on how to best implement initiatives that promoted prevention and best provide assistance to those afflicted. Even with this increased openness to addressing the medical issues surrounding HIV/AIDS, there was still reluctance to accept the group once most afflicted by the disease: gay men. The public view also reflected this sentiment. In 1993, the now infamous “Don’t Ask, Don’t Tell” policy was implemented by President Clinton, allowing those who identified as gay or lesbian to serve in the military as long as they stayed silent in regard to revealing their sexual orientation. Although Clinton had campaigned on a promise to end the ban on homosexual individuals in the military, this policy was the closest he came to fully lifting a ban. “Don’t Ask, Don’t Tell” displays Clinton’s hesitance to deal with still politically dangerous topics and a hesitance to fully accept gay and lesbian individuals into mainstream culture, similar to the general public.

Although sexual orientation was no longer explicitly a moral issue, the fact that Clinton could not meet his campaign promise and instead adopted a half-measure indicated a considerably high level of public animosity towards gay or lesbian individuals. Furthermore, the half measure also demonstrated the strong, persistent influence of conservative and generally highly religious communities. These groups would have seen the issue as a definitively moral one and pushed back with a traditionalist point of view, resulting in the half measure.

Perhaps most influential in the 1990s, however, was the development of the first protease inhibitor in 1995. The first antiretroviral drug, AZT, had been approved in 1987 for use, however, it soon became clear it was not the magic bullet for which scientists searched. Regardless, this new protease inhibitor was more successful than past medicines and would end up leading to highly active antiretroviral therapy. Obviously a landmark moment in the scientific community, the work on antiretroviral therapies also caught national attention and researcher Dr. David Ho was named TIME Magazine’s “Man of the Year” in 1996 for his work. These developments also brought further attention to HIV/AIDS as a medical condition. It could be treated like all other medical conditions. One of the

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71 “A Timeline of HIV/AIDS.”
most impactful shifts in thinking was the transition of HIV/AIDS as a death sentence to that of a chronic condition. With the development of antiretroviral therapy, there was hope for those who previously had none. Powel Kazanjian argues that historians have neglected to examine how the conception of HIV/AIDS has changed as it has become a chronic disease. He identified that there has been a marked shift from the disease as a moral pestilence to looking at it as a virus and disease, however, the effects of the latter require further research. And even though this perspective has not been fully explored yet, it is clear that in the shift to being seen as a chronic disease, HIV/AIDS had finally lost its status as a plague, at least to the general public and the government.

Religious groups, on the other hand, departed from this perspective. The three most predominant attitudes towards HIV in 1995 were still “apathy, judgement, and fear” according to James R. Ayers. Evangelical communities in particular still believed homosexuality was sinful, and even though some may have felt compassion for AIDS sufferers, they did not necessarily want to help them or care for them. Conservative Christian leader Jerry Falwell stated in 1996, “I believe that AIDS…[is] God’s judgment upon the total society for embracing what God has condemned: sex outside of marriage,” and even though this was not particularly blaming gay men, it was still a moral construction of the disease. Even for those with a less extreme view, HIV/AIDS may have been a problem but not necessarily their problem. In the late 1990s, however, Reverend Franklin Graham, son of famous evangelical Billy Graham began to encourage others to support HIV/AIDS relief. Although he would have influenced evangelical communities, just his influence was not enough. This continued strong push back against those who identified as gay or lesbian was largely what prevented Clinton from allowing those individuals to openly serve in the military. These attitudes also would have made it more difficult to harness strong overall support in doing more

72 Kazanjian, “The AIDS Pandemic in Historic Perspective.”
73 Ayers, “The Quagmire of HIV/AIDS Related Issues Which Haunt the Church.”
to address HIV/AIDS. It would take the influence of a popular evangelical president to begin to sway the views of these rather stubborn religious groups.

President George W. Bush catapulted the issue to national and global attention in 2003, launching the President’s Emergency Plan for AIDS Relief (PEPFAR). It pledged $15 million over five years to focus on addressing HIV and AIDS in Africa and the Caribbean. Bush’s approach to politics was self-labeled “compassionate conservatism.” He maintained a conservative stance on issues but also applied his evangelical values in the development of policies. Drawing global attention to AIDS was certainly important, however, Jennifer Dyer argued that Bush was especially important in changing the American public’s view of AIDS due to his role as an evangelical. Earlier when he was campaigning, Bush had used his evangelical background to rally supporters and was considered the “first major politician to emerge from the new milieu of suburban megachurches.” Many evangelicals believed themselves to be in a culture war with liberals, especially during the Clinton presidency. Evangelicals, however, identified with Bush since he too was a conservative evangelical. As a result, they were more inclined to change their view on HIV/AIDS when he advocated for it.

