HISTORICAL PROGRESSION OF PROBLEM DEFINITION FOR THE PRACTICES OF POLYGAMY AND PROSTITUTION IN THE UNITED STATES

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This thesis was concerned with determining what factors contribute to situations, specifically the practices of polygamy and prostitution, becoming defined as public problems. The main hypothesis of this thesis was that shifts in problem definition occur in response to focusing events.

To address the central question of this thesis dual methodologies were employed. The first method employed was qualitative historical case study analysis. Historical case studies were prepared for both the practices of polygamy and prostitution, both spanning from around the 1600’s until 2005. These historical case studies determined the following: why the issue has failed to be sufficiently enforced; why the practice has a seemingly changing problem definition; what major focusing events transpired influencing the policies surrounding the practice, and the extent of media attention to the practice throughout history.

The second method used was content analysis of media coverage for both polygamy and prostitution. Three hundred and three periodical articles from the Reader’s Guide to Periodical Literature from 1890 through 2005 were analyzed for media content and qualitatively coded for their problem definitions of both polygamy and prostitution. This method also identified problem definition shifts, media attention, and focusing events for the practice of polygamy.
Six major results were obtained through this research. First, problem definitions are not fixed designations they transform over time and do arise predictably in response to focusing events. Second, the majority of focusing events result in an increase of media coverage for related specific issues. Third, the content of media coverage after focusing events relates to specific issues connected to the focusing event’s subject matter. Fourth, counter to the research’s expectations focusing events do not result in narrower problem definitions. Fifth, this research also uncovered new criteria for identifying focusing events, resulting in anomalies in media attention after focusing events. Lastly, the research identified new types of focusing events previously not included in the typology of focusing events. These various findings supported the main hypothesis of this thesis that shifts in problem definition occur as the result of focusing events.
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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>iii-iv</td>
</tr>
<tr>
<td>ACKNOWLEDGMENTS</td>
<td>v</td>
</tr>
<tr>
<td>TABLE OF CONTENTS</td>
<td>vi</td>
</tr>
<tr>
<td>LIST OF FIGURES</td>
<td>1</td>
</tr>
<tr>
<td>CHAPTER I. INTRODUCTION</td>
<td>2-10</td>
</tr>
<tr>
<td>CHAPTER II. PROBLEM DEFINITION AND FOCUSING EVENTS</td>
<td>11-24</td>
</tr>
<tr>
<td>CHAPTER III. HISTORICAL CASE STUDY: THE PRACTICE OF POLYGAMY</td>
<td>25-49</td>
</tr>
<tr>
<td>CHAPTER IV. HISTORICAL CASE STUDY: THE PRACTICE OF PROSTITUTION</td>
<td>50-72</td>
</tr>
<tr>
<td>CHAPTER V. CONCLUSION</td>
<td>73-76</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>77-80</td>
</tr>
<tr>
<td>APENDIX I: COMPLETE LIST OF PERIODICAL ARTICLES CODED AND ANALYZED</td>
<td>81-94</td>
</tr>
<tr>
<td>FROM THE READER’S GUIDE TO PERIODIC LITERATURE</td>
<td></td>
</tr>
</tbody>
</table>
LIST OF FIGURES

FIGURE 1: MEDIA COVERAGE OF POLYGAMY.......................... 95
FIGURE 2: MEDIA COVERAGE OF PROSTITUTION...................... 96
CHAPTER I. INTRODUCTION

From the earliest days of the ancient world, governments have been struggling to deal with society’s problems. Public problems such as disease, war, or other social troubles have consumed the attention of government officials throughout history and today. While some of the problems reflect the challenges of modern society, such as computer viruses or identity theft, others, such as prostitution and polygamy, have ancient roots. Why are these long-standing problems so difficult for government to solve? Many theories have been posited as to why some public problems fail to be adequately addressed, but one persuasive idea is rooted in the notion of the policy process and how public problems get defined.

The policy process determines what actions government will take. Within this process government must choose which problems they will attempt to solve, as well as what solutions they will implement (Birkland, 2001). The first stage in the policy process is problem recognition and problem definition. Problem recognition is the occasion in which a situation gains enough attention by government to be recognized as a public problem. Problem definition is the assignment of characteristics to a public problem (Birkland, 2001; Kingdon, 1995). The goal of this thesis is to better understand how situations, polygamy and prostitution, get recognized and defined as public problems, and what factors contribute to these situations getting defined as public problems.

The motivation for this investigation began with an interest in the practice of polygamy in the United States. Why is the practice of polygamy being openly tolerated, when the practice is both illegal, and generally viewed by the public as being repugnant? How can a situation be tolerated when that situation violates numerous societal values and established laws? To address these issues this thesis will study both the practice of polygamy along with the practice of
prostitution. The pairing of polygamy and prostitution originates from their significant policy parallels. Polygamy and prostitution are similar in five key respects. First, both situations are state level issues with national media prominence. Second, both situations are not sufficiently enforced, given that both are persistently practiced. Third, both situations must contend with the politics of sexuality. Fourth, both situations had seemingly changing problem definitions, based on recent observations on the media framing of both issues. Fifth, both practices share similar types of harm to society, as in the exploitation of women and the exploitation of children.

Hypotheses were formulated to illuminate the factors behind how both polygamy and prostitution were defined as public problems, and what factors contributed to the situations getting defined as public problems. The main hypothesis of this thesis is that shifts in problem definition occur in response to focusing events. Interest in the development of problem definitions is based on the idea that poorly defined problems result in inadequate policy solutions and enforcement problems, which both the practices of polygamy and prostitution have experienced. To better understand the forces that propel situations like polygamy or prostitution onto the media agenda, and to determine if that same force impacts the problem definition of the situation, this thesis will explore the concept of focusing events. Focusing events are rare dramatic events, such as earthquakes or major scandals, that capture public and government attention (Birkland, 2001; Kingdon, 1995). Studying the major focusing events, throughout recent history, for both the practices of polygamy and prostitution, will clarify how both practices have been recognized and defined as problems.

To support the main hypothesis of this thesis, that when shifts in problem definition occur they are in response to focusing events, the following four sub-hypotheses were identified.

H1) Problem definitions shift over time
H2) Focusing events result in an increase of media coverage

H3) Media coverage after focusing events relates to the focusing events

H4) Focusing events cause a narrowing in the total number of problem definitions

THESIS METHODOLOGY

This paper employs a mixed methodological approach. Historical case study analysis and content analysis of media coverage of polygamy and prostitution were undertaken for the years 1890 through 2005.

Qualitatively the histories of both polygamy and prostitution were analyzed as case studies. The case studies were examined in depth in an effort to provide rich detail while determining the following: why both issues have failed to be sufficiently enforced; why both practices have seemingly changing problem definitions; what major focusing events transpired influencing the policies surrounding the two practices, and the extent of media attention paid to both practices throughout history. Multiple sources were used in generating the historical case studies including journal articles, books, and periodical articles.

The second method used in this research was media content analysis of social artifacts. Three hundred and three periodical articles were collected (see Appendix I) spanning 115 years from the Reader’s Guide to Periodical Literature. The Reader’s Guide to Periodical Literature is a resource that provides topic listings that cover every periodical article printed in the United States. The idea of using the Reader’s Guide to Periodical literature came from Rochefort and Cobb’s 1994 book on problem definition. Rochefort and Cobb found that this social artifact provided a good resource for tracking both issue topics and issue tone (Rochefort & Cobb, 1994). This thesis uses the resource for generating information on historical changes in the problem definition of polygamy and prostitution. This is a longitudinal study examining trends...

The population of polygamy and prostitution articles was first generated based on the articles listed under the topic index of the Readers’ Guide for both polygamy and prostitution. International articles, book review articles, poems, or articles that lacked any problem definition discussion were discarded. Seventy-seven polygamy articles remained. As one article could not be found, 76 articles were analyzed. This reasonably small number of articles was used for the units of observation. Five hundred and fifty-four prostitution articles remained. Sampling was the only realistic method of analyzing the prostitution articles due to the financial expense of photocopying all of the articles, and the length of time associated with coding over 500 articles. To create a sample a computerized random numbers table that drew the sample from the population was used. The sample size was 227 articles, which gives the sample a confidence level of 95%.

Each of the 303 articles on polygamy and prostitution were qualitatively coded. Building on the definition used in Burstein and Bricher (1997), the operational definition of problem definition used in this thesis for qualitative coding was; a problem definition was coded when an article contained text that identified a specific harm attributed to polygamy or prostitution, and also insinuated or stated that government intervention could alleviate the harm. Once the various problem definitions were accumulated, the definitions were grouped by like qualities. For example, some articles listed captivity/death threats for leaving as being a harm of polygamy amendable by government intervention, while others listed arranged marriages as being a harm of polygamy amendable by government action. Both of these definitions were merged into the definition group of “exploitation of women.” Once definition groups were formed, the data was
collapsed further by putting the groups into problem definition categories. For example, the
‘exploitation of women” group and the ‘harming children” group were combined to form the
category of “Social Harms to Individuals.”

This research was limited in three separate ways. First, content validity was possibly
subjective due to the fact that both the historical case histories and media content analysis were
performed by a single person. The second means by which this research was limited was a
minor threat to internal validity through selection bias in the initial reduction of the prostitution
population. The original number of articles listed in the Reader’s Guide to Periodic Literature
under the topic of prostitution was over 1,000. That number was reduced by analyzing the title
of the article to determine whether or not the article dealt with international prostitution or
international polygamy, and thus should not be in the research. Articles were also eliminated if
the title indicated the article was a book review. Then articles were searched for online, starting
with the earliest dated articles to determine if the articles were international, book reviews,
poems, or photographs and thus inappropriate for this research. The vast majority of the articles
available online were either before 1920 or after 1990. After the online search was over the
search continued at the Bowling Green State University Library, starting with the earliest date, to
again determine if the articles were appropriate for the research project. Eventually the number
of articles was reduced to 554 articles. At this point it was determined that sampling would have
to be used. From the population of 554 a random sample of 227 articles was amassed to achieve
a confidence level of 95%. It is possible that the initial reduction method used unfairly biased
more recent articles, since the more recent articles were not reduced during the online search.
The research is also limited by its use of qualitative coding which relies on generalizing complex
data, and so some of the subtleties and nuances may be lost. The final limitation of this research
is the fact that story length, story placement, and other media attention indicators such as newspapers were not considered when identifying levels of media attention. Each of these absent components could potentially change research findings.

THESIS CONTRIBUTIONS

This thesis makes four main contributions. First, this thesis contributes to the understanding of the practices of polygamy and prostitution, by exploring their complexities, identifying different perspectives on the practices, and studying the various proposed and implemented policy solutions for both practices. These practices are not straightforward problems with clear victims and clear perpetrators. Further, it is apparent that policy failures do not plainly point towards new and better policy solutions. Rather, they seem to legitimize hesitation in policy action. For example, as will be discussed in greater detail in Chapter 3, prostitution segregation policies in the 1870’s resulted in increased social harms as well as the creation of new social harms resulting from prostitution (Bullough & Bullough, 1987; Gilfoyle, 1999; Weis & Koch, 2004). It is one thing for a policy to fail to address a problem, but for a policy to worsen and further complicate a problem is far more immobilizing.

The second contribution of this thesis is an application of the theories behind problem definition and focusing events for polygamy and prostitution to public policy scholarship, which enhances the understanding of the public policy process by illuminating the progression of problem definitions for specific public policies. These two separate policy areas have not been paired for analysis before. In addition, these two policy areas have yet to be before analyzed by the use of problem definition or focusing event theory. Given that both policies have a long
history, the progression of problem definition was able to be studied for an unprecedented long period of time (115 years). This longitudinal approach allowed for a thorough examination of major and subtle problem definition shifts over time. The information obtained through this approach substantiates the problem definition theory, as well as offers a clear methodology for analyzing numerous long-standing public policies.

The third contribution of this thesis is a further development of the factors that indicate a focusing event. The existing literature on focusing events indicates that focusing events are identified by media attention and policy attention (Birkland, 1997). However, this thesis determined that some focusing events result in repressed media attention and policy action for policies. Such events have such a dramatic effect, and are pivotal points for polices, that they must be considered focusing events. An event resulting in non-action can be just as crucial to policies as an event that results in action. For example, the disastrous policy solution failure of the 1953 raid of Short Creek resulted in issue suppression of polygamy for over a decade. Such incidences must be identified as focusing events despite their lack of media and policy attention.

