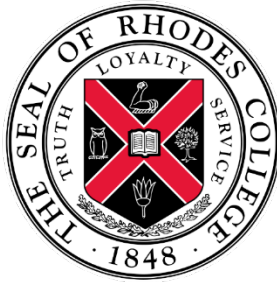


# RHR

## Rhodes Historical Review

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**Treaties, Water, and the Navajo Today: A Reverberation of  
the Past**

*Esmé Benjamin*

**“Finally, I Gave In. I Went Home”: Shifting Marriage  
Dynamics in Film Adaptations of James M. Cain’s Fiction**

*Sam Frank*

***Harris v. McRae*’s Fatal Impact on Abortion Access**

*Callie Hollis*

**All Aboard the Mothership: George Clinton’s Vision of  
Freedom and Black Power in Outer Space**

*Camille Carleton*

*Edited by Lindie Harper and Gwen Williams*

***Published annually by the Alpha Epsilon Delta Chapter of Phi Alpha  
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*The Rhodes Historical Review* showcases outstanding undergraduate history research taking place at Rhodes College in Memphis, Tennessee. Phi Alpha Theta (The National History Honor Society) and the Department of History at Rhodes College publish *The Rhodes Historical Review* annually. The *Rhodes Historical Review* is produced entirely by a two-member student editorial board and can be found in the Ned R. McWherter Library at the University of Memphis, the Benjamin L. Hooks Central Public Library of Memphis, and the Paul J. Barret Jr. Library at Rhodes College.

Submission Policy: In the fall, the editors begin soliciting submissions for essays 3,000-6,000 words in length. Editors welcome essays from any department and from any year in which the author is enrolled; however, essays must retain a historical focus and must be written by a student currently enrolled at Rhodes College. Submissions are reviewed in December, with a premiere date set in April.



THE RHODES HISTORICAL REVIEW

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## Introduction

This year's edition of the *Rhodes Historical Review* covers a wide range of topics anchored in American history, representing the wide range of interests of our student-authors. We begin with Esmé Benjamin's essay, "Treaties, Water, and the Navajo Today: A Reverberation of the Past," which traces some of the legal history of the treaty relationship between the U.S. government and several indigenous nations, particularly exploring the impact of these agreements on modern Navajo access to water. Next, "'Finally, I Gave In. I Went Home': Shifting Marriage Dynamics in Film Adaptations of James M. Cain's Fiction" by Sam Frank takes us into early 20<sup>th</sup>-century American society, combining historical and film analysis techniques to explore shifting views of marriage in Great Depression America, using close readings of popular media to dig into that society's gender conflicts. Moving later in the century, Callie Hollis's essay, "*Harris v. McRae*'s Fatal Impact on Abortion Access," explains how a 1980's Supreme Court case made it harder to access legal and safe abortions, and how the ruling in *Harris v. McRae* still contributes to conversations about reproductive rights today. Finally, "All Aboard the Mothership: George Clinton's Vision of Freedom and Black Power in Outer Space" by Camille Carleton takes us into the visions of the future elaborated by the funk movement, exploring Black art, identity, and escapism by analyzing George Clinton's 1975 funk album *Mothership Connection*. The goal of this journal is to highlight exceptional undergraduate history research grounded in both primary and secondary sources, while shedding light on the many approaches to rigorous historical analysis. The essays within vary significantly; however, they all demonstrate a significant commitment to furthering historical research and interpretation. We are fortunate to work with a team of such talented student-authors and are very proud of the work they have accomplished.

## Acknowledgments

We would like to give our most sincere gratitude to everyone that helped in the editorial and publishing process of this year's edition of the Rhodes Historical Review. Without them, the Rhodes Historical Review would not be the exceptional publication that it is. First, an extra special thank you to Professor Sarah Ifft Decker, who served as the Chapter Advisor of Phi Alpha Theta, faculty advisor for the RHR, and as a faculty advisor for one of the essays in the editorial process. Her help and support have been invaluable throughout this process. We would also like to extend our thanks to the three other faculty advisors who assisted in the editorial process: Professor Tait Keller, Professor Amanda Savage, and Professor Charles Hughes. Thank you to all the professors who nominated essays this year, but especially to those who nominated the essays selected for publication: Professor Tait Keller, Professor Robert Saxe, and Professor Jeffrey Jackson. We are grateful to the entire staff and faculty of the Rhodes Department of History for their support, especially the chair of the Department, Professor Keller, and the Department's Administrative Assistant, Laura Jacobsen. We would also like to thank everyone outside of the History Department who helped with the RHR, including Professor Brian Larkins, Nancy Mencke, and Charlie Kenny. Finally, we sincerely thank the Lainoff Fellowship Grant that facilitated our editorial work and helped make the Rhodes Historical Review possible.