From the start of his presidency, Bush had intended to address HIV/AIDS but struggled to make room for it on the national agenda, advised that it was more important to address terrorism. In March 2001, he took the first steps towards addressing the issue and pledged $200 million to the Global Fund to Fight AIDS, Tuberculosis and Malaria. This was later increased to $500 million, resulting in augmented government spending on foreign aid related to AIDS by 30 percent as compared to the Clinton administration. Bono of U2 also pushed Bush to take further steps towards addressing HIV/AIDS, appealing to Bush as a fellow

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80 Foer, “Running on Their Faith.”
evangelical. Combining their influence, these two famous evangelicals pushed other evangelicals to change their view on HIV/AIDS. Earlier in 2000, Bono had met with Senator Jesse Helms.\(^8^3\) Previously Helms had opposed helping those with AIDS in any manner on moral grounds, believing that to be gay was a sin, and to him, AIDS was still a gay man’s disease.\(^8^4\) During the meeting, however, Bono “talked about AIDS as the leprosy of our age” and called Helms to take action against it while referencing the Bible. Miraculously, Helms changed his mind and pledged his support. This shocked onlooker U.S. Representative John Kasich, R-Ohio, to such a degree that he said “[he] thought somebody had spiked [his] coffee.” Just two years later, Helms and fellow conservative senator Bill Frist were speaking out about how the government needed to do more about HIV/AIDS.\(^8^5\) This would have helped push plans for PEPFAR forward and encouraged other evangelicals to rally to the cause and destigmatize AIDS.

PEPFAR launched with considerable evangelical support behind it given the general animosity towards HIV/AIDS only a few years prior. The implementation of the funding was met with some heated debate, namely over whether the Mexico City Policy, which banned funding to agencies that supported abortions, would apply to PEPFAR funding.\(^8^6\) Conservatives and particularly evangelicals strongly supported the Mexico City Policy.\(^8^7\) Additionally there was controversy over Bush originally supporting the promotion of condoms for HIV/AIDS prevention. Conservatives strongly opposed this idea. Later, PEPFAR would be adjusted so that condoms and contraception would not be funded for general populations, only high-risk ones.\(^8^8\) Despite the controversy that arose, there had been a marked shift in how AIDS was viewed by many evangelicals, one of the major groups holding out with the view that AIDS was a product of sin. It was still a moral problem but the reason had changed. Previously HIV/AIDS had been a moral issue because it was a disease of sinners, but with the turn of the century, HIV/AIDS became a

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\(^8^4\) Simone et al., \textit{The Age of AIDS}.
\(^8^5\) Carnes and Pulliam, “Bush’s Faith-Based Legacy.”
\(^8^7\) Lefkowitz, “AIDS and the President An Inside Account.”
moral issue because it would be morally wrong to ignore those who were suffering. As Dyer put it:

The disease had been transformed. Rather than a ‘gay disease’ it was one of mothers, newborns, and orphans. This was no longer a domestic disease; it was international…[and] the synergy of upstanding, credible conservatives and liberals alike began to reframe the way in which the religious right and other evangelicals thought about the disease.89

AIDS had been reconstructed as a problem where the emphasis was placed on mothers and children, especially children orphaned as a result of AIDS, and with that shift, the moral dubiousness of helping those with AIDS was removed. No longer was the issue primarily about helping “sinful” gay men and IV drug users. Instead the cause became worthy to a larger audience. Evangelicals, especially younger ones, began to see the problem in an increasingly medical light, and some even saw a moral imperative to help those in need.90 In a Gallup poll in 2009, 38 percent of Americans said that in the previous eight years the country had made progress in combating AIDS. And despite 19 percent of Americans disagreeing, the overall net opinion was a positive 19 percent in favor of progress.91 Many evangelicals may also have been slow to change their view if at all, however, Bush’s leadership overall was seen as having contributed positively towards alleviating the suffering caused by HIV/AIDS. General public opinion and religious opinion had diverged in the 1990s, with the public becoming increasingly accepting, but by the turn of the millennium, pop culture and influential figures had convinced many religious groups of the need to support those with HIV/AIDS and the divide between the general public and conservative religious individuals had begun to narrow again.

Since the 1980s, the conceptualization of HIV and AIDS has come a long way. First termed Gay-Related Immunodeficiency Disease and thought of as a punishment for immoral actions, the disease has changed name, and the public has

90 Ibid.
changed its view on the subject. The start of the HIV/AIDS epidemic, however, was frightening and especially hard for groups considered “at risk,” namely gay men and IV drug users. They faced discrimination, and to many people, they became the disease that afflicted them. There was initially a reluctance to talk about the disease on a national level, but by the mid-1980s, things had begun to shift. Reagan finally spoke out about the disease, and Rock Hudson brought it international attention. This initial momentum only compounded as time progressed. With the issue of HIV/AIDS in the news, the public began to hear more perspectives on the disease. Public opinion was often swayed by both pop culture and the presidential administration’s stance, although neither ever completely dominated over the other in influence. Religious groups and evangelicals were in line with the views of the general public at the beginning of the disease’s emergence, however, by the mid-1990s the public had become increasingly tolerant while the religious stance had, for the most part, remained unchanged. It was not until George W. Bush made his address that views in many religious groups began to shift to a meaningful degree, though. It is easy to offer certain key events as reasons for a shift in public opinion, but in reality, it is many of these events compounded with numerous influences that gradually steered the public view of HIV/AIDS from a moral construction to a medical malady.

92 Simone et al., The Age of AIDS.