The final contribution of this thesis is the addition of two new types of focusing events to the existing typology of focusing events. The existing typology of focusing events does not include “new public policy focusing events,” “developing phenomenon focusing events,” and “retrospective impacting focusing events.” This thesis identified the legalization of prostitution in Nevada as a “new public policy focusing events.” This public policy was new and dramatic; it captured the publics’ as well as other state governments’ attention; and signaled the need for government action. These characteristics are the established criteria for focusing events (Birkland, 2001; Kingdon, 1995). Therefore, this public policy was identified as a focusing event, and also indicated that additional similar policies should be considered focusing events.
In addition, the focusing event literature does not include events that long period of time, lacking a specific date. This thesis identified the emergence of AIDS as a “developing phenomenon focusing event.” The emergence of AIDS was new and dramatic; it captured the public’s as well as government’s attention, and signaled the need for government action. Therefore, AIDS was identified as a focusing event, and also suggested that other similar slow moving events should be considered focusing events. Lastly, the existing focusing event literature fails to include room for some major historical events identified through retrospection as being focusing events. This thesis identified World Wars I and II as “retrospective impacting focusing events.” These wars were new and dramatic; they captured the public’s and government’s attention, and signaled the need for government action. While these wars brought attention to many different issues in more direct ways, as in national security, they also dramatically impacted the problem definition of prostitution. Therefore, both wars were identified as focusing events, and other similar major historical events may be considered focusing events in relation to other issues

**THESIS FINDINGS**

There are a number of key findings determined in the research of this thesis. First, problem definitions are not static. They do change over time and do occur predictably in response to focusing events. Additionally, research over a 115-year period indicates that regardless of when focusing events occur, problem definitions do shift over time. Thirdly, the majority of the data collected indicates that focusing events result in an increase of media coverage for specific issues. In connection, media coverage content after focusing events has been determined to specifically relate to the individual focusing event’s subject matter. Interestingly, it was also determined that focusing events do not result in narrower problem
definitions, which was reasonably assumed due to a supposed concentration of perceived problem characteristics. The research also exposed new criteria for identifying focusing events, resulting in anomalies in media attention after focusing events. Lastly, the research also identified new types of focusing events previously not included in the typology of focusing events.
CHAPTER II. PROBLEM DEFINITION AND FOCUSING EVENTS

INTRODUCTION

When one thinks of any specific public problem currently facing society, that problem has multiple dimensions that complicate how the problem is defined. For instance, drug use is a public problem that could be defined multiple ways. Drug use could be defined as a public problem due to the harm it inflicts on public health. Drug use could also be defined as a public problem due to the crime connected to the buying and selling of drugs. Or, drug use could be not defined as a public problem due to the fact that taking drugs is a privacy right. In actuality, the problem definition for drug use, as with all public policies, changes over time. Each of the aforementioned problem definitions for drug use have at some point in history been real problem definitions. Public problems are defined with the intention of instigating government intervention to solve the problem.

But why do problem definitions change over time? What makes the problem definitions change? Is it new information, change in the context of the problem, or perhaps an ideological shift in society? This thesis is interested in the development of problem definitions, changes in specific problems’ definitions, and the connection between major focusing events and problem definitions. This thesis maintains that changes in problem definition are connected to major focusing events. This interest in problem definition and focusing events is based on the premise that increased knowledge of problem definitions will help clarify why some public policies are especially ineffective.

This chapter will provide both the principal elements of problem definition and how they fit into the policy process, and the chief elements of focusing events as they pertain to problem
definition. The theories explored in this chapter will be later used for an analysis of polygamy and prostitution policies from 1890 until 2005 in the United States.

THE PUBLIC POLICY PROCESS

The public policy process determines the policy actions government will carry out (Kingdon, 1995). Public problems are defined for the purpose of garnering appropriate government intervention to solve the public problem. Thus, before specifically examining the process of problem definition, the public policy process must be outlined.

The policy process has six stages. Each stage advances government intervention for specific public problems. The first stage in the policy process is problem recognition and problem definition. Problem recognition is when a situation obtains enough attention from the public and the government to be reasonably considered for the policy agenda (Birkland, 2001; Kingdon, 1995). For example, recently the number of individuals immigrating illegally into the United States has been recognized as a problem. Within this same policy stage problem definition occurs. Problem definition is the assignment of characteristics and components to a situation (Rochefort & Cobb, 1994). Problem definition is the main focus of this research. Examples of problem definition include: defining the situation of high costs associated with higher education with being a problem of lack of appropriate government funding, or defining the situation of high numbers of Americans without healthcare as being a problem of a caste system.

The second stage in the policy process is agenda setting. Agenda setting is the process of creating a list of things that are deemed necessary for government intervention (Kingdon, 1995; Theodoulou & Cahn, 1995). The policy agenda is the list of current problems facing the public
that have been identified, given attention, and have been judged as being appropriate for governmental intervention (Birkland, 2001; Kingdon, 1995). National agenda setting is determined by political actors such as the president, congress, bureaucrats, the media, interest groups, political parties, researchers, academics, and the general public (Kingdon, 1995). These groups and individuals are the core actors in the public policy process which results in both policy formation and implementation (Birkland, 2001; Kingdon, 1995).

The third stage in the policy process is policy formulation. Policy formulation is the process of political actors brainstorming possible public policies to resolve a public problem (Kingdon, 1995; Theodoulou & Cahn, 1995). For example, when looking at the problem of an aging driving population due to the boomer generation various policy solutions will be tossed around, such as increased public transportation, increased signage, or stricter driver license renewal polices.

The fourth stage in the policy process is “policy adoption.” Policy adoption is the process of identifying a single solution for a public problem and then garnering enough support for the policy to be accepted into law (Kingdon, 1995; Theodoulou & Cahn, 1995). For example, determining that based on all of the possible policy solutions to the aging driving population described above, that increased public transportation would be the most effective solution.

The fifth stage in the policy process is policy implementation. Policy implementation is the process by which an adopted policy is put into action with the assistance of public programs, the federal bureaucracy, state and local governments, and citizen cooperation (Kingdon, 1995; Theodoulou & Cahn, 1995). For example, once the No Child Left Behind Act was passed, the federal bureaucracy was forced to create a new system for evaluating public schools’ performance, and local schools were forced to create new curriculum and procedures.
The final stage of the policy process is “policy analysis and evaluation.” Policy analysis and evaluation is the process of examining the consequences of a policy to determine if the policy was effective (Kingdon, 1995; Theodoulou & Cahn, 1995). For example, one year after the creation of Homeland Security Department, a measure to increase national safety, the new government agency was evaluated to determine if the country was in fact safer than before the agency was created.

**PROBLEM RECOGNITION**

This thesis is centered on problem definition, but to understand how or why public problems get defined, it is imperative to determine how problems are first recognized. Problem recognition originates by three possible means (Birkland, 2001; Kingdon, 1995). The first means by which a situation can obtain problem recognition is if there has been a change in a standard or the status quo, or if information is gained through the gradual generation of new facts and ideas by experts and policy makers that change the context of a situation. This “indicator change” is a measurable statistical change in a situation (Birkland, 2001; Kingdon, 1995). Knowledge of indicator changes emerges by means of government and non-governmental officials monitoring events like deaths or crime, noticing change, determining what caused the said change, and then determining that the situation is a problem (Kingdon, 1995). Examples of indicator changes include: the recent rise in childhood obesity, the difference in the number of employers able to offer health care to their employees versus ten years ago, or the recent inflation of gas prices.

The use of indicator changes as a means by which a situation can obtain problem recognition has two benefits. First, indicator changes are based on concrete factual information that cannot be easily manipulated by interested actors for political gain. For example, the recent
abduction of high school student Natalie Holloway in Aruba can be used as emotional
manipulation by public officials to advance their personal political agenda, which includes
stricter trade embargos with countries that are viewed as not cooperating with the United States. By this no statistical information is used to substantiate the claim that multiple countries routinely obstruct the United States interests, or that Aruba routinely obstructs the United States interest. In contrast, the rate of infant death is undisputable and free from scare tactics or other measures of manipulation by political actors.

Second, indicator changes possess legitimacy as they are based on statistics, and thus quantifiable. However, using indicator changes to identify problems is limited in that it leaves the accuracy of findings subject to public scrutiny, and may also fail to spark public interest due to their “dry” nature (Birkland, 2001; Kingdon, 1995).

The second means by which a situation can obtain problem recognition is through ideological change. This may occur in public opinion, the ideological make-up of the Executive Branch, or the ideological make-up of Congress. This instrument of problem recognition rests on the whims of politics (Kingdon, 1995). For example, gay marriage has been recognized as a problem by both public opinion polls and the current presidential administration. However, if there is an ideological change in the presidential administration after 2008 that creates a more liberal environment, such marriages may no longer be recognized as a problem that warrants placement on the national policy agenda.

The third means by which a situation can receive problem recognition, focusing events, is central to the main hypothesis of this thesis as well as the majority of the sub-hypotheses. The main hypothesis of this thesis rests on the impact of focusing events, and the majority of the sub-hypotheses rest on the relationships between focusing events, media coverage, and problem
definitions. Focusing events are the most powerful means by which a situation can receive problem recognition. Focusing events include sudden crises or prominent events that signal the need for government action (Birkland, 2001; Kingdon, 1995). They are instances whereby the attention of the media and public is captured by a rare dramatic event, which has had a massive impact, and has revealed massive harm or potential for additional harm to the public (Birkland, 1997). Recent examples of focusing events include: 9/11, Hurricane Katrina, and the massive immigration demonstrations of spring 2006. In Chapters 3 and 4 these means will be applied to the cases of polygamy and prostitution.

Obviously, there are many different types of focusing events, which creates the necessity of having a typology for focusing events. Thomas A. Birkland established a system of identifying different types of focusing events. His categorization includes three categories of focusing events. His first category of focusing events is “normal events,” as in earthquakes due to natural occurrences, or events like oil spills which occur frequently as the result of technology limitations. His second category of focusing events is “new events,” or events that have never happened before, or at least in recent memory. For example, the mass murder tragedy at Columbine High School was a new event. His last category of focusing events is “common events under uncommon circumstances.” Examples of this type of focusing event range from scandals involving public figures to crimes involving unusual victims or unusual criminals (Birkland, 1997). Birkland’s categorization of focusing events fails to include new public polices, slow moving events, or major historical events as being possible focusing events. Each of these exceptions has the capacity to meet the criteria established for focusing events. For example, the passage of Roe v. Wade was new and dramatic, and it captured the publics’ as well as state government’s attention, and for many it signaled the need for further government action.
This idea will be further explored in the analysis of focusing events for the practice of prostitution in Chapter Four.

As the most influential means by which a situation can receive problem recognition, focusing events have the ability to immediately spark the interest of the general public as well as the interest of policy actors. This newly focused interest allows new situations, situations that were never previously viewed as problems, or problems believed to be dormant or moot to be examined by policy actors for the purpose of establishing new policy solutions (Birkland, 2001). As a result of the increased media attention created by focusing events, new opportunities are created for special interest groups, whose responsibilities include getting their issues both media and policy attention (Birkland, 1997). For example, the death of Terri Schiavo put the right to life issue immediately on the media agenda, and non-profits aimed at fighting for the right to life issue were given a free boost in attention. In addition, focusing events also provide an opportunity for policy areas generally viewed as dull or unimportant to receive media and policy attention that is normally extremely difficult to generate. Examples of policies generally viewed as dull or unimportant include transportation policies and energy policies (Birkland, 2001). Rising gas prices in 2005-2006 have resulted in intensive media coverage of both of these public policies.

Focusing events are identified by either an immediate spike in public interest or media attention to a specific public problem, or the sudden desire for a solution to a public problem (Birkland, 2001). This thesis relies on an analysis of both historical case studies and media attention, to identify individual focusing events. The focusing events identified in this study were based on Thomas A. Birkland’s (1997) definition of focusing events, which allowed for the
inclusion of major scandals, historic events, and new situations which inspired a re-examination of the public policies of polygamy and prostitution.

Despite new compelling statistics, change in public opinion, or focusing events there are a number of reasons why problem recognition may fail to occur, thereby impeding policy activity. First, if the only established probable solutions for a condition are linked with high financial costs, then that condition may fail to receive problem recognition (Kingdon, 1995). For example, while barren industrial sight locations may be optimal for urban renewal projects, the costs associated with the disposing of dangerous materials at those locations make the condition undesirable for policy action.

Second, if a condition lacks public acceptance that the condition is in fact a problem, then the condition may fail to receive problem recognition (Kingdon, 1995). For example, environmentalists have faced much opposition convincing the general public that global warming is a real problem with possible solutions.

Third, if a condition is supported by powerful political actors who disagree that the condition is a problem, then the condition may also not receive problem recognition (Kingdon, 1995). For example, while health care costs may continue to skyrocket, Congresses’ reliance on pharmaceutical company’s campaign donations suggests that problem recognition for policy action may be hindered.

Fourth, if a condition is deemed as less immediate than other public problems, then that condition may fail to receive problem recognition (Kingdon, 1995). For example, in the wake of 9/11 national security problems have a higher level of immediacy for U.S. society than, for instance, many social problems such as racial discrimination in hiring practices.
Fifth, if a condition hasn't ever been on the policy agenda, or hasn’t been on recent policy agendas, then that condition may fail to receive problem recognition. The United States government tends to practice incremental policymaking. Incremental policymaking refers to the government’s usual reliance on building on past agendas year after year in small, incremental stages. This tactic of agenda building retards the possibility of new problems getting on the policy agenda (Kingdon, 1995).

Sixth, if a previously recognized problem has slowly faded off the policy agenda based on the fact that the problem was perceived to have been solved sufficiently, or has been crossed off a to-do list of policy makers, then that condition may fail to again receive problem recognition (Kingdon, 1995). For example, the national government recently passed the No Child Left Behind Act addressing concerns about educational achievement in the United States, thus further action in that same area is unlikely in the near future regardless of the act’s success.

Seventh, a condition must have the public’s attention for that condition to receive problem recognition, and media fads may dictate whether or not a condition gets enough attention for problem recognition (Kingdon, 1995; Rochefort & Cobb, 1994). For example, while child abductions are currently receiving media attention, this media attention has traditionally cycled on and off. Other examples of this phenomenon include shark attacks, identity theft, and anti-American sentiments overseas.

Eighth, if a condition is not perceived to be proximate to the general public, then that condition may fail to receive problem recognition. If the general public feels that the problem is unrelated to them, then the problem may not seem as immediate as other problems, or as important (Rochefort & Cobb, 1994). For example, school violence generally receives problem
recognition when the violence occurs in suburban communities, as opposed to low-income urban areas.

Finally, if the sub-population affected by a condition is strange or viewed as unsympathetic, then the condition may fail to receive problem recognition. The general public must be able to identify with the victims or sympathize with them. For example, problems that affect marginalized populations such as criminals or low-income minorities are less likely to be recognized as problems than those that affect powerful and influential populations such as the wealthy. These populations are simply not adequately represented in government (Rochefort & Cobb, 1994). This discussion of recognition failure is important to understand because in Chapters 3 and 4 it will be shown that situations which fail to obtain problem recognition fail to generate policy intervention.