# Treaties, Water, and the Navajo Today: A Reverberation of the Past

*Esmé Benjamin*

“As long as the sun still shines upon this earth, that is how long our agreement shall stand”<sup>1</sup>  
-Iroquois Confederacy

“They made us many promises, more than I can remember. But they kept one. They promised to take our land and they took it”<sup>2</sup>  
-Red Cloud

The relationship between the United States and the American Indian nations has profoundly shaped our country and the American West in ways that continue to exert an influence today. Contrary to the widely held myths of America’s origin and evolution like manifest destiny and individual yeoman farmers, much of this country was taken from the American Indian in systematic policy by way of treaties and coercion.<sup>3</sup> The laws, court cases, politics, and policies that arose around these treaties remain

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<sup>1</sup> “Nation to Nation: Treaties between the United States and American Indian Nations,” National Museum of the American Indian, accessed December 4, 2023, <https://americanindian.si.edu/explore/exhibitions/item?id=934>.

<sup>2</sup> National Museum of the American Indian, “Nation to Nation.”

<sup>3</sup> Roxanne Dunbar-Ortiz, *An Indigenous Peoples’ History of the United States* (Boston, MA: Beacon, 2014), 2.



deeply relevant. This is particularly true on the issue of water in the American West. In this issue, echoes of the past treatment of the American Indians' rights, resources, property, and the ability to live according to native tradition and retain their unique culture are seen today. The recent United States Supreme Court Case of *Arizona v Navajo Nation*, 143 S. Ct. 1804 (2023), illustrates the relevance of early treaties and how the treatment of the American Indian has not changed in over 250 years of American history with the nation's desire to possess all that is valuable and held by the Indians.

The case of *Arizona v Navajo Nation* lies at the nexus of the history of Indian treaties, the history of Western water law, and the settlement of this country. All three of these subjects are factually complex and laced with myth that obscures the facts. They are also closely intertwined, forming a tight and complicated braid of history that must be explored in depth and together to understand the issues facing the country, the Indian community and the courts today.

Treaties with Native Americans in the United States, contrary to some popular belief, were not gratuitous but rather were necessary vehicles for the country to acquire title to land.<sup>4</sup> These documents were essential to the expansion of the United States. They were (and are) nation to nation agreements that the Federal government of the United States reserved solely for itself.<sup>5</sup> Article 6 of the United States Constitution provides: “This Constitution, and the Laws of the United States, which shall be made in the Pursuance thereof; and all Treaties made or which shall be made, under the Authority of the United States, shall be the supreme law of the Land.”<sup>6</sup> The almost 400 treaties negotiated between the United States and the Indians were wide ranging diplomatic documents that involved “peace accords, military alliances, trade compacts...and land cessions.”<sup>7</sup> The United States

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<sup>4</sup> Martin Case, *The Relentless Business of Treaties: How Indigenous Land Became U.S. Property* (St Paul , MN: Minnesota Historical Society Press, 2018), 5; Suzen Shown Harjo, *Nation to Nation: Treaties Between the United States and American Indian Nations* (Washington, D.C.: Smithsonian Books , 2014), 15-16.

<sup>5</sup> Martin, *The Relentless Business of Treaties*, 4.

<sup>6</sup> U.S. Constitution, art. VI.

<sup>7</sup> Martin, *The Relentless Business of Treaties*, 4.

made treaties of its own accord and, also, when acquiring land from other nations such as Spain, Great Britain, France, and the Republic of Texas, became bound by those other nations' treaties as terms of acquisition.<sup>8</sup> For instance, the Louisiana Purchase required the United States to honor all of Spain's treaties with the indigenous American Indians.<sup>9</sup> The native American people had, and still assert, national sovereignty.<sup>10</sup>

Complicating the treaties and the parties' understanding of the agreements are two fundamentally different views of the natural world. While hundreds of distinct tribal nations exist with varying beliefs, for Native Americans like the Dakota and Ojibwe societies, their relationship with the natural world is based on kinship.<sup>11</sup> Kinship with the land is a system where “the organizing principle will be reflected in a family structure where rivers are relatives and shape the political structures, cultural infrastructures,

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<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> Harjo, *Nation to Nation*, 34.

<sup>11</sup> Martin, *The Relentless Business of Treaties*, 6.

commerce, and international diplomacy of those societies.”<sup>12</sup> Kinship also establishes codes of moral behavior towards the land.<sup>13</sup> The Americans of European descent approach to the natural world adopted the relatively new ideas of the philosopher John Locke.<sup>14</sup> Locke believed “that private land ownership was a natural right” equating property rights with individual liberty.<sup>15</sup> Lock stated, “God, who hath also given them reason, to make use of it to the best advantage of life, and convenience. The earth, and all that is therein, is given to men.”<sup>16</sup> Locke's philosophy combined with the Biblical directive to “fill the earth and subdue it,” was the organizing principle of the European Americans.<sup>17</sup> These two views are not easily reconciled and, in fact, when treaties transferred land from Native Americans to European Americans, in effect the country’s relationship to the natural world was

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<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid*, 112.

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid*, 7.

transformed from one of kinship to that of private property and all of its implications.

The advent of treaties with Indians in the United States starts with European powers intent on claiming North American land. Jockeying with one another, they used Indian alliances to both aid in gathering resources and in fending off other European nations' claims.<sup>18</sup> The earliest treaties acknowledged that the Indians, with their greater numbers, had the military might to assert physical control of the land.<sup>19</sup> Initially the English colonies were allowed to construct their own deals with the Indian tribes.<sup>20</sup> However, recognizing the colonists' aggressive land grabs were eroding England's position in the New World, King George III stripped the local governments of all power with regards to the various tribes.<sup>21</sup> The Proclamation of 1763 reserved treaty rights for the Crown and essentially drew a line down the middle of the

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<sup>18</sup> Lloyd Burton, *American Indian Water Rights and the Limits of Law* (Lawrence, Kansas: University Press of Kansas, 1991), 10.