**PROBLEM DEFINITION**

Once a public problem is recognized, that problem gets defined. This thesis specifically focuses on the development of problem definitions. The concept of problem definition has been defined in various ways. The most prevalent definition is that offered by Rochefort and Cobb (1994) which defines problem definition as a characterizing process of problems. Another more explicit definition is that problem definition is the process of transforming public conditions into a story that depicts a problem with a viable solution (Burstein & Bricher, 1997).

For an undesirable condition to successfully go through the process of problem definition, the general public or political actors must believe that a viable solution exists that government can execute to alleviate the condition. If there is no viable solution, then the condition is simply a condition and not a societal problem, no matter the harm to society
(Birkland, 2001; Kingdon, 1995; Lauer, 1976). For example, a high number of unwed mothers may be labeled an unsatisfactory situation, yet this condition is not generally defined as a public problem. Any form of reasonable government intervention will not likely significantly impact the number of unwed mothers; thereby this condition will not likely be defined as a problem. Conditions are generally attributed to being part of nature, an accident, or fate (Stone, 1989). However, conditions can over time become defined as problems once viable solutions are generated (Birkland, 2001).

When policy actors begin the process of defining policy problems they collect subjective and objective information from various interest groups, scientists, and other professional experts, as well as their own subjective personal and cultural values to help define problems (Rochefort & Cobb, 1994). When defining a problem, individuals naturally look inward toward their personal values to determine if the situation violates their personal concept of the ideal. Further, rarely would any actor define a situation as a problem if that situation was ethical according to their own personal values. In addition, an actor would have little motivation to define a condition as a problem if it meant the actor would then have to change his or her own usual conduct (Kingdon, 1995). For example, politicians have had a difficult time passing meaningful campaign finance laws due to the implication of change the laws would have on their own conduct. In addition to the impediments of personal values in justly defining problems, cultural values may pose obstacles as well. Cultural values often unjustly influence personal values in terms of conformity as opposed to allowing individuals to objectively analyze situations (Wood & Doan, 2003). For example, being against all illegal drug use is the pervasive cultural value. However, an individual might independently believe that some drugs, such as marijuana, should not be illegal. Yet, the strength of public disapproval of all illegal drugs has the power to make
individuals conform to cultural values. Conformity is a threat to logical analysis of public problems and the creation of high-quality policy solutions.

After policy actors collect information from the sources listed above for defining problems, they begin to organize problems. Problem organization generally starts with making comparisons between various situations. Comparing situations determines if inequalities exist that indicate an anomaly, and thus a possible problem. Examples of the use of situation comparisons include comparing the numbers of male teenage children abandoned by their parents across all states, or the financial costs of enforcing laws criminalizing drugs in the United States versus other countries. The use of comparisons requires personal judgments that create subjective conclusions of whether or not a situation is or is not, in fact, a problem (Kingdon, 1995). This is another example of a threat to the logical analysis of public problems, which allow for high-quality policy solutions.

After policy actors have adequately compared like situations to determine if they are problems, resulting identified problems are then grouped into categories. Grouping problems into categories immediately influences the perception of the severity or importance of the problem (Kingdon, 1995). For instance the practice of polygamy could be categorized as an economic problem due to prevalent welfare fraud and conspiracy against the state, or it could be categorized as a social problem due to the harm to children. While problem definitions change over time broader categories tend to be more stable, thereby maintaining the status quo (Kingdon, 1995). Problems are generally categorized as being economic, social, or technical problems (Kay, 2003). This process impedes frequent or expedient policy actions. By impeding policy action this process also impedes the likelihood that problems will be solved.
Another important component of problem definition, that is also subjective, is policy jurisdiction or problem ownership. The concept of problem ownership describes who has jurisdiction over a given problem, or who is responsible for solving a given problem (Kingdon, 1995; Rochefort & Cobb, 1994). Problem owners determine the lens through which a situation is viewed by the public. Problem owners can establish the identified causes, consequences, and solutions to a specific problem for the public (Rochefort & Cobb, 1994). Whoever owns a problem has the power over how that problem is presented to the public. For example, the National Rifle Association can define the problem of household accidental deaths connected with firearms to gun safety as opposed to gun possession (Rochefort & Cobb, 1994; Steichen, 1996).

Other than natural subjectivity, problem owners are also influenced by personal motivations. Every problem owner has some personal motivation to be in control of that social problem. Their motivation stems from some personal benefit to be obtained when their chosen solution is implemented. Therefore, objectivity cannot exist when personal benefits are at stake (Burstein & Bricher, 1997; Kingdon, 1995; Rochefort & Cobb, 1994). An example of problem ownership motivation would be medical lobbies promoting the “problem” of medical malpractice lawsuits, due to their own personal financial stake. These notions of how problems get defined will be applied to the cases of polygamy and prostitution in Chapters 3 and 4.

**APPLICATION OF PROBLEM DEFINITION AND FOCUSING EVENT THEORY**

This chapter has provided the starting point for an analysis of both public policy problem definitions and the impact of focusing events on problem definitions. The following two chapters on the practices of polygamy and prostitution will rely on theories identified in this chapter to address the hypotheses of this thesis, that there is a connection between shifts in
problem definition and focusing events. The historical case studies of both polygamy and prostitution will identify when each of the problems was recognized over time, and why they were recognized, as in possibly the result of a focusing event. They will also identify various impediments to problem recognition and problem definition. Further, the histories will help identify problem definition shifts. Lastly, the historical case studies will investigate what policy solutions were either proposed or implemented for both problems.

The media content analysis of both polygamy and prostitution will rely on the grouping and categorizing of problem definitions, as was previously detailed. In addition, the media content analysis will also identify focusing events and problem definition shifts above.
CHAPTER III. HISTORICAL CASE STUDY: THE PRACTICE OF POLYGAMY

INTRODUCTION

From the very beginning of settlement in America the practice of polygamy was determined to be against the will of the general public, and yet this practice continues to thrive. Polygamy is illegal in the United States and has been for some time, yet why is it that government has been unable to eradicate this historically unpopular practice? Understanding the reasons why the practice of polygamy is tolerated is rooted in the complexity of the problem. The practice of polygamy is an intricate issue given its historical lineage and connection to religion, which conflict with the practices’ violation of both sexual and marital norms, connection to additional crimes, and illegality. Forgoing a discussion on the merits of criminalizing the practice of polygamy, why is this illegal practice not enforced by law officials? Polygamy is a unique aberration in American society, including Amish like dress codes, forced marriages, child brides, and the complete rejection of modern society. Why is such a deviant illegal practice openly tolerated?

To better understand polygamists’ elusion of the law and law enforcements’ reluctance to enforce the law, this chapter presents an historical case study analysis of the practice of polygamy from the early 1600’s until the present day. The analysis within the historical case study will also provide insight into how the problem of polygamy was first recognized, what different problem definitions have been identified, and what major focusing events transpired that impacted polygamy policies.

In addition to the historical case study this chapter will also present the findings from an extensive content analysis of media coverage of the practice of polygamy in the United States from 1890 until 2005. Both analyses utilize information dating from the early 1900’s and
continuing to the present day. The analyses rely heavily upon both problem definition theory as well as focusing event theory as a means to test the central questions of this thesis.

MARRIAGE IN SOCIETY

In 1949 renowned anthropologist George Peter Murdock devised a classification for different forms of marriage based on hundreds of societies around the world. This classification of marriage offers two forms: monogamous and polygamous (Reiss, 1976). Monogamy is defined as “marriage or cohabitation with only one person at a time; the practice of having only one mate” (Francoeur, 1995, p. 406). Polygamy is defined as the “practice or condition of having more than one spouse at the same time” (Francoeur, 1995, p. 494). According to Murdock polygamy has been shown to take three different forms in society: polygyny, polyandry, and group marriage (Reiss, 1976). Polygyny is defined as the “practice or condition whereby a man has more than one wife… at the same time” (Francoeur, 1995, p. 495). The practice of polygyny has been associated with sects of the Mormon, Muslim, and Jewish religions. Polyandry is defined as being the “customs in which one woman is simultaneously married to more than one man” (Francoeur, 1995, pp. 493-494). Polyandry is currently practiced in Tibet, Africa, the Philippines, and elsewhere throughout the world. The last form of polygamy is group marriage which is defined as being “a life-style in which three or more people live together as spouses; often similar to traditional monogamous marriages except that in a group marriage all adults work out mutually agreeable arrangements for sharing of income-producing employment, household tasks, and child rearing” (Francoeur, 1995, p. 260). Group marriages are highly unusual in all societies. The most common example of group marriage was the nineteenth-century Oneida Community originating in Vermont (Francoeur, 1995).
During Murdock’s revolutionary study of marriage forms he found that out of the 238 societies he studied, 81 percent allowed polygyny, 1 percent allowed polyandry, and group marriage was not common in any one society (Reiss, 1976). From this breakdown one can see that the most common deviant from the monogamous marriage form in societies around the world is polygyny.

In common American vernacular the term polygamy is used to refer to the more precise term of polygyny. For ease of understanding, the term of choice for this thesis to describe a marriage between one man and multiple women will be “polygamy.”

SOCIAL HISTORY OF POLYGAMY IN THE UNITED STATES

The practice of polygamy in America was first observed by European settlers who discovered the practice of polygamy within Native American tribes in the early 1600’s (D'Emilio & Freedman, 1988). Though there was no official policy agenda at this time, European settlers did immediately recognize the practice of polygamy as a public problem. This problem recognition, the process by which a situation receives enough attention that it is considered for government intervention (Birkland, 2001; Kingdon, 1995), derived from the change the settlers observed in their usual standard marriage form. This form of problem recognition, an indicator change (Birkland, 2001; Kingdon, 1995), resulted in the first problem definition for the practice of polygamy in America; this first problem definition was a violation of cultural morality norms. The existence of the practice of polygamy amongst the Native American tribes is attributed to the then imbalance in the number of men to women within the Native American population, due to recent wars killing off large segments of the male population. Thus for survival purposes polygamy was practiced in many tribes. Yet, regardless
of the rational basis behind the Native Americans’ practice of polygamy, European settlers reacted in horror to what they viewed as “impurity and immorality even gross sensuality and unnatural vice flourish” (D'Emilio & Freedman, 1988, p. 7), in the Native American people. The European settlers’ reaction to their first exposure to polygamy, was to immediately demand that Native American Christian converts abandon the practice of polygamy (D'Emilio & Freedman, 1988).

The next recorded incidence of the practice of polygamy in America occurred after the creation of the African slave trade in early America. The African slave trade also produced unequal ratios of men to women in the African American population. This imbalance eventually led to the prevalent practice of polygamy amongst slaves for procreation purposes. However, by the early 1700’s sex ratios amongst slaves had regulated, and monogamy once again became the standard marriage form for the slave population in America (D'Emilio & Freedman, 1988). This incidence of polygamy was not recognized as a public problem, there was no attention given to the situation, and no action was made to interfere with the practice at this time. Apparently, the possible immorality of slaves did not concern the general public at that time.

In the mid 1800’s the practice of polygamy was again found in the Chinese immigrant population recently established in California. Christian missionaries once again worked feverishly to abolish what they again perceived to be an immoral practice. At this time polygamy was still viewed as a cultural morality problem, yet no government action was taken to address the problem. At the same time that Christian missionaries were attempting to bring morality to the Chinese immigrant population in America, a new wave of sexual religious experimentation was emerging in white society. Three new religious sects were established in the mid-1800’s, each providing an alternative grounded in religious text to the monogamous
form of marriage (D'Emilio & Freedman, 1988). One of these new controversial religions was the Mormon religion. The Mormon religion, or the Church of Jesus Christ of Latter-Day Saints (LDS), was established in 1829 in New York. This religion justified and advocated the practice of polygamy, or as they referred to it, “plural marriage,” by asserting that the purpose of sex was procreation, not romantic interaction. Joseph Smith, the founder of the Mormon religion (Weis & Koch, 2004), introduced the concept of polygamy to his followers in 1843. After Smith’s death in 1844 his successor, Brigham Young, officially incorporated the practice of polygamy into the doctrine of Mormonism on August 29, 1852 (D'Emilio & Freedman, 1988; Peterson, 1992). This event was likely the first focusing event for polygamy, a “new event” based on Birkland’s (1997) typology discussed in Chapter 2. All events classified as focusing events in this research were identified through one or more of the following means: retrospection of historical case study findings, spikes in media attention outlined at the end of this chapter, or media analysis of article also outlined at the end of this chapter. Before this event it was not widely known that Mormons practiced polygamy, but after this event the public as well as local and national governments were aware that polygamy was being openly practiced. The vast majority of Americans viewed the Mormon practice of polygamy as immoral. Thereby, polygamy was still being defined as a cultural morality problem.

In response to the public problem, government for the first time took official steps to solve the problem of polygamy. From the 1860’s to the 1880’s the federal government fought to suppress the practice through the legal prosecution of polygamists. Due to immense political pressure on the Mormon Church, church president Wilford Woodruff announced the official end to the practice of plural marriage with a manifesto on September 24, 1890 (D'Emilio & Freedman, 1988; Peterson, 1992). The Mormon Church’s announcement was also a focusing
event, another new event, for the issue of polygamy. This focusing event was identified through both through historical case study analysis and media content analysis, which will be described later in this chapter. After this event polygamy had a good amount of media and policy attention, centered on whether the practice would actually end, as will be discussed in the media analysis section of this chapter.

In fact, the practice of polygamy in America did not end with the Mormon Church’s rejection of the practice of plural marriage. Deviant sects of the Mormon Church known as fundamentalists, who wished to continue the practice of plural marriage, formed immediately after the 1890 announcement. Numerous sects, including these original fundamentalists, continue to practice polygamy today (J. M. Anderson, 1992). Due to the secrecy surrounding the practice of polygamy, estimates of the number of people involved in polygamous families in the United States range from 20,000 to possibly 100,000 or more in Utah and other rural western states (Beiser, 1999; Egan, 1999; Fields-Meyer, 2003; Frankel, Lee, & Berestein, 1999; McCarthy, 2001; Andrew Murr, 2000; Shah & Huck, 1977; Thompson & Fremon, 1999; "Utah: Illegal Polygamy Continues Concealed By Mormon Rule", 2003).

THE PUBLIC POLICY HISTORY OF POLYGAMY

PRE- MORMON MANIFESTO (1830’S-1890’S)

The practice of polygamy in the United States from its early beginnings was recognized as a public problem and defined as a cultural morality problem. However, government action against the practice was not taken until the Mormons became associated with the practice. The actions of the Mormons presented various societal concerns to the general public. Their practice of polygamy was only part of the reasoning behind the public efforts to control the actions of
Mormons. The increasing political threat that the Mormons posed became the catalyst for political intervention in the practice of polygamy. Mormons at that time were known to live in tight-knit communities, and were justifiably viewed as a political threat due to their ability to exercise swift power at the local level. This power threatened mainstream America given the church’s stances on communal economics, theocratic government, and the practice of polygamy. Had the church not attempted to change multiple sacred societal norms, their emphasis on plural marriage might not have been challenged so fiercely (Firmage, 1989; Weis & Koch, 2004). The practice of polygamy, while on the surface defined only as a morality problem by government at this time, was in actuality also defined as a problem based on the threat the Mormons posed to government control. By this one can see multiple competing problem definitions for a singular situation, as well as confirmation that problem definitions shift over time.

In 1856 at the Republican Party Convention the Republican Party identified both polygamy and slavery as being the “twin relics of barbarism” (White & White, 2005, p. 167). The Republican Party then announced that it would be adding the proposed elimination of polygamy to its platform (Weis & Koch, 2004). By pairing polygamy and slavery in terms of their immorality, the party was able to appeal to the northern public’s abhorrence of slavery to solidify public opinion against the practice of polygamy based on its immorality (Davis, 1992). The pairing of polygamy to slavery is an example of comparing situations, which is part of the process of defining public problems as outlined in Chapter 2 (Kingdon, 1995). The announcement at the Republican Party Convention appears to have been an early focusing event, a new event (Birkland, 1997), for the practice of polygamy. The identification of the convention as a focusing event is based on the historical case study analysis, which indicates that this event
gave polygamy problem recognition, defined it as a morality problem, and brought the issue of polygamy onto the policy agenda.

Still, it wasn’t until July 8, 1862 that the United States national government took its first official action against the practice of polygamy or more specifically against the Mormons’ practice of plural marriage. The Morrill Act prohibited bigamy in all U.S. states and territories, and made bigamy punishable by a fine and up to five years in prison (Davis, 1992). The intention of the Morrill Act was for the Republican dominated Congress to gain control over the territory of Utah where most Mormons lived, which at that time had no law against bigamy (Burgett, 2005; White & White, 2005). Yet, since Utah was not yet a state, the Mormons ignored the Morrill Act, believing that the government had no practical enforcement power over the territory (Weis & Koch, 2004).

The Morrill Act of 1862 was not enforced for thirteen years due to serious defects in the language of the law that prevented its application. The act relied on law enforcement officials’ ability to identify multiple marriage licenses in the same name, which proved difficult since Mormons simply did not officially apply for more than one marriage license. The Morrill Act was a policy implementation failure. In 1871, the non-Mormon citizens of Utah began arresting and convicting Mormons for adulterous relations and lewd and lascivious cohabitation, as a means of pursuing the prosecution of polygamists. These convictions were eventually overturned by the United States Supreme Court in Clinton v. Englebrecht, based on the fact that Utah was at that time prohibiting Mormons from being on juries. As a result of the Supreme Court’s decision, prosecution for polygamists was temporarily halted until 1874 (Davis, 1992; Firmage, 1989).
In 1874, George Reynolds, a private secretary to Brigham Young, was prosecuted for being a polygamist (Davis, 1992; Firmage, 1989). Reynolds was charged twice for polygamy under the Morrill Act. Reynolds’ first conviction was overturned by the Utah Supreme Court “because the trial court had followed federal rather than territorial law in fixing the size of the grand jury” (Firmage, 1989, p. 288). Reynolds was then charged again for violating the Morrill Act in 1875, and his second conviction was affirmed unanimously by the United States Supreme Court in *Reynolds v. United States* in 1879 (Davis, 1992; Firmage, 1989). The Supreme Court determined that the “free exercise of religion clause of the First Amendment did not protect the Mormon practice of polygamy” (White & White, 2005, p. 167). The majority opinion included analogies of human sacrifices for religion to justify their position that the state cannot allow religions complete freedom of exercise (White & White, 2005). This decision affirmed the constitutionality of the Morrill Act (Davis, 1992; Firmage, 1989).

On March 22, 1882, responding to discontent over the lack of enforceability of the Morrill Act, Congress passed the Edmunds Act, the second enacted policy solution to the problem of polygamy. The intent of this act was to solve the problem of polygamy in the context of the prevailing problem definition of cultural morality. The Edmunds Act made bigamous cohabitation a misdemeanor, thereby taking away the burden of proving someone was in a plural marriage with multiple marriage licenses. The law also stipulated that Mormons could not act as jurors on polygamy cases. In its first year the Edmunds Act led to the jailing of approximately one thousand Mormon men (Davis, 1992; Firmage, 1989).

The next incidence of public law impacting the practice of polygamy was in 1885 when the Idaho Territory adopted a test oath. To be able to vote, serve on a jury, or hold public office individuals were forced to sign an oath pledging support of anti-polygamy laws. The law’s
intent was to ban all Mormons from voting, thus eliminating their political power, which addressed the second problem definition for polygamy at that time, that it was a government control problem. In 1890, the United States Supreme Court upheld Idaho’s test oath in *Davis v. Beason* (Allen & Cowan, 1992; Davis, 1992).

On March 3, 1887, the Edmunds-Tucker Act was signed into law by President Grover Cleveland. The Edmunds-Tucker Act required the following:

- A test oath for voting and holding political offices, as was already established in Idaho.
- The renunciation of voting rights for women, including those already voting in the territory of Utah.
- Disbanding the territorial militia in Utah.
- Eliminating private religious education (Allen & Cowan, 1992)
- Abolishing the Mormon Church Perpetual Emigrating Fund, which provided funds for eastern United States Mormon Church members and European Mormon Church members to move to Utah and other surrounding territories (Boone, 1992).
- Dissolving the Mormon Church as a legal entity.
- Seizing all property in excess of $50,000, which took away the majority of the Mormon Church property of that time.
- Disinheriting all children born after one year of the passage of the act that were products of plural marriages.
- Legalizing the forcing of wives to testify against their husbands (Allen & Cowan, 1992).

The justification of the Act was grounded in the fact that the Mormon Church was acting illegally by practicing polygamy. The intent of the act was to solve the problem of polygamy as
it was then still being defined as a problem of government control. To address the control problem, the act meant to lessen the political power of the Mormon Church. The United States Supreme Court later upheld the Edmunds-Tucker Act in *The Late Corporation of the Mormon Church v. United States* (Davis, 1992).

In 1892, Congress passed final national polygamy-related legislation with a provision in the U.S. Immigration and Naturalization Code, which states that polygamists may not immigrate into the United States. This provision was established as a policy solution for the possible future problem of the continuation of polygamy in the United State separate from the Mormon Church, as well as intending to ensure Mormon Church membership didn’t grow too large, which would again threaten government control (Davis, 1992).

In corroboration with the Mormon Church’s decision to end the practice of plural marriage in 1890, the territory of Utah agreed to formally ban polygamy in return for entry into the United States, which was granted on January 4, 1896, making Utah the forty-fifth state in the union (Lyman, 1992; White & White, 2005).

**THE PUBLIC POLICY HISTORY OF POLYGAMY**

**POST- MORMON MANIFESTO (1890’S-2005)**

Immediately following the Mormon Church’s ban on polygamy, splinter groups formed known as fundamentalists who wished to continue the practice of polygamy. These groups believed that the church was forced to abandon its beliefs due to pressure from the national government, instead of God speaking to Mormon President Wilford Woodruff through a vision which advocated the end the practice of polygamy. These followers were unsatisfied with the manifesto and believed that “true” believers must follow the original tenet of the religion, and
not the church’s current leadership. Multiple sects began splintering off from the mainstream Mormon religion. In the 1920’s Lorin C. Woolley began a fundamentalist sect in Centerville Utah, which has survived although current membership numbers are unknown (J. M. Anderson, 1992). Also in the 1920’s Charles Kingston began a fundamentalist sect in Bountiful, Utah (J. M. Anderson, 1992) which by 2004 had membership of approximately 1,000 and an estimated worth of $100 to $150 million (A. Murr & Soukup, 2004). At that same time Alma Dayer LeBaron began a fundamentalist sect in both Mesa, Arizona and Juarez, Mexico (J. M. Anderson, 1992) which also continues to survive with an unknown number of followers (Abramson, 1987). In the 1930’s a fundamentalist colony was created on the Utah-Arizona border called Short Creek (now Colorado City, Arizona and Hildale, Utah) which is currently known as the Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS) and run by Prophet Warren Jeffs. Its population was estimated at 12,000 in 2005 and its financial worth is known to be in the millions (MacQueen, 2004; Tresniowski, Jones, & Free, 2005). Another prominent fundamentalist sect that splintered off from the Short Creek group was begun by Rulon Allred. Allred’s fundamentalist group has moved its settlement numerous times to places like Salt Lake City, Mexico, and it is currently based in Bluffdale, Utah. This fundamentalist group has an estimated membership of anywhere from 2,000 to 10,000 members (Abramson, 1987; Egan, 1999). In addition, many fundamentalists have opted to stay in Salt Lake City and continue to live there, while still other fundamentalists live in smaller communities scattered throughout the western United States, Mexico, and British Columbia (J. M. Anderson, 1992; Beiser, 1999).

In 1953, Utah and Arizona law officials raided the Short Creek fundamentalist community. The community’s membership was recognized by the governments of Utah and
Arizona as having recently swelled to surprising numbers. This indicator change pushed the problem of polygamy back on the policy agendas of both Utah and Arizona. On Sunday July 26, 1953 the entire population of Short Creek, including 122 adults and 263 children, were placed under military control. After the entire population had been rounded up they were quickly organized by gender, age and state. Once organized, 31 Arizonan men and eight Arizonan women were immediately sent to a local jail on conspiracy charges against the state of Arizona, and polygamist charges were made against the Utah adult residents. The raid, though non-violent, was captured in its entirety by news photographers. Within a week all of those arrested were released on bail and returned to Short Creek. Upon the return of the Arizona men, law officials gathered the 38 women and 154 children to be bussed out of Short Creek to Phoenix foster homes. At that same time the Utah residents of Short Creek stayed in Short Creek due to Utah’s desire to bring in its own tent court to sort out the situation. By 1954 thirty-six men had pleaded guilty to a conspiracy to violate laws on polygamy and were given one year suspended sentences and remained in Short Creek. In addition the Utah women and children also remained in Short Creek but the Arizona women and children were forced to stay in foster homes in the Phoenix area (Maloney, 1974).

In the end, the raid was considered a huge policy failure given the public’s immediate negative reaction to families being savagely torn apart. This event was identified as a focusing event, or more specifically a “common event under uncommon circumstances” (Birkland, 1997), based on media content analysis. Media content analysis indicated that this event was so influential, that media attention after this event completely ended for over a decade as well as any policy action for the practice of polygamy. Existing focusing event literature does not include events that result in decreased media and policy attention, however, the impact of this
event indicates that such situations should be included in the typology of focusing events. This focusing event was viewed as an inhumane policy solution as well as an ineffective solution for eliminating the practice of polygamy. After this event public opinion on polygamy changed, the public was suddenly very hesitant to disrupt the private family lives of polygamists, a group of good religious people. Polygamy was defined as a non-problem, based on the fact that the public did not want government to intervene in the practice of polygamy. Short Creek has since been given two separate city names: Colorado City, Arizona and Hildale, Utah. The residents in the area of Short Creek still practice polygamy and the population, which had reached around eight hundred in 1974 (Maloney, 1974), has now risen to approximately 12,000 (MacQueen, 2004).

In 1977, 52 year old Ervil LeBaron, a fundamentalist prophet of the Church of the Lamb of God, murdered 71 year old Dr. Rulon C. Allred, a rival fundamentalist sect leader (Abramson, 1987; Bradlee, 1978). This murder was identified as another focusing event, again a “common event under uncommon circumstances,” for the practice of polygamy, based on media content analysis. The event increased media coverage on the practice of polygamy, raised awareness of the scope of the practice polygamy in the United States for the first time since Short Creek, and also resulted in a public opinion change. After Short Creek the general public was opposed to government intervening in the private lives of people viewed as basically good religious people. However, after the murder of Dr. Allred the light in which polygamists had been cast changed again. Polygamists were once again seen by the public as immoral and also criminal people. However, despite both a focusing event and a change in public opinion, which resulted in problem recognition and definition, at this time no policy solutions were implemented. The impact of this focusing event on media attention can be seen later in this chapter.
The practice of polygamy was not prominent again in the media or policy agendas until 1996. In 1996, the national debate over gay marriage began. This event was identified as a focusing event, a new event, for the practice of polygamy through media content analysis. Opponents of gay marriage connected the passage of gay marriage with the inevitable legalization of polygamy (Krauthammer, 1996; Sullivan, 1996; Weisberger, 1996). The pairing of polygamy and gay marriage is another example of comparing situations, for the purpose of defining a problem (Kingdon, 1995). This event brought problem recognition to the practice of polygamy. It re-defined the practice as being a problem of cultural morality, and increased the media attention to the practice of polygamy. Once the gay marriage debate began, the practice of polygamy became the most used example for justifying public laws against immoral practices. Both gay marriage and polygamy were also likened to incest and pedophilia. This impact of this focusing event on media attention will be explored further in this chapter.