<sup>19</sup> Harjo, *Nation to Nation*, 12.

<sup>20</sup> Burton, *American Indian Water Rights*, 11.

<sup>21</sup> *Ibid*, 11.

Appalachian Mountains declaring the Eastern side for England and the American settlers and the Western side for the Indians.<sup>22</sup> The Proclamation of 1763 had three effects: it created “Indian Country,” it infuriated the colonists who were denied lands they felt were in their right, and it set up a contentious struggle between central versus local control over Indian related issues that is still debated, contested, and litigated today.<sup>23</sup>

When the United States won the American Revolution, the newly formed nation faced two problems. The first was averting costly new Indian wars that it could not undertake for reasons of finance and manpower.<sup>24</sup> The Constitutional Convention addressed this concern by building Indian policy into the Constitution in three ways: treaties were made the supreme law of the land that preempted state law, leaving the federal government in control rather than the states, the president was tasked with negotiating such treaties with approval of congress, and finally Congress was

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<sup>22</sup> Harjo, *Nation to Nation*, 12.

<sup>23</sup> Burton, *American Indian Water Rights*, 11.

<sup>24</sup> *Ibid*, 13.

given authority to control commerce with foreign nations including the Indian tribes.<sup>25</sup> The second problem was a shortage of funds. These two issues became paramount in the way that Indian policy was conducted in the nineteenth century.

During the American Revolution, the Continental Congress had recognized the importance of containing and restraining the white population from encroaching on Indian land in order to secure their aid if not prevent open hostility.<sup>26</sup> However, after the Revolutionary War, these policies of non-encroachment were mostly ignored.<sup>27</sup> Some states such as Georgia, desiring the “civilized tribes” rich and fertile land, demanded that the Federal government remove all Indians from its land as a condition for ratifying the Constitution.<sup>28</sup> The demand for Indian land by settlers only intensified as time moved forward with little incentive to stop it.

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<sup>25</sup> *Ibid*, 12.

<sup>26</sup> *Ibid*, 11.

<sup>27</sup> *Ibid*.

<sup>28</sup> Harjo, *Nation to Nation*, 73.

The myth of the American pioneer as a rugged individualist braving a long journey from Europe and through his or her hard work and perseverance creating America and replacing the less worthy native peoples is demonstrably false. From the earliest days of treaties and land apportionment, a small number of people in power were eager to acquire as much land as possible either for themselves or to sell to others for profit and used their political and familial connections to do so.<sup>29</sup> In the 1740's, families like the Lees, Washingtons, Jeffersons, and others received thousands of acres west of the Appalachian Mountains from the Virginia government.<sup>30</sup> While the occupants were the indigenous people, the dominion of the land was owned by the Europeans.<sup>31</sup> Ignoring the Proclamation of 1793, George Washington instructed his land agent to disregard the proclamation and buy as much land as possible stating, “[a]ny person therefore who neglects the present opportunity of hunting out good Lands and in some measure

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<sup>29</sup> Martin, *The Relentless Business of Treaties*, 10.

<sup>30</sup> *Ibid*, 14.

<sup>31</sup> *Ibid*.



marking and distinguishing them for their own...will never regain it. If therefore you will be at the trouble of seeking out the Lands I will take upon me the part of securing them...By this time it may be easy for you to discover, that my Plan is to secure a good deal of Land.”<sup>32</sup>

After the Revolutionary War, the new government had no money and no authority to raise money but what it did have was access to land and the power to make treaties.<sup>33</sup> If the native people would sell their land to the government, the government could then sell the land to private interests, combining both occupancy and dominion to perfect title on the land. Powerful interests set about creating scenarios where land could be bought and sold by the government and great profit made. In 1784, two weeks after the British signed the Treaty of Paris, the Land Ordinance of 1784 was passed by Congress.<sup>34</sup> Thomas Jefferson wrote the ordinance that divided the 170 million acres of the

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<sup>32</sup> *Ibid*, 15.

<sup>33</sup> *Ibid*, 14.

<sup>34</sup> *Ibid*, 15.

territory north of the Ohio River into square lots to be sold once native title could be extinguished.<sup>35</sup> Efforts were made to obtain title from the Indians by treaty and by force with militias.<sup>36</sup> A governor whose job it was to extinguish native title was appointed.<sup>37</sup> Where the Indians resisted, the United States showed that they were willing to use military coercion to obtain indigenous land.<sup>38</sup>

This property system was codified by the United States Supreme Court in 1823 when Justice John Marshall penned *Johnson v M'Intosh*, 21 U.S. 543 (1823), which set forth what came to be known as the Doctrine of Discovery.<sup>39</sup> Not only did the Doctrine of Discovery give the United States/Indian treaties a role in creating titles by which to own land, but it also guaranteed the only buyer to be the United States. Marshall asserted that land titles consisted of the two rights of dominion and occupancy.

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<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid*, 17.

<sup>37</sup> *Ibid*, 18.