In 1998, a young runaway girl who was a member of the Kingston fundamentalist sect in Utah was found by local authorities battered and afraid. It was later determined that the sixteen year old had been physically abused by her father and also forced to marry her uncle at the age of 15 (Beiser, 1999; Frankel, Lee, & Berestein, 1999; Andrew Murr, 1998; Thompson & Fremon, 1999). This event was identified as a focusing event, a common event under uncommon circumstances (Birkland, 1997), for polygamy based on media content analysis. The event resulted in increased media coverage, and also changed the public policy strategy for dealing with the practice of polygamy in the United States. Since this case prosecutors have been focusing their efforts at prosecuting polygamists for secondary crimes including statutory rape, child abuse, or incest. Currently law enforcement officials are attempting to assemble organized crime style cases against fundamentalist sects as a means of breaking up the polygamous

In 2003, a young 14 year old girl named Elizabeth Smart, who had been kidnapped for nine months, was found walking down the street with a Mormon fundamentalist. This event was the most recent focusing event for the practice of polygamy, a common event under uncommon circumstances (Birkland, 1997), determined by this research through media content analysis. Elizabeth Smart had been kidnapped from her family home to become a second wife. The revelation that her captor was a polygamist horrified the nation (Biele, 2003; Johnson, 2003). This event also resulted in increased media coverage for the practice of polygamy. More information on the impact of this focusing event on media coverage will be addressed later in this chapter.

**METHODOLOGY APPROACH REVIEW**

The dual methodologies used in this thesis include both historical case study analysis and content analysis of media coverage of polygamy. Each was undertaken for the years 1890 through 2005. Qualitatively the history of polygamy was analyzed as a case study, for the purpose of determining the following: why the issue has failed to be sufficiently enforced; why the practice has a seemingly changing problem definition; what major focusing events transpired influencing the policies surrounding the practice, and the extent of media attention to the practice throughout history.

The second method used in this research was media content analysis of 76 periodical articles on the practice of polygamy, dating back 115 years, collected from the Reader’s Guide to Periodical Literature. Each of the 76 articles on polygamy was qualitatively coded for their
problem definition. This method also identified problem definition shifts, media attention, and focusing events for the practice of polygamy.

**RESEARCH FINDINGS FROM THE POLYGAMY HISTORICAL CASE STUDY**

The main hypothesis of this thesis, that when shifts in problem definition occur they are in response to focusing events, was supported by the polygamy historical case study findings. For example, the 1977 focusing event of the murder of Dr. Rulon C. Allred brought about the problem definition of polygamy being connected to other criminal activities, where as recently the problem of polygamy was only being defined as a threat to cultural morality.

The sub-hypotheses that problem definitions shift over time, was supported by this historical case study as well. For example, during the 1830’s the problem definition for polygamy shifted from being a strictly cultural morality problem, to both a cultural morality problem and a problem of a threat to government control. The sub-hypotheses that focusing events result in an increase of media coverage was also supported by this historical case study. For example, the Mormon Church manifesto of 1890 was referenced as having resulted in increased media attention 1890. The sub-hypotheses that media coverage after focusing events relates to the focusing events was not proved or disproved through the historical case study analysis. The sub-hypotheses that focusing events cause a narrowing in the total number of problem definitions was also not proved or disproved through the historical case study analysis.

**RESEARCH FINDINGS FROM THE MEDIA CONTENT ANALYSIS OF POLYGAMY**

Based on the media content analysis, eight problem definitions were identified for the practice of polygamy. For ease of presentation these definitions were combined into four broad
problem categories. Below is a detailed description of the four broad problem categories, the eight identified problem definitions collapsed within them, as well as examples of some of the article entries coded under each heading.

1. Social Problem-Impacting Social Order

A number of articles were categorized under the broad heading, **Social Problem-Impacting Social Order**. Each article identified some negative impact on the traditional social order of the day. Articles categorized under this heading ranged from those about individual sect leaders promoting lawlessness to those about the falsification of marriage documents and violations of the sanctity of marriage. For example, a 1935 article in Newsweek magazine referred to a court case as “… the most tragic in the history of Arizona because it touches the sanctity of the American home and threatens the sacredness of the principle of one man for one woman” ("Polygamy: Court Says Religious Freedom Includes But One Wife", 1935). Another article in this category alerted readers to hired killings by Ervil LeBaron, the leader of a fundamentalist sect: “Since his death, authorities believe, there have been six murders ordered by LeBaron before his death (Abramson, 1987).”

In total, four separate problem definition groups were categorized under the “Social Problem- Impacting Social Order.” They are:

- **Charismatic Leaders Promoting Lawlessness:** Articles that defined the problem in this manner pertained to items such as individual sect leaders with great power promoting lawlessness, and violent feuds between different sect leaders.

- **Connected to Additional Crimes:** Articles that defined the problem in this manner pertained to items such as incest, criminal non support, welfare fraud, the mailing of
obscene literature, conspiracy against the state, falsification of state records, misappropriation of school funds, and shooting at the police.

- Moral Violation: Articles that defined the problem in this manner pertained to items such as sexual conquest and perversion, violation of the sanctity of the American home, monogamous morality, and lesbianism.

- Legal Precedent Fear: Articles that defined the problem in this manner pertained to items such as gay marriage and Amish rights.

2. Social Problem-Harming Individuals

A number of articles were categorized under the broad heading, **Social Problem-Harming Individuals**. Each article identified some negative impact on different segments of the population. Articles categorized under this heading ranged from those about child brides to women being emotionally abused by their husbands. For example, a 1990 article in Ladies’ Home Journal magazine referred to polygamy as, “… a cult, in which little girls, some as young as nine and ten, are given as rewards to men in their fifties and sixties” (Carey, 1990, p. 167). Another article in this category from a 1899 edition Arena magazine, characterized the duties of women in polygamy by stating that, “She early learns to be silent and observing” (Everett, 1899, p. 183).

In total, two separate problem definitions groups were categorized under the “Social Problem-Harming Individuals.” They are:
• Harmful to Children: Articles that defined the problem in this manner pertained to items such as child abandonment, child brides, child physical, psychological, sex abuse, children having children, forcing children out of public schools, and incest.

• Exploitative of Women: Articles that defined the problem in this manner pertained to items such as women being forced to marry, women not getting to choose who they marry, women not having as much power as men, women being emotionally abused by their husbands, women being sexually exploited by their husbands, women lacking economic independence from their husbands, and women being physically forced to stay in polygamous marriages by their husbands and other men in their communities.

3. Economic Problem-Draining State Resources

A number of articles were categorized under the broad heading, Economic Problem-Draining State Resources. Each article identified some negative impact on the public economy. Articles categorized under this heading ranged from those about the high levels of poverty in polygamous communities to those addressing the mass use of welfare in polygamist communities. For example, a 1934 article from Harper magazine describes the lifestyle of polygamists by stating that, “When I thought of the hardships, the poverty, the neglect she endured I wondered at it” (Brooks, 1934, p. 302). Another article from People magazine in 2003 describes the number of polygamists in one fundamentalist community that are dependent on government assistance by stating that, “Although many Colorado City families live in sprawling homes, 78 percent of them are on food stamps” (Fields-Meyer, 2003, p. 75).

In total, there is one problem definition groups categorized under the “Economic Problem-Draining State Resources.” It is:
• Connection to Poverty: Articles that defined the problem in this manner pertained to items such as high levels of poverty in polygamist communities and the mass use of welfare.

4. Non-Problem

There were many reasons why polygamy was dismissed as a problem. These arguments ranged from feminist desires being fulfilled by re-establishing polygamy to the assertion that polygamy liberates women and encourages forward thinking about women’s rights. For example, one author appearing in a 1979 edition of Psychology Today magazine argued that, “By practicing polygamy, however, dominant individuals with favorable genes become fathers and mothers of most, if not all of the next generation” (Strehler & Slade, 1979, p. 25). Another author from an article appearing in a 1986 edition of Jet magazine stated that, “What’s a black single mother struggling to raise her children to do when most black men are either in jail, unemployed or not looking for a family commitment? Polygamy could be a possible solution” ("Woman Leader Sparks Furor About Polygamy Saving Black Families", 1986, p. 38).

Within each of the previously mentioned problem definition groups, some problem definitions were coded as being in more than one group. For example, incest was coded as both Harmful to Children and Connection to Additional Crimes, and fundamentalist leaders’ committing murder was coded as both Charismatic Leaders Promoting Lawlessness and Connection to Additional Crimes.

Figure one shows the research findings of media coverage given to the practice of polygamy from 1890 until October, 2005. The identified focusing events are marked with arrows and the broad problem category changes are displayed with symbols at the top of the chart.
Findings on media attention and focusing events include the following: First, there is a rise in media attention following the 1890 focusing event of the Mormon Church renouncing the practice of polygamy. The high media attention after this event is the result of the public wondering if the problem of polygamy was actually solved, or if policymakers needed to continue brainstorming ways to end polygamy as well as quell the Mormon Church power, which regardless of the end of polygamy was defined as a threat to society.

Next, there is a dramatic spike in media attention from around 1902 till around 1908, which is not correlated with a focusing event. This spike is likely the result of a continuation of the debate over how to handle the Mormon problem. By this time polygamy was still being openly practiced, but the general public believed that due to the children born of polygamous families the practice would have to be on some level tolerated until the current generation past. It is also possible that the high media attention here is the result of simple media fads, or spikes in attention due to the popularity and success of certain niche issues (Kingdon, 1995; Rochefort & Cobb, 1994).

Then, media attention begins declining until around 1928. This drop off in media attention is likely also the result of media fads or possibly the presence of a more immediate public problem or problems. The practice of polygamy was possibly boring to the media at this point.

After 1928 media attention rises steadily for a few years, then takes a small dip, and rises briefly again before dropping significantly again around 1942. These changes have not been paired with any focusing events. Their incidence could be attributed to either media fads, or
growing knowledge of the number of Americans still practicing polygamy. It is unknown if indicator changes in the number of individuals practicing polygamy were known at this time.

However, slightly prior to the Short Creek focusing event media attention rose. This rise is certainly the result of the knowledge of an indicator change in the number of individuals practicing polygamy. After Short Creek media attention drops very low. Research indicates that this drop off is a negative result of a focusing event. The impact of Short Creek was that public opinion changed and polygamy was no longer viewed as a public problem amendable by government action.

Starting around 1963 attention begins a steady rise, supported by the 1977 murder case involving rival fundamentalist sect leaders. This focusing event brought about the problem definition that those that practice polygamy are connected to other crimes. This event changed public opinion back to being against tolerating the practice of polygamy.

However, shortly thereafter around 1978 attention begins dropping again. This drop is more than likely a result of media fads. Yet, by this point in history polygamy is generating steady media attention. Since around 1967 polygamy has stayed in the media, and since 1978 media attention is as high as it has ever been, during the time frame studied, or higher.

In 1996 attention begins a steady rise with the support of the gay marriage debate focusing event, the child abuse focusing event, and the Elizabeth Smart kidnapping focusing event. The combination of multiple focusing events back to back has resulted in the greatest media attention observed in this research time frame. Since the gay marriage debate media attention has steadily risen.

In total the focusing events identified in this thesis did correlate with increased media attention. The single anomaly is the Short Creek focusing event, which had the opposite effect
on media attention as the other focusing events. It is unknown if this event is an anomaly or an
indication that some focusing events result in loss of media attention. This connection supports a
sub-hypothesis of this thesis.

The top of figure 1 includes a series of symbols which identify trends in problem
definition categories over time. The symbol ■ refers to the problem category Social- Impacting
Social Order. The symbol ▲ refers to the problem category Social- Harms Individuals. The
symbol O refers to the problem category Economic- Draining State Resources. The final symbol
∩ refers to the problem category Non-Problem.

Findings of shifting problem category changes and focusing events include the following:
Two new categories, the Social Category of Harming Individuals and the category on Non-
Problem for the practice of polygamy, were identified during the period of 1906-1910. These
categories were not the immediate result of a focusing event, but were more than likely a delayed
reaction to the first identified focusing event in 1890. The addition of multiple problem
definitions following a focusing event disproves the sub-hypothesis that focusing events result in
a narrowing of problem definitions. In fact, this incidence would tend to prove that the opposite
occurs. That after a focusing event media attention provides an inspiration for an open
discussion of problems which results in multiple problem definitions.

Starting in 1976, for the first time the presence of Non- Problem category is observed to
occur in a succession of a five-year periods extending until the end of the time frame studied in
October 2005. The strong presence of the non-problem category coincides with increased
focusing event action. During that time span three focusing events occur, and each focusing
event inspires increased discussion of the problem of polygamy. This increase in discussion
within the media results in multiple viewpoints of problem definition being given media
attention. These viewpoints stem from both the general public, as well as policy actors (Rochefort & Cobb, 1994). The findings of connections between focusing events and shifts in problem definition support the main hypothesis of this thesis, that focusing events impact shifting problem definitions.
CHAPTER IV. HISTORICAL CASE STUDY: THE PRACTICE OF PROSTITUTION

INTRODUCTION

The practice of prostitution is endemic in human societies, as is the desire to control or eradicate the practice. While there has never been a time in which prostitution did not exist in America, there have been varied levels of public disapproval and government involvement in the practice of prostitution. If a practice is seemingly endemic, why does any government attempt to eradicate the practice? Isn’t this a futile battle? Or, if the battle hinge on moral standards, is that battle the most important one of all to fight regardless of results? In the United States prostitution is illegal, and has been criminalized in some form since the 1600’s, yet the practice of prostitution is pervasive throughout the country. Is prostitution illegal in the United States for the singular purpose of appeasing the general public, and thus there is no real intention to control prostitution? Or, is prostitution illegal based on legitimate problem definitions, which have sadly thus far failed to yield successful policy solutions?

To better understand the practice of prostitution and why, though illegal, the government does little to effectively control it, this chapter offers an historical case study analysis of the practice of prostitution which dates back to the early 1600’s until present day. The analysis within the historical case study will also provide insight into how the problem of prostitution was first recognized, what different problem definitions have been identified, and what major focusing events transpired that impacted prostitution policies.

In addition, to the historical case study this chapter will also present findings from an extensive content analysis of media coverage of the practice of prostitution in the United States from 1890 until 2005. Both analyses utilize information dating from the early 1900’s and
continuing to the present day. The analyses rely heavily upon both problem definition theory as well as focusing event theory as a means to test the central questions of this thesis.

BACKGROUND OF PROSTITUTION

The exact origin of the practice of prostitution is part of an ongoing debate between anthropologists and theorists. All that can be said of prostitution with certainty is that prostitution more than likely existed in the earliest stages of societal development. The practice of prostitution has “economic, sociological, psychological, and religious overtones that are tied with the man-woman relationship; and that neither matriarchal or patriarchal assumptions about the nature of society fully explain” (Bullough & Bullough, 1987, p. 7).

This thesis uses the modern definition of prostitution which includes “the commercial exchange of sexual favors in return for money” (Francoeur, 1995, p. 520). Currently the term prostitution usually refers to the act of women serving a male client. When that is not the case other term qualifiers are used such as male prostitution (Francoeur, 1995). This chapter will analyze prostitution as it refers to women serving male clients. Evidence supporting this definition of the practice of prostitution has been found in almost every known culture in history (Francoeur, 1995).

The question of whether or not government should get involved with the practice of prostitution, and if so how, has troubled governments at all points in history. State involvement in prostitution has varied greatly over time and across different governments. In ancient Greece the state set prostitution fee rates. The Roman government had their government bureaucracy systematically organize prostitution, going so far as making sure brothels were accessible to all major traveling routes at a regular intervals (Francoeur, 1995). Conversely, however, the
Napoleonic Code established in 1810 in France made no mention of prostitution nor did any version of the Code which existed until 1895. In the 1860’s the British Parliament passed a series of acts that gave control of prostitution over to the Admiralty and War Offices so they could better control venereal diseases (Bullough & Bullough, 1987). At present many European countries, as well as counties in Nevada have opted to either legalize prostitution or decriminalize the practice. Decriminalization is the process of eliminating existing penalties for a previously defined illegal activity. While the practice of prostitution has not been made an official legitimate practice in these areas, with government regulatory systems, the penalties assigned to those who commit crimes relating to prostitution have been eliminated (Francoeur, 1995).

**SCOPE OF PROSTITUTION IN THE UNITED STATES**

During the mid 1800’s and until the early 1900’s American prostitutes were characterized as being foreign-born poor young women (D’Emilio & Freedman, 1988). Since the mid 1900’s prostitutes in the United States have been characterized by sociologists as being any of the following: female runaways, masseuses providing special services, streetwalkers, high-priced call girls, or involuntary prostitutes (Francoeur, 1995).

The vast majority of prostitution includes females serving male clients. Studies attempting to determine a profile for men that pay for the services of a prostitute have found no distinguishing characteristics that separate the “john” or patron from the “average American male.” However, we do know that the number of men paying for sex in America has greatly decreased. Since the late 1940’s Kinsey study on male sexuality found that 69% of men in the United States had paid for sex at least once. In 1994 a similar study titled *Sex in America* was
published which states that only 16% of men in the United States had paid for sex at least once (Michael, Gagnon, Laumann, & Kolata, 1994). This decrease in the number of men paying for sex in America is attributed to better access to contraceptives, sexual liberation, increased acceptance of divorce, better employment opportunities for women, and the risk of AIDS (Weis & Koch, 2004).

Prostitution in the United States is no longer centered on brothel houses. Very few brothels exist in the United States due to social intolerance. Currently, those few brothels left are generally very run down and impoverished. Today, “go-go bars, topless bars, and massage parlors double as fast-service brothels,” providing the service of prostitution (Weis & Koch, 2004, p. 1243). Locations in the United States with the most concentrated levels of prostitution available include areas with high levels of either single men or men away from their families. These locations tend to serve those in the military, immigrant laborers, or traveling businessmen (Barry, 1979).

The reasons why women become prostitutes vary. Women become prostitutes in the United States because they are physically forced, they are fraudulently seduced, they have an economic necessity, they seek adventure and fun, they have a mental deficiency, or they feel a compulsion to rebel against society’s moral norms (Barry, 1979). Of these various reasons why women become prostitutes the economic rewards of prostitution from the lowest class of prostitutes as in streetwalkers, to the highest class of prostitutes as in call girls, has been found to be the primary motivating factor for women becoming prostitutes (Overall, 1992; Weis & Koch, 2004). Prostitution simply provides better compensation than many other jobs available to women at various levels of society (Overall, 1992; Weis & Koch, 2004). Most prostitutes see their job as a temporary situation to supplement finances and support themselves or their
families. The average work life of prostitutes is five years, given the desire for youthfulness by patrons (Weis & Koch, 2004).

Research attempting to make causal links between childhood abuse, emotional problems, alcohol abuse, or drug abuse to women that become prostitutes has been either inconclusive or criticized for the sample population employed. Prostitutes are a heterogeneous group, and consequently research findings on prostitutes are dependent on which segment of prostitutes is being observed. For example, research on call girls has found no significant difference between how well adjusted call girls are compared to other women with their same age and educational background. However, research on underage prostitutes has found high levels of sexual and physical abuse, which at the very least indirectly relates to their becoming prostitutes (Weis & Koch, 2004).

Pimps and procurers are a vital part of understanding the scope of prostitution in the United States. A procurer is defined as someone who obtains patrons for a prostitute. A pimp is defined as a female prostitute’s business manager and protector (Francoeur, 1995). The vast majority of pimps and procurers are men from vulnerable populations. These men rely on emotional manipulation to control their workers (Weis & Koch, 2004). Kathleen Barry, an expert on prostitution, believes that “pimping and procuring are the crystallization of misogyny; they rank among the most complete expressions of male hatred for femaleness. Procuring is a strategy, a tactic for acquiring women and turning them into prostitution; pimping keeps them there” (Barry, 1979, p. 73).

The most current statistics on prostitution estimate that per year 450,000 women work in America as prostitutes (Weis & Koch, 2004), or that over one million women have worked
recently as prostitutes in the United States, making up one percent of the female population (Kesler, 2002).

THE PUBLIC POLICY HISTORY OF PROSTITUTION

PRE-POLICY DORMANCY (1600’S-1920’S)

Prostitution, while present in colonial America, was not prevalent due to the “sparse rural population.” Those few women that did become prostitutes at that time were generally poor women in cities, recent immigrants, single women, or women with few career skills. For this group prostitution provided the means for survival, although for many their actions as a domestic partner to their johns often resulted in marriage opportunities (Weis & Koch, 2004). The slave population at this time and, until the American Civil War, also provided female staff that were forced into prostitution. As a result, prostitution did not flourish in the south for some time; the need for sex services was already being fulfilled for free (D'Emilio & Freedman, 1988; Weis & Koch, 2004). However minimal the activity was in early America, authorities recognized the practice of prostitution as a problem from the beginning of settlement (Bullough & Bullough, 1987). At this time the problem definition, or the way in which a problem’s components are characterized (Rochefort & Cobb, 1994), of prostitution is unclear. In colonial America the first charges against women for prostitution in America were based on what was then known as Wolsome Laws in New England, and the policy solution to the problem of prostitution was to penalize prostitutes by making them strip “to the waste [sic], tied to the tail end of a cart and whipped as the cart moved through town” (Bullough & Bullough, 1987, p. 212). The first brothel owner to be prosecuted in America was a woman named Alice Thomas, who in 1672 was “whipped through the streets of Boston, and sent to prison to serve as long as the court deemed
necessary” (Bullough & Bullough, 1987, p. 213). However, with the exception of these examples, for the most part enforcement of the Wolsome Laws was minimal (Bullough & Bullough, 1987).

In the 1750’s after the French and Indian Wars a surplus of men congregated in cities like Boston, and New York, and as a result a surge of single women entered the cities to feed the needs of men, including sexual needs through prostitution. This was the first time in American history that men could effortlessly locate prostitutes in major cities (D'Emilio & Freedman, 1988). The emergence of accessible prostitution in major cities was an indicator change, as discussed in Chapter 2, which inspired problem recognition for prostitution. The public responded to the change in their social norm with mild protests in some cities, angry mobs of citizens attacking brothels in others, and the burning of brothels in still others. At this time prostitution was clearly defined as a threat to the moral social order, or cultural morality. Still, at this same time government did not implement any new policy solutions addressing the practice of prostitution (D'Emilio & Freedman, 1988).

During the early 1800’s the level of prostitution continued to rise. Prostitution became a widespread, accessible, and open practice. This indicator change is attributed to both the Industrial Revolution, which prompted an influx of single low paid women into cities, and westward expansion, which created a surplus of newly wealthy single men who could afford to import immigrant women to the west for prostitution. For women during this time prostitution provided an escape from loneliness, excitement, and a living wage (Bullough & Bullough, 1987; D'Emilio & Freedman, 1988; Francoeur, 1995; Gilfoyle, 1999; Weis & Koch, 2004). Beginning in the 1800’s the duties of prostitutes also shifted. No longer were prostitutes often domestic companions to men. Now their services were primarily sexual (Gilfoyle, 1999). This change in
the services of prostitutes likely resulted in furthering the problem definition that prostitution
was a threat to cultural morality.

During the American Civil War in the early 1860’s the country experienced massive
social disruption which brought about additional increased levels of prostitution. The existence
of military camps lured women for the purpose of profitable sex work. Southern women whose
husbands had left them or died and whose land was often destroyed became prostitutes as a
means of survival. At that same time in the west it was estimated that 20 percent of the women
in California were prostitutes. These women were both white women working independently as
prostitutes, and also Chinese slaves forced into prostitution (D'Emilio & Freedman, 1988).

In 1870, in response to nationwide increased levels of prostitution, St. Louis became the
first and only city in the United States to officially adopt the European prostitution regulation
method with the adoption of the Social Evil Ordinance. This ordinance required prostitutes to
register with the city for regular venereal disease checks. If found, infected women were
required to be committed to hospitals until they were well (Bullough & Bullough, 1987;
D'Emilio & Freedman, 1988). This policy solution to the practice of prostitution was the result
of a new problem definition for prostitution; prostitution was suddenly defined as a threat to
public health. However, the Social Evil Ordinance was eventually overturned in 1874 by the
Missouri State Legislature after peaceful protests organized by women’s groups, who opposed
regulation on the grounds that it was ineffective, and the presentation of a petition that was
signed by 100,000 people (Bullough & Bullough, 1987; D'Emilio & Freedman, 1988). The
opposition displayed at this time indicates both the public’s opinion of prostitution at that time,
that jailing prostitutes for short time spans was of no help to anyone, and also the public struggle
in determining adequate policy solutions for the practice of prostitution. While prostitution had
been recognized as a public problem at various times and by various groups, the practice faced problem recognition impediments. These impediments included the lack of public support for government financial resources being employed to solve prostitution, the fact that prostitution was not viewed as immediate as other public problems, and the fact that the population affected by prostitution was unsympathetic (Kingdon, 1995). The public at this time did not support the allocation of government funds for helping to eliminate venereal disease in prostitutes.

During the mid 1870’s most major cities attempted to pass prostitution laws similar to that of St. Louis. However, the strength of women’s groups crushed all legislative efforts at that time (Bullough & Bullough, 1987; D’Emilio & Freedman, 1988). As a result of the failures to pass official regulations, American governments began following another pattern of European governments at that time by unofficially using the “segregation method” for controlling the practice of prostitution. City governments would segregate prostitution houses to one corner of their city, the red-light district, and force the houses to get licenses and provide a list of their staff (Bullough & Bullough, 1987; D’Emilio & Freedman, 1988; Weis & Koch, 2004). This policy solution indicates possible greater levels of acceptance of prostitution, thus defining prostitution as a non-problem, indicates a greater desire to control the exposure of immoral practices to the general public, or possibly indicates the desire of government to control the outbreak of venereal disease. Whatever the intent or intents of the segregation method, the policy solution resulted in increased prostitution, spawned a system of bribery with public officials and prostitutes, madams, and pimps, and failed to suppress venereal disease. The segregation method was considered a public policy failure. It not only failed to address the major concerns about the societal harms associated with prostitution, but it managed to increase existing societal harms while also creating new societal harms (Bullough & Bullough, 1987; Gilfoyle, 1999; Weis &
Koch, 2004). This example shows why problem definitions matter. Solutions are developed based on ways in which the problems are defined (Kingdon, 1995). In this case the choice of definition led directly to a policy solution that failed.