<sup>38</sup> *Ibid*, 21.

<sup>39</sup> *Ibid*, 7.

Dominion was the right to govern and occupancy was the right to live in that place. Dominion was established when a location was “discovered” by a colonial power.<sup>40</sup> This Eurocentric logic allowed that the native Americans held occupancy rights but asserted that they could never have dominion over the land because the native Americans were already there when Europeans “discovered” the land.<sup>41</sup>

Another pair of important cases was also decided by Justice Marshall. In *Cherokee Nation v Georgia*, 30 U.S. 1 (1831), the tribe, seeking to stop Georgia’s attempts at subjugation, argued that it was a sovereign nation and did not have to yield to state regulation. The Court rejected the Cherokee argument and ruled that Indian tribes were “domestic dependent nations” and they were a “ward to his guardian [the United States].”<sup>42</sup> Like in *M’Intosh*, the tribes were under the control of the Federal Government. Another case, *Worcester v Georgia*, 31 U.S. 515

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<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

<sup>42</sup> *Worcester v Georgia*, 31 U.S. 515 (1832).

(1832), ruled that the Cherokee Nation was in fact a federal protectorate upon which the laws of Georgia did not apply.<sup>43</sup> On one hand, the court rebuffed the states effort to claim jurisdiction but, on the other, Indian tribes had been rendered wards of the federal government without title to their lands which the court claimed the U.S. would hold in trust for them.<sup>44</sup> Thus, the Indian tribes were now placed in an “ambiguous and ill-defined” state where the Constitution considered them sovereign nations but the “political and military realities of the early 1800’s no longer reflected that perspective.”<sup>45</sup>

Andrew Jackson was able to pass the Indian Removal Act of 1830 which made Indian removal official federal policy and was eventually able to remove the native people from the fertile land of Georgia, Alabama, Mississippi, and the Carolinas to land west of the Mississippi.<sup>46</sup> However vast this taking of Indian land was, it was not enough. With the end of the Civil War and the discovery

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<sup>43</sup> *Worcester*, 31 U.S. 515.

<sup>44</sup> Burton, *American Indian Water Rights*, 15.

<sup>45</sup> *Ibid.*

<sup>46</sup> Burton, *American Indian Water Rights*, 13-14.

of natural resources in the West, the demand for land that was either the natural homeland or land given in exchange for land east of the Mississippi began.<sup>47</sup> The Homestead Act of 1862 hastened the movement of people from East to West, breaking multiple treaties with their passage.<sup>48</sup>

With this movement began an era of regional consolidation through treaties like the Yankton treaty and others.<sup>49</sup> This era was about creating territories and states. The main vehicle for this was the compression of the Indian people onto a reservation.<sup>50</sup> For tribes that were amenable or unable to resist with military force, they were forced into smaller and smaller areas.<sup>51</sup> For those that did resist, provocation drew responses that were met with the U. S. Cavalry.<sup>52</sup> “Peace treaties” would then be enacted with the effect of the tribes being forced onto ever smaller reservations.<sup>53</sup>

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<sup>47</sup> *Ibid*, 16.

<sup>48</sup> Dunbar-Ortiz, *An Indigenous Peoples' History*, 140-41.

<sup>49</sup> Harjo, *Nation to Nation*, 12.

<sup>50</sup> *Ibid*.

<sup>51</sup> Burton, *American Indian Water Rights*, 16.

<sup>52</sup> *Ibid*.

<sup>53</sup> *Ibid*.

The Navajo people saw both settlers and the U.S.

Government erode and disregard their land rights. The Homestead Act combined with the almost two million acres of Indian land that were granted to the railroads contributed greatly to the influx and intrusion.<sup>54</sup> All of these actions broke multiple treaties between the U.S. Government and the Navajo.<sup>55</sup> The Navajo, seeing the disregard towards their claims and way of life did not go quietly. They did what they could to resist.<sup>56</sup>

During the Civil War and soon after, men like Colonel James Carleton “massacred...unarmed [Indians] with impunity.”<sup>57</sup> He enlisted the “ubiquitous Indian Killer” Kit Carson to join him in attacking the Navajo people.<sup>58</sup> The actions were driven by reports of “valuable minerals” and clearing the way for rail expansion to California.<sup>59</sup> These men were answerable to no one

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<sup>54</sup> Dunbar-Ortiz, *An Indigenous Peoples' History*, 140.

<sup>55</sup> Dunbar-Ortiz, *An Indigenous Peoples' History*, 140; Harjo, *Nation to Nation*, 120.

<sup>56</sup> *Nation to Nation*, 120.

<sup>57</sup> Dunbar-Ortiz, *An Indigenous Peoples' History*, 138.

<sup>58</sup> *Ibid*, 138.

<sup>59</sup> *Nation to Nation*, 120.

and had total authority to conduct what could be easily be called genocide against the Navajo people.<sup>60</sup> The U.S. policy was one of “annihilation unto total surrender.”<sup>61</sup> This campaign ended with the forced march of Navajo to the area known as Bosque Redondo in the New Mexican desert.<sup>62</sup> While in the Bosque Redondo, over one-quarter of the Navajo died of starvation.<sup>63</sup>

The Navajo and other tribes’ rigorous resistance to white encroachment was met with non-military methods as well.<sup>64</sup> With the escalation of hostility, Congress passed “retributive Indian policies,” allowing for further land and resources for development and profit.<sup>65</sup> Congress later went a step further and declared in 1871 that “no Indian tribe would be recognized by Congress as a nation capable of making treaties.”<sup>66</sup> This did not have any effect on existing treaties. To further complicate matters and create more

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<sup>60</sup> Dunbar-Ortiz, *An Indigenous Peoples’ History*, 138.