The early 1900’s brought about the “white slavery” scandal which was the first focusing event identified in this research for the practice of prostitution. The white slavery scandal, a new event according to Birkland’s (1997) typology, was identified as a focusing event through both historical case study analysis and media content analysis. The term white slavery, first used in the 1902 International Agreement for the Suppression of the White Slave Traffic, referred to the entire problem of sex work. This included the problems associated with regulating the practice of prostitution, prostitution itself, and the trafficking of women. The idea of white slavery, as opposed to the past slavery involving African Americans, horrified the general public, while piquing their imaginations with salacious images. The passage of the International Agreement for the Suppression of the White Slave Traffic inspired the United States to pass a similar law outlawing the traffic of women. The Mann Act of 1910 forbid the transportation of women across state lines or international boundaries for prostitution or immoral purposes of any kind (Barry, 1979; Weis & Koch, 2004). That same year 35 major cities in America established vice commissions to study and expose the massive practice of prostitution and rally the public to abolish prostitution (Bullough & Bullough, 1987; Gilfoyle, 1999; Weis & Koch, 2004). The practice of prostitution was no longer associated with a strictly strange and unsympathetic population of unfortunate women. Instead, all Americans, feared their own daughters could be tricked, and, or abducted, for the purposes of prostitution. As discussed by Kingdon (1995), public opinion can translate into greater problem recognition, as it did in this case. After this focusing event prostitution had multiple problem definitions. Prostitution was still viewed as a
threat to cultural morality, but it was now also viewed as a threat to women and children being forced or tricked into prostitution. The implications of this focusing event on media attention will be discussed later in the chapter.

In 1916 the United States entered World War One, which was also a focusing event for the practice of prostitution. WWI, a “retrospective impacting focusing events,” was identified as a focusing event despite the fact that it does not fit into Birkland’s (1997) typology for focusing events. This event, a “new public policy focusing event,” was identified as a focusing event due to its impact on the practice of prostitution in terms of media attention. In 1917, the Secretary of War created the Committee on Training Camp Activities. This committee was created to provide wholesome entertainment for soldiers in training camps, other than prostitution, in the hopes of keeping venereal disease rates down (D'Emilio & Freedman, 1988). The actions of the Secretary of War clearly indicate that prostitution was defined at that time as a threat to public health. However, despite policy reform efforts, by the end of WWI American military doctors had treated several million cases of venereal disease in soldiers (D'Emilio & Freedman, 1988). The high incidence of venereal disease after WWI, an indicator change, solidified the policy failure of the prostitution segregation method for many Americans, as well as the military’s failure in suppressing prostitution (Bullough & Bullough, 1987; Gilfoyle, 1999; Weis & Koch, 2004). After this focusing event, which highlighted current policy failures in controlling prostitution, various non-profit organizations were created with the shared purpose of criminalizing prostitution and getting rid of segregation policies. By 1920 the public campaign against prostitution resulted in the end of the segregation method, which had been implemented in most major cities, and the end of government tolerance of the practice of prostitution (Bullough & Bullough, 1987; Gilfoyle, 1999; Weis & Koch, 2004). For example, New York
City, which in 1912 had 142 brothels, had only three by 1917 (Bullough & Bullough, 1987). However, the policy solution of destroying organized brothels in “red-light districts” created a new prostitution context. Prostitutes were suddenly not self-employed or working for female madams. They were instead under the control of men who exploited them, as in male pimps, organized criminals, or corrupt politicians (Weis & Koch, 2004). This change in the context of how prostitution subsisted was a direct result of the reaction of the general public to the focusing event of the high incidence of venereal disease after WWI. At this point in history both of the major policy initiatives for solving the problem of prostitution had failed to succeed, and also added new dimensions to the public problem.

THE PUBLIC POLICY HISTORY OF PROSTITUTION

POST-POLICY ACTIVITY (1930’-2005)

Since the feverish public policy action of the 1920’s in the area of prostitution there have been few significant policy changes, despite the identification of additional focusing events. In 1941, the United States entered World War Two. WWII was also identified as a focusing event, through both historical case study analysis and media content analysis, based on the same criteria used to include WWI as a focusing event. This focusing event increased media attention to the public health threat that prostitution possessed. However, despite increased attention to prostitution and its threat of venereal diseases, unlike WWI the incidence of venereal disease during the war was not attributed to the practice of prostitution (D’Emilio & Freedman, 1988). The number of arrests for prostitution rose only twenty percent during the war. Instead, disease rates during WWII were attributed to what was known as “khaki-wakies, victory girls, and good-time Charlottes” (D’Emilio & Freedman, 1988, p. 261). These new sexually permissive girls
were in their late teens and early twenties, and their activities produced a two hundred percent hike in moral arrests for such acts as promiscuous behavior (D'Emilio & Freedman, 1988). The impact of WWII on media attention will be discussed in more detail later in this chapter.

In 1953, a trial involving Oleo-margarine heir Minot Jelke III was a focusing event for the practice of prostitution ("Pat and Minot", 1953; , "Primrose Pat", 1953). This event, a common event under uncommon circumstances (Birkland, 1997), was identified as a focusing event through media content analysis. Jelke was convicted of nine counts of compulsory prostitution, living off the proceeds of vice, and conspiracy. Jelke was found to have been running a high priced call girl ring. The scandal involved the exposure of both celebrity and high society johns. The level of publicity given to the trial during its duration was said to have paralleled the media coverage given to the President’s State of the Union address ("Pat and Minot", 1953; , "Primrose Pat", 1953). This event resulted in problem recognition for the practice of prostitution and brought back the problem definition of prostitution as a problem of compulsory prostitution, similar to the white slave scandal. The implications of this focusing event on media attention will be discussed later in this chapter.

In 1971 a Nevada court decision allowed for small populated counties in the state to determine whether or not prostitution would be illegal (Weis & Koch, 2004). This change in prostitution policy was also identified as a focusing event for the practice of prostitution, despite the fact that the existing typology for focusing events does not include new public policies. However, due to the impact of this event on both media attention and policy debates in all multiple states, this event was identified as a focusing event through both historical case study and media content analysis. As a result of this decision Nevada is currently the only state in the
United States that has legal prostitution (Weis & Koch, 2004). The implications of this focusing event on media attention will be discussed in more detail later in this chapter.

In 1976, the Acquired Immune Deficiency Syndrome (AIDS) began spreading across the United States. Public knowledge of the disease began slowly throughout the early 1980’s. It wasn’t until the death of movie star Rock Hudson that AIDS became familiar to the general public. At the time of Hudson’s death 12,000 Americans had either died or were dying of the disease and thousands more were infected with the virus that causes AIDS (Shilts, 1987). The AIDS epidemic, beginning in the early 1980’s, was identified as a focusing event for the practice of prostitution. This new event, lacks a set date, and thereby does not fit with the existing characteristics of focusing events. However, the event was identified as a focusing event through both historical case study and media content analysis. This event, a “developing phenomenon focusing events,” gradually increased media attention, policy actor attention, and policy solutions were implemented for prostitution’s public health threat. During the mid 1980’s prostitutes began advocating the creation of a HIV test. Their outspokenness resulted in the creation of an HIV test, and helped break the stereotype that AIDS was a disease only threatening homosexuals (Shilts, 1987). After the public became aware that heterosexuals had been infected with AIDS, media attention to AIDS greatly increased. In addition, once researchers began studying prostitutes infected with HIV it was determined that the first known carrier and victim of AIDS in the United States was actually a female prostitute living in San Francisco (Shilts, 1987). This focusing event will be discussed in more detail at the end of this chapter.

The 1993 arrest of twenty-seven year old Heidi Fleiss, a Hollywood madam (Chisholm, 1994; Fleming & Indrassia, 1993), resulted in another focusing event for the practice of prostitution. This scandal, was another common event under uncommon circumstances, was
identified as a focusing event through media content analysis. This scandal included celebrities and entertainment industry moguls who were clients of Fleiss’s call girl business (Chisholm, 1994; Fleming & Indrassia, 1993). This arrest was the final focusing event observed in the researched time frame. The impact of this event was that the practice of prostitution received problem recognition, and the problem definition of prostitution was again defined as a violation of cultural morals.

Despite the history of policy failures in controlling the practice of prostitution, criminalization as a means of solving the problem of prostitution persists. To date the most recent statistics on the average costs of the criminalization of prostitution to major cities in the United States including enforcement costs, court costs, and correction costs, was $119,553,395 per year (Weis & Koch, 2004).

**METHODOLOGY APPROACH REVIEW**

This thesis relied on two methodologies, historical case study analysis and content analysis of media coverage of prostitution from 1890 until 2005. The first method, historical case study qualitative analysis, was used for the purpose of determining the following; why the issue has failed to be sufficiently enforced; why the practice has a seemingly changing problem definition; what major focusing events transpired influencing the policies surrounding the practice; and the extent of media attention to the practice throughout history.

The second method used in this research was media content analysis. Two hundred and twenty seven periodical articles on the practice of prostitution, dating back to 1890, were collected from the Reader’s Guide to Periodical Literature, and then qualitatively coded for their
problem definition. This method identified problem definition shifts, media attention, and focusing events for the practice of prostitution.

RESEARCH FINDINGS FROM THE PROSTITUTION HISTORICAL CASE STUDY

The main hypothesis of this thesis, that when shifts in problem definition occur they are in response to focusing events, was supported by the historical case study findings on prostitution. For example, the focusing event of AIDS resulted in prostitution being defined as a problem of a threat to public health. The sub-hypotheses that problem definitions shift over time, was supported by this historical case study as well. For example, within this historical case study prostitution has been defined as a problem of cultural morality, a threat to public health, and also a threat to women and children being forced into prostitution. The sub-hypotheses that focusing events result in an increase of media coverage, was also supported by this historical case study. For example, after the AIDS focusing event media coverage increased. The sub-hypotheses that media coverage after focusing events relates to the focusing events was not proved or disproved through the historical case study analysis.

The sub-hypotheses that focusing events cause a narrowing in the total number of problem definitions, was also not proved or disproved through the historical case study analysis.

RESEARCH FINDINGS FROM THE MEDIA CONTENT ANALYSIS OF PROSTITUTION

Based on media content analysis, thirteen problem definitions were identified for the practice of prostitution. For ease of presentation these definitions were grouped into three broad problem categories. Below is a list of the three broad problem categories, the thirteen identified
problem definitions, as well as examples of some of the article entries coded as problem definitions.

1. Social Problem-Impacting Social Order

   A number of articles were categorized under the broad heading, **Social Problem-Impacting Social Order**. Each article identified some negative impact on the traditional social order of the day. Articles categorized under this heading ranged from those about prostitutes robbing johns to streetwalking. For example, a 1925 article from Women Citizen magazine spoke of the connection between prostitution and the corruption of public figures by stating that prostitution, “…corrupts the police and the city officials” (Parker, 1925, p. 26). In addition, a 1971 article from Newsweek referred to the connection between prostitution and crime by stating that, “Muggings and stabblings of passers-by and potential customers became commonplace” ("Sodom On The Hudson", 1971, p. 77).

In total, seven separate problem definitions groups were categorized under the “Social Problem-Impacting Social Order.” They are:

- **Connected to Additional Crimes:**

  Articles that defined the problem in this manner pertained to items such as prostitutes made to steal for pimps, prostitutes robbing johns, prostitutes assaulting johns, prostitutes blackmailing johns, prostitutes mugging, prostitutes murdering johns, prostitutes murdering men who don’t want their services, rival pimps murdering each other, organized crime/ Mafia promotion of prostitution, and link to child pornography.

- **Connected to the Corruption of Public Officials:**

  Articles that defined the problem in this manner pertained to items such as corrupt police not enforcing prostitution laws, police bribes, police graft (extortion), women being framed by police for prostitution, and corrupt city officials.

- **Connected to Drug and Alcohol Abuse:**

  Articles that defined the problem in this manner pertained to items such as prostitutes’ drug and alcohol abuse and pimps getting prostitutes hooked on drugs.
• Public Nuisance:

Articles that defined the problem in this manner pertained to items such as street walking, open lewdness, bawdy houses, disrupt traffic, intrude on neighborhoods, intrude on local businesses, and prostitutes verbally and physically harassing people.

• Religious and Moral Violation:

Articles that defined the problem in this manner pertained to items such as moral pollution, poisoned minds; debase public morals, sexual immorality, and sin.

• Threatens National Security:

Articles that defined the problem in this manner pertained to items such as prostitution is a menace to military strength because soldiers are disabled by VD given to them by prostitutes.

• Threatens Public Health:

Articles that defined the problem in this manner pertained to items such as AIDS, paralysis, insanity, deformed children, permanent sterility, maiming and killing wives of johns, pubic lice, American industry hurt due to lost work because of VD, and VD in children living near prostitution.

2. Social Problem-Harming Individuals

A number of articles were categorized under the broad heading, Social Problem-Harming Individuals. Each article identified some negative impact on different segments of the population. Articles categorized under this heading ranged from those about women being physically abused by pimps to mentally challenged women being exploited by prostitution. For example, a 1958 article from Time magazine referred to the exploitation of vulnerable populations by stating that, “Predictably, most of the girls had miserable childhoods; three-fourths came from homes broken by separation or divorce” ("Psychology and Prostitution", 1958, p. 64). Another article from a 1972 edition of Time magazine referred to forced prostitution by stating that, “They sold me to him for $100. He locked me up in this hotel room and ran in cheap tricks- $10 ("White Slavery, 1972", 1972, p. 24).
In total, five separate problem definitions groups were categorized under the “Social Problem-Harming Individuals.” They are:

- **Exploitative of Women:**
  
  Articles that defined the problem in this manner pertained to items such as women being treated as being subservient by male pimps, women being treated as property or merchandise by male pimps, women being sexually objectified by men, women lacking economic independence from male pimps, women being physically and mentally abused and controlled by male pimps, women being unequally punished by prostitution laws compared to johns or male pimps, and women being forced to be prostitutes by male pimps.

- **Exploitative of Vulnerable Populations:**
  
  Articles that defined the problem in this manner pertained to items such as exploitation of immigrants, victims of adverse childhoods, mentally challenged women, and low socioeconomic class.

- **Harmful to Others:**
  
  Articles that defined the problem in this manner pertained to items such as children being exposed to a lifestyle of prostitution in or near their homes, prostitutes preying on boys in schoolyards, prostitutes abandoning their children, preventing marriage, harming wives of johns, affronting marriage and family, and affecting family life negatively.

- **Involuntary Prostitution:**
  
  Articles that defined the problem in this manner pertained to items such as forced prostitution, white slave trade, trickery and fraud to get girls into prostitution, and once spoiled options for redemption minimal.

- **Physical and Psychological Harm to Prostitutes:**
  
  Articles that defined the problem in this manner pertained to items such as fear, death threats by pimps, depression, emotional problems, suicide, premature death, mass murder of prostitutes, raped by pimps, assault by johns, rape by johns, starved/malnourished, physical exhaustion, and no group solidarity with prostitution.

4. **Non-Problem**

   There were many reasons why prostitution was dismissed as a problem. These arguments ranged from the belief that prostitution is a personal matter not a social public matter, to the fact
that prostitution provides big money for city revenue. For example, a 1973 article from Time magazine spoke of women who support the practice of prostitution, by stating that, “Many wives signed, responding to the old argument that morality aside, the house [brothel] had provided a necessary outlet that protected respectable girls from rape” (“House On The Range”, 1973, p. 69). Another article from a 1977 edition of America magazine spoke of the hierarchy of public problems’ immediacy, by stating that, “… laws prohibiting prostitution be repealed because their enforcement diverted limited public resources that could be better used against more serious types of crime” (G. M. Anderson, 1977, p. 350).

Within each of the previously mentioned problem definition groups, some problem definitions were coded as being in more than one group. For example, prostitutes getting murdered were coded as both a Connection to Additional Crimes and Physical and Psychological Harm to Prostitutes.

Figure two shows the research findings of media coverage given to the practice of prostitution from 1890 until October 2005, the identified focusing events for the practice of prostitution, and the broad problem category changes for the practice of prostitution. Due to the difference in the number of articles coded for prostitution the scale of this chart is significantly larger than the polygamy chart in the previous chapter.

[Figure 2 about here]

Findings on media attention and focusing events include the following: Media attention increased dramatically for eleven years after the first focusing event, the white slave scandal, identified in this time frame. As soon as media attention content on prostitution surrounded average American girls and women being forced and tricked into prostitution, media attention
rose dramatically. This finding is the result of the change in the usual problem recognition impediments inherent to the practice of prostitution (Kingdon, 1995).

Beginning around 1913 media attention began to fall, which correlates with the end of the white slave scandal in 1914. However, attention stayed relatively high until some time after WWI, the second focusing event identified in this research. Media attention after WWI stayed fairly high. This was also a time of increased prostitution, an indicator change, thus high media attention was expected.

Media attention stays relatively low until the build up for WWII. Given the known effects of WWI on prostitution it is little surprise that in anticipation of another world war media attention of prostitution rose. In addition, after WWII media attention continued to increase, despite the fact that high incidences of venereal disease were not the result of prostitution.

Beginning around 1943 media attention began to fall again. This drop in media attention is likely the result of the fact that the United State’s involvement in WWII was viewed as a more immediate problem than soldier involvement with prostitution. After a few years had past since the U.S. entered WWII, the problem of prostitution had more than likely been exhausted by the media.

Then around 1947 media attention began to rise again. This rise is not connected with a focusing event, and is also likely the result of media fads.

The 1953 the Minot Jelke IIII focusing event occurred at the tail end of a rise in media attention. The rise in media attention after the trial was small, but still significant. The popularity of this focusing event was the result of its salacious gossip content (Birkland, 1997).

Media attention does not begin to significantly rise again until the 1971 focusing event of the legalization of prostitution in Nevada counties. This public policy sparked national debates
on the criminalization or legalization of prostitution. While new public policies are not included in the existing typology of focusing events, this event does meet Birkland’s (1997) focusing event criteria of an event that sparks media and policy attention.

From 1971 until around 1990 there is a slow creep of media attention as AIDS information, another focusing event, begins to slowly spread. In 1990 there is another explosion of media attention lasting until 1994, likely still attributed to attention from AIDS. This focusing event is also not a typical focusing event, since it has no exact date. However, it was identified as a focusing event due to the events’ impact on media attention as well as policy attention (Birkland, 1997).

The 1993 Heidi Fleiss arrest, the last focusing event identified for the practice of prostitution, attaches to the gradual increase of media attention as the result of AIDS. This focusing event is another example of a public scandal, supported with salacious gossip, that inspired media attention (Birkland, 1997). Since the Fleiss trial ended, media attention to the practice of prostitution has continued to drop.

The top of Figure II includes a series of symbols which identify trends in problem definition categories over time. The symbol ■ refers to the problem category Social- Impacting Social Order. The symbol ▲ refers to the problem category Social- Harms Individuals. The final symbol ∩ refers to the problem category Non-Problem.

Findings on shifting problem category changes and focusing events include the following: No new problem categories for the practice of prostitution were observed during the time period under media content analysis. However, shifting problem categories for prostitution were found with the strong presence of non-problem definition for the practice of prostitution in the early 1900’s following the white slave focusing event, again in the 1970’s after the
legalization of prostitution focusing event, and again in the 1990’s after the AIDS focusing event. The connection between focusing events and shifting problem definitions supports the main hypothesis of this thesis.
CHAPTER V. CONCLUSION

The methodology selected for this research, including both historical case study analysis and media content analysis, served the purpose of testing the main hypothesis and the sub-hypotheses of this thesis. The main hypothesis of this thesis, that shifts in problem definition occur in response to focusing events, was supported by both the historical case studies and the media content analysis of both the practice of polygamy and the practice of prostitution. Throughout both historical case studies and the media content analysis of both polygamy and prostitution there were multiple examples of shifting problem definitions in response to major focusing events. For example, with the practice of polygamy there was a definite connection between the 1977 murder focusing event and a shift in problem definition that tied polygamists to criminal activities. In addition, with the practice of prostitution WWI shifted problem definition to the threat prostitution posed to public health.

The sub-hypothesis that problem definitions shift over time was also supported by both the historical case study method and the media content analysis method. For example, the practice of polygamy was shown to change over time from a cultural morality problem to a problem of harming children, and also a problem of a connection to other criminal activities. In addition, the problem of prostitution was shown to shift over time from a problem of cultural morality to a problem of public health, and also to a problem of harming women and children through forced prostitution.

The sub-hypothesis that focusing events result in an increase of media coverage was generally supported by the media content analysis of both the practice of polygamy and the practice of prostitution. However, in both media content analyses some focusing events were identified that had little apparent impact on media attention or none at all. For example, the
Short Creek focusing event for the practice of polygamy identified by both the historical case study and media content analysis, actually resulted in a decrease in media attention. This incident resulted in the conclusion that the existing definition of focusing events must be changed to include events that result in negative media attention. Significant negative attention must be considered a major impact on policy development (Birkland, 1997). The raid was so unpopular with the public that the public reacted by not wanting to recognize polygamy as a problem for some time there after for fear of another disastrous consequence. This event effectively took away problem recognition from the practice of polygamy.

The sub-hypothesis that media coverage after focusing events relates to the focusing events was generally supported by the periodical content of both the practices of polygamy and prostitution. The sources used to amass both historical case studies helped identify focusing events. These events for the most part resulted in media coverage at that time on the event. The only exception being the Short Creek raid and this anomaly has been accounted for above. However, some focusing events were identified through reading media coverage. Consequently, the results of this hypothesis are somewhat circular. The definition of a focusing event is a rare dramatic event that captures public and government attention (Birkland, 2001; Kingdon, 1995). This attention of the public is determined through the amount of immediate media attention to a public problem. However, immediate media attention to a public problem must not be the only criteria for identifying focusing events. For example, the public might need a significant amount of time to process the implications of an event, which would result in delayed media attention. Further, the Short Creek raid was a rare dramatic event, and the immediate withdraw of media attention indicates the significant impact the event had on polygamy policy. Thereby, when
identifying focusing events media attention must not be the singular identifier, and should not be a finite characteristic of focusing events.

The sub-hypothesis that focusing events cause a narrowing in the total number of problem definitions was not supported by either the historical case studies or the media content analysis. While it may seem logical that there would be a concentration of problem definitions after a focusing event, based on the hypothesis that focusing events highlight a singular component of a problem, this hypothesis was proved wrong. Results indicated that the number of problem definitions after focusing events actually increased. For example, after the 1977 murder focusing event for prostitution polygamy became defined as both a threat to cultural morality and a problem based on the practice’s connection to additional crimes. In addition, as in the case of the most recent surge in multiple focusing events for the practice of polygamy, the result has been sustained multiple problem definition categories. Yet, this could be the result of multiple focusing events back to back, instead of the result of a singular focusing event.

In general, the sub-hypotheses of this thesis did support the main hypothesis of this thesis. The findings were strong overall.

Four additional areas of analysis for future research on problem definition are recommended. First, this research only looked at periodical articles as a proxy for how the public defines problems. Instead, it would be interesting to combine popular magazine content with newspaper content, television content, and movie content for media analysis. This would give the research full access to the popular culture experience of a particular time frame. However, this type of inclusive study would more than likely be forced to cover a much smaller time frame than that covered in this thesis. Or, public opinion could be measured through public
opinion surveys. Surveying could illuminate some of the subjective analysis limitations present in this research.

The second recommended area for future analysis of problem definition is incorporating the actions of problem owners into the analysis. The role of problem owners, and the scope of their actions, might prove to impact problem definition in a similar way that focusing events have been proven to in this research.

The fourth recommendation for future research in problem definition is to observe issues that have been perceived to have been solved at various points in history. Using such issues will more than likely provide more dramatic changes in problem definition than was observed with both the practice of polygamy and the practice of prostitution.

The final recommendation for future research in problem definition is to study the impact of media attention after a focusing event that is based on salacious gossip versus a focusing event based on a major disaster. It would be interesting to determine which type of focusing event has more of an impact on media attention.

Four principle lessons were learned from this research that can be utilized for increased understanding of problem definitions. First, shifts in problem definition do occur in response to focusing events. Second, some focusing events result in decreased media attention. Third, focusing events do not result in narrower problem definitions, which was reasonably assumed due to a supposed concentration of perceived problem characteristics. Fourth, the existing typology for focusing events must be expanded to include “new public policy focusing events,” “developing phenomenon focusing events,” and “retrospective impacting focusing events.” Each of these additional focusing event types can be rare, dramatic, and can obtain the attention of the public and policymakers (Birkland, 1997).
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APPENDIX I: COMPLETE LIST OF PERIODICAL ARTICLES CODED AND ANALYZED FROM THE READER’S GUIDE TO PERIODIC LITERATURE

Protection of the Home. (1900, November 1). The Independent (1848), 52, 2647.


Toleration of Vice. (1901, January 3). The Independent (1848), 53, 50.

Social Evil With Reference to New York. (1902, October 5). Municipal Affairs, 6, 141-144.


The White Slave Traffic. (1910, July 16). The Outlook (1893), 95, 545-546.


Jane Addams’ Call To A New Crusade. (1911, December). Current Literature, 51, 656-658.


Changed Problem and the Committee of 14. (1912, June 8). The Survey (1909), 28, 412-413.

Fighting Vice Segregation in Chicago. (1912, November 9). Literary Digest, 45, 848.


The Social Evil. (1912, June 1). The Outlook (1893), 101, 245-248.


No Dirty Compromise. (1913, May 22). The Independent (1848), 74, 1117.

Pittsburgh's Housecleaning. (1913, December 20). Literary Digest, 47, 1232.


Sex O'clock In America. (1913, August). Current Opinion, 55, 113-114.

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United Against Social Vice. (1913, March 20). The Independent (1848), 74, 609-610.

Vice Fought By the Golden Rule. (1913, February 1). Literary Digest, 46, 234.


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Honolulu's Complicated Vice Problem. (1914, September 26). The Survey (1909), 32, 627.


Wisconsin's Last Segregated District Closed. (1914, December 26). *The Survey (1909)*, 33, 328.

Warnings To Girls From San Francisco. (1915, April 10). *The Survey (1909)*, 34, 39.


Farewell to the Committee of Fourteen. (1932, December 17). *Literary Digest*, 114, 15.


Utah Polygamy Trials. (1944, April 3). *Life, 16*, 38-39

Bother Over Brothels. (1948, August 30). *Newsweek, 32*, 19.


Fun City. (1967, July 3). *Newsweek, 70*, 74.


Bullard, W. N. (1910). State Care of High-Grade Imbecile Girls. Conference of Charities


Figure I.

Media Coverage of Polygamy
Number of periodical articles per five-year period

- 1890: Mormon Manifesto Renouncing Polygamy
- 1980-95: 1896-00
- 1901-05
- 1906-10
- 1911-1915
- 1916-20
- 1921-25
- 1926-30
- 1931-35
- 1936-40
- 1941-45
- 1946-50
- 1951-55
- 1956-60
- 1961-65
- 1966-70
- 1971-75
- 1976-80
- 1981-85
- 1986-90
- 1991-95
- 1996-00
- 2001-05

- 2003: Elizabeth Smart Found
- 1953: Short Creek Raid
- 1998: Kingston Clan Abuse Case
- 1996: Gay Marriage Debate
- 1977: Polygamist Leader Murdered

- Social- Impacting Social Order
- Social-Harms Individuals
- Economic- Draining State Resources
- Non Problem
Figure II.

Media Coverage of Prostitution
Number of periodical articles per five-year period

- 1902: White Slave Trade
- 1916: U.S. Enters WWI
- 1941: U.S. Enters WWII
- 1953: Minot Jelke III Trial
- 1971: Nevada Legalizes Prostitution
- 1980’s AIDS
- 1993: Heidi Fleiss Arrest

Legend:
■ Social- Impacting Social Order
▲ Social- Harms Individuals
∩ Non Problem