<sup>61</sup> *Ibid*, 150.

<sup>62</sup> *Ibid*, 138.

<sup>63</sup> *Ibid*, 139.

<sup>64</sup> *Ibid*, 150-51.

<sup>65</sup> Burton, *American Indian Water Rights*, 17; Dunbar-Ortiz, *An Indigenous Peoples’ History*, 151.

<sup>66</sup> Burton, *American Indian Water Rights*, 17.

pressure on the Indians, Western states' rights advocates were able to achieve the sale of resource laden federal land and allow state driven systems of water allocation, including that on Indian land.<sup>67</sup>

Congress passed the Dawes Act in 1871 with the intent to break up the Indian tribes.<sup>68</sup> This act took reservations and divided them into 160-acre parcels, placed an Indian on a plot and sold off the excess parcels.<sup>69</sup> This act was an effort to dispossess the Indians of the reservation land that was held in common. By placing title with an individual, the title could be transferred and the assimilation of the Indian people could be more complete. This act was a final step in ending the Indians' hold over the best arable land in the West.<sup>70</sup> Of the 156 million acres held by Indian tribes, only 65 million remained in Indian hands when the allotment

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<sup>67</sup> David E. Wilkins and Heidi Kiiwetinepinesiik Stark, *American Indian Politics and the American Political System* (New York, NY: Rowman & Littlefield, 2010), 152, 154-56.

<sup>68</sup> Burton, *American Indian Water Rights*, 18.

<sup>69</sup> Harjo, *Nation to Nation*, 13.

<sup>70</sup> Burton, *American Indian Water Rights*, 18.



policy was overturned roughly 50 years later.<sup>71</sup> 20 million of those acres were unirrigated desert.<sup>72</sup>

These and many other policies had disastrous effects on the Indian people but they also had disastrous consequences for the West in general, setting up the genesis of Western water issues that confound today. With the arrival of Eastern settlers with the Homestead Act, a new reality was created whereby there was not enough water to support the population. The Western areas of the United States are largely arid and unsuitable for agriculture.<sup>73</sup> The cultivable topography of the West involves snow “islands” that either surround mountains and lie at between 6,000 and 10,000 feet above sea level or abut the few streams and rivers that are fed by snow packs.<sup>74</sup> The original native inhabitants who lived in these regions understood the nature of water scarcity and practiced nomadic lifestyles, following seasonal flows from place to place.<sup>75</sup>

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<sup>71</sup> *Ibid.*

<sup>72</sup> *Ibid.*

<sup>73</sup> Marc Reisner and Lawrie Mott, *Cadillac Desert: The American West and Its Disappearing Water* (New York, NY: Penguin Books, 2017), 43.

<sup>74</sup> Carrier, Scott. “Dry Run.” *Mother Jones*, 2023.

<sup>75</sup> *Ibid.*, 43.

The earliest white settlers in the regions were the Mormons in what is now Utah.<sup>76</sup> These people practiced small scale irrigation and cultivation surrounding these snow islands.<sup>77</sup> The situation of water scarcity was clear to explorers like John Wesley Powell who advocated for small scale settlements that echoed the Mormon model.<sup>78</sup> He understood that large scale communities were not possible with the resources at hand. Powell also advocated for a different way to assign water rights.

Water in the United States before Western settlement was controlled by laws derived from British common law. Known as riparian law, these water laws attached the right to water to land that either contains or abuts the stream or river.<sup>79</sup> The owner of the land had the right to take water for reasonable use but could not take or impede the flow so as to harm his neighbor downstream.<sup>80</sup>

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<sup>76</sup> *Ibid*, 2.

<sup>77</sup> Carrier, “Dry Run.”

<sup>78</sup> *Ibid*.

<sup>79</sup> John Shurts, *Indian Reserved Water Rights: The Winters Doctrine in Its Social and Legal Context, 1880s-1930s* (Norman, OK: University of Oklahoma Press, 2003), 37.

<sup>80</sup> Carrier, “Dry Run.”

The amount taken was not quantified nor did it have any requirements to maintain the right of usage.<sup>81</sup> Recognizing that the riparian model was not practicable where irrigation was required, the new model sought to sever the right to water from the land. This Western model is known as the doctrine of prior appropriation.<sup>82</sup> This doctrine was a first come, first serve system where the right to water was based on chronological order of use that vested on the building of a canal to serve a “beneficial purpose” that assigned a specific amount of water which would be forfeited if not used.<sup>83</sup> In times of water crisis, water would be apportioned based on the chronology of claims with those with the earliest claims having priority.<sup>84</sup> The adoption of this system of water appropriation is linked to “modern, intensive, capitalistic...exploitation of modern resources” like mining and

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<sup>81</sup> *Ibid.*

<sup>82</sup> Carrier, “Dry Run.”

<sup>83</sup> Shurts, *Indian Reserved Water Rights*, 37.

<sup>84</sup> *Ibid.*

irrigated farming on federal lands more than any other cause.<sup>85</sup> All Western states adhere to the doctrine of prior appropriation.<sup>86</sup>

It is into this framework that the American Indians must contend for water. A seminal case called *Winters v United States* (1908) involved Indian water rights and the Blackfeet tribe.<sup>87</sup> The Blackfeet Reservation originally had 17.5 million acres and was later drastically reduced in size to accommodate white settlers, with only 600,000 acres then remaining and supposedly in return for farming supplies.<sup>88</sup> In 1906, the reservation faced severe water shortages after white ranchers diverted upstream water. For a number of reasons, the United States attorney brought a vigorous suit to defend the Indian water rights.<sup>89</sup>

In *Winters v United States*, the United States Supreme Court upheld both the lower and appellate courts' rulings stating that in keeping with prior appropriation law, the date that a

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<sup>85</sup> *Ibid*, 39.

<sup>86</sup> Carrier, "Dry Run."

<sup>87</sup> *Winters v United States*, 207 U.S. 564, 28 S.Ct. 207 (1908).

<sup>88</sup> *Ibid*, 19.

<sup>89</sup> Shurts, *Indian Reserved Water Rights*, 35-36.

reservation or treaty was established was the date by which water rights were granted but the right was not extinguishable through non-use and the right did not need to be quantified, and all resources rights not specifically given up remained.<sup>90</sup> There were earlier decisions that supported this ruling. In the previously mentioned 1832 case *Worcester v Georgia*, the concurring opinion had expressed the rule of federal treaty interpretation to be that, owing to weaker bargaining position, any ambiguity in the treaty was to be decided in the favor of the native American position stating, “the language used in treaties with the Indians should never be construed to their prejudice. If words be made use of which are susceptible of more extended meaning than their plain import, as connected with the tenor of the treaty, they should be considered as used only in the latter sense...How the words of the treaty were understood by this unlettered people, rather than their critical meaning, should form the rule of construction.”<sup>91</sup> *Skeem v United States* (1921) went on to state in 1921 that *Winters* could be

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<sup>90</sup> *Winters*, 28 S.Ct. at 211.

<sup>91</sup> *Winters*, 207 U.S. 564, 211; *Worcester*, 31 U.S. at 515.

applied to all the lands held by a tribe, not just those that were currently under cultivation.<sup>92</sup> *Winters* remains a bulwark for Indian water rights today. However, it did not stem the tide of encroachment on native lands as it became apparent that the federal government would be required to develop the dry regions of the West as the scope of water projects ballooned.<sup>93</sup>

In 1902, the Reclamation Act gave the Interior Department the authority to build substantial irrigation projects in the Western states.<sup>94</sup> This began an era of massive dam building and irrigation projects. Federally funded, these projects never paid for themselves, amounting to water giveaways to farmers who expanded onto ever larger areas, irrigating more arid land that as not suitable in its natural state for farming.<sup>95</sup> Marred by greed, corruption, and driven by politics and money, the water projects in the American West have been, “the first and most durable example

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<sup>92</sup> *Skeem v United States*, 273 F. 93 (1921).

<sup>93</sup> Reisner and Mott, *Cadillac Desert*, 108.

<sup>94</sup> *Ibid*, 111.

<sup>95</sup> Carrier, “Dry Run.”; Reisner and Mott, *Cadillac Desert*, 114.

of the modern welfare state.”<sup>96</sup> Water projects were especially present in the Colorado River Basin.<sup>97</sup>

In 1922, the seven Colorado River Basin states negotiated a compact to divide the water among themselves.<sup>98</sup> Importantly, none of the Indian tribes that resided (and still reside) in the Colorado River basin were invited to participate nor were they represented by the Bureau of Indian Affairs, their governmental representative.<sup>99</sup> This omission is remarkable because, taken together, the tribes’ claims as a whole under the doctrine of prior appropriation would have represented the largest claim on the basin’s water.<sup>100</sup> The Navajo reservation in Arizona alone was entitled to one-fifth of the state’s water.<sup>101</sup> The only acknowledgment of their claims was in a single, somewhat meaningless sentence with the comment that nothing in the compact should be construed as affecting the federal obligation to

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<sup>96</sup> Reisner and Mott, *Cadillac Desert*, 111.

<sup>97</sup> Burton, *American Indian Water Rights*, 23.

<sup>98</sup> Reisner and Mott, *Cadillac Desert*, 120.

<sup>99</sup> Burton, *American Indian Water Rights*, 23.

<sup>100</sup> *Ibid*, 24.

<sup>101</sup> Reisner and Mott, *Cadillac Desert*, 262.

tribal water rights.<sup>102</sup> A correct assessment was that “Indians were a forgotten people in the Colorado Basin, as well as in the country at large; and their water needs, when not ignored, were considered negligible.”<sup>103</sup>

With the West’s growth came an expansion of political power in Congress and the House of Representatives and growing influence of Western industry in politics.<sup>104</sup> However, Indians had accumulated very little wealth and were “a politically castrated and administered people.”<sup>105</sup> Indians were not formally granted citizenship until 1924, and even after that, Western states continued to limit the ability of Indians to vote.<sup>106</sup> The effort to suppress the Indian vote was explicitly used to limit their power

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<sup>102</sup> *Ibid.*

<sup>103</sup> Norris Hundley, *Water and the West: The Colorado River Compact and the Politics of Water in the American West* (Berkeley, CA: University of California Press, 2009), 80 quoted in Lloyd Burton, *American Indian Water Rights and the Limits of Law* (Lawrence, Kansas: University Press of Kansas, 1991), 2

<sup>104</sup> Burton, *American Indian Water Rights*, 26; Reisner and Mott, *Cadillac Desert*, 125.

<sup>105</sup> Daniel McCool, Susan M. Olson, and Jennifer L. Robinson, *Native Vote: American Indians, the Voting Rights Act, and the Right to Vote* (Cambridge: Cambridge University Press, 2007), 7.

<sup>106</sup> McCool, Olson, and Robinson, *Native Vote*, 7, 9-10.



and maintain the status quo.<sup>107</sup> The lack of political voice left the Indian people without much recourse in their struggles for water. Thus, while the federal courts handed down decisions that honored the United States' obligations in treaties and other agreements, Congress was simultaneously making policy that would dissolve the Indian tribes and free up their land and resources for private use.<sup>108</sup>

In the world of Indian water rights, three things are for the most part true: (i) the federal courts have generally upheld the Indians' right to water while Congress and sometimes the executive branch have not because the Indians have little formal political power and other interests have a great deal of political power, (ii) when Congress accommodates the states and states' rights the Indians' property and resources shrink, (iii) a "strong parallel" can be drawn between the creation of reservations in the 1800's and the current situation involving Indian water rights and

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<sup>107</sup> *Ibid*, 19.

<sup>108</sup> Burton, *American Indian Water Rights*, 26; Reisner and Mott, *Cadillac Desert*, 29.

their ability to access those resources.<sup>109</sup> The tribes have been pressured to give up their rights to resources to which there have been strong historical protections in return for promises made by Congress and the executive branch that offer much smaller resources than those they are being asked to bargain away.<sup>110</sup>

With the advent of the more conservative United States Supreme Court, the role of the federal judiciary as the honor bound defender of Indian rights is now changing. This is reflected in the recent case of *Arizona v Navajo Nation*. *Arizona v Navajo Nation* is a case that has been over 20 years in the making, the culmination of 50 years of requests for help to the federal government, and is rooted in over 150 years of U.S-Navajo history.

In the case, the Navajo Nation filed suit against the Federal government in 2003 in an attempt to get the government to

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<sup>109</sup> Burton, *American Indian Water Rights*, 33.

<sup>110</sup> Burton, *American Indian Water*, 33; Anna V. Smith, Umar Farooq, and Mark Olalde, “Supreme Court Keeps Navajo Nation Waiting for Water,” ProPublica, June 26, 2023, <https://www.propublica.org/article/supreme-court-navajo-nation-water-rights-scotus#:~:text=In%20a%205%2D4%20decision,and%20access%20its%20water%20rights,2>.

enumerate the tribe's water rights that were guaranteed by the treaty with the United States government in 1868.<sup>111</sup> The tribe had tried pursuing their water rights through political avenues to no avail for decades.<sup>112</sup> Arizona in particular had been extremely hostile to the tribe's claims and used them to extract concessions for industry and the state, not unlike earlier reservation treaties, while failing to address the issue of water.<sup>113</sup> When the Navajos efforts failed to yield results, the tribe sought relief in the courts. Arizona, four other states, over 100 Indian tribes, and various water-intensive industries like mining companies intervened in the case.<sup>114</sup>

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<sup>111</sup> *Arizona*, 143 S.Ct. at 1804.

<sup>112</sup> Smith, Farooq, and Olalde, "Supreme Court Keeps Navajo Nation," 3.

<sup>113</sup> Kaleb Roedel, "A Look at the Water Agreements the Government Is Making with Native American Tribes," NPR, June 13, 2023, <https://www.npr.org/2023/06/13/1182001359/a-look-at-the-water-agreements-the-government-is-making-with-native-american-tribe#:~:text=The%20Federal%20government%20has%20been,to%20give%20up%20a%20lot>; Anna V. Smith, Umar Farooq, and Mark Olalde, "Supreme Court Keeps Navajo Nation Waiting for Water," ProPublica, June 26, 2023, <https://www.propublica.org/article/supreme-court-navajo-nation-water-rights-scotus#:~:text=In%20a%205%2D4%20decision.and%20access%20its%20water%20rights,2>.

<sup>114</sup> *Ibid.*

The 1868 agreement between the United States and the Navajo signed by Lt. Gen. William Tecumseh Sherman, promised the Navajos a “permanent home” and the means to establish an agricultural society.<sup>115</sup> The agreement did not mention water but it is interesting and relevant to note that the Navajo had just returned from a forced internment onto land that was so dry that it could not support life in New Mexico at Bosque Redondo.<sup>116</sup> It is also important to recognize that while the Indians in the southwest United States were historically a hunter-gatherer society, because whites had shrunk their territories, placed them on evermore restricted reservations, and purposely killed their game, they had no choice but to become farmers which required a great deal of water on the land they were given.<sup>117</sup> Many Navajo died because of the condition of the land. For those reasons it would be reasonable to assume that any agreement that was entered into for

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<sup>115</sup> *Arizona*, 143 S.Ct. at 1821.

<sup>116</sup> *Ibid*, 1821.

<sup>117</sup> Reisner and Mott, *Cadillac Desert*, 261.

a permanent homeland would involve water.<sup>118</sup> Currently, the Navajo Nation has 400,000 members but only half of those can live on the reservation due to lack of water.<sup>119</sup> Of those who do live on the reservation, 40 percent of households do not have a reliable water source for such simple tasks as washing their hands and in some areas the number is as high as 91 percent.<sup>120</sup> Additionally, in denying the Navajo their water, the tribe is deprived of not just the opportunity to survive and live on their land but also the ability to achieve economic success in the same way that mining companies, large scale corporate agriculture, and cities and states are allowed to thrive with that same water.

In *Arizona v Navajo Nation*, the Navajo sought to “compel the government to determine the water required to meet the [water] needs of the Tribe in Arizona and to devise a plan to meet those needs.”<sup>121</sup> Justice Kavanaugh delivered the majority opinion.

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<sup>118</sup> Dunbar-Ortiz, *An Indigenous Peoples' History*, 139; *Arizona*, 143 S.Ct. at 1821.

<sup>119</sup> Smith, Farooq, and Olalde, “Supreme Court Keeps Navajo Nation,” 3.

<sup>120</sup> *Arizona*, 143 S.Ct. at 1822; William H. Rodgers, *Environmental Law in Indian Country* (St. Paul, MN: Thomson West, 2005), 3.

<sup>121</sup> *Arizona*, 143 S.Ct. at 1804.

While conceding that the Navajo did have water rights according to the treaty signed in 1868, which implies a right to water that supersedes all other claims under the doctrine of prior appropriation, and even though the reservation abuts the water source as per riparian law, and even though the federal government is the party who must take action to apportion water for the tribe, the court still ruled against the Navajo Nation.<sup>122</sup> In its reasoning, the Court in Justice Kavanaugh’s majority opinion sidestepped the facts and *Winters* to say that the U.S. did not owe an affirmative duty to the Tribe to provide water.<sup>123</sup>

However, this was not the remedy the Navajo sought. In providing his reasoning Kavanaugh stated that “[a]llocating water in the arid regions of the American West is often a zero-sum situation,” acknowledging the competing interests for the water that would be the Navajos.<sup>124</sup>

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<sup>122</sup> *Ibid*, 1808.

<sup>123</sup> *Ibid*, 1812.

<sup>124</sup> *Ibid*, 1814.

In his dissent, Justice Neil Gorsuch breaks from his conservative peers to present a common-sense approach to the case and refutes the majority's logic by stating “[t]oday, the Court rejects a request the Navajo Nation never made.”<sup>125</sup> Gorsuch goes on to state that “everyone agrees that the Navajo received enforceable water rights by treaty. Everyone agrees the extent of those rights has never been assessed...[T]he Navajo want the United States to identify the water rights it holds for them. And if the United States has misappropriated the Navajo’s water rights, the Tribe asks it to formulate a plan to stop doing so.”<sup>126</sup> Gorsuch goes on to cite the history that led to the Treaty of 1868, the expectation of water that would have resulted from the circumstances of the creation of this “permanent home,” and the efforts that the Navajo Nation has taken with both the federal and state government to resolve the issue.<sup>127</sup> Gorsuch even quotes Sherman, the author of the treaty from the treaty record itself, who

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<sup>125</sup> *Ibid.*, 1819.

<sup>126</sup> *Ibid.*

<sup>127</sup> *Ibid.*

assured the Navajo after the New Mexico experience that the new homeland would have “plenty of water.”<sup>128</sup> Given the case law of *Winters*, the doctrine of interpreting any ambiguity in favor of the Indians, the fact that riparian law also applies because the reservations abuts the Colorado River, the right of the Navajo to use that water has never been adjudicated, and that the federal government “holds certain water rights ‘in trust’ for the Navajo,” and that the federal government has awarded water in contract to others elsewhere, Gorsuch finds the majority’s opinion disingenuous.<sup>129</sup> The Justice states that despite being the proper party to help the Tribe, “[t]he United States never asserted any rights on the Navajo’s behalf [and] the Navajo never received an opportunity to assert them for themselves.”<sup>130</sup>

The Arizona case makes clear that the inequities that have been forced upon the Indian people from their earliest agreements with the colonizing United States have continued. The goal post

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<sup>128</sup> *Ibid*, 1821.

<sup>129</sup> *Ibid*, 1822-23.

<sup>130</sup> *Ibid*, 1824.



keeps being moved to deny the Navajo what is legally theirs, similar to “an experience familiar to any American who has spent time at the Department of Motor Vehicles...only to be told (repeatedly) that they have been standing in the wrong line and must try another.”<sup>131</sup>

The shift of the Supreme Court away from the interpretation of past rulings such as that in *Winters* to one that is accommodating of states’ positions on the disposition of Indian natural resources and its unwillingness to meet federal obligations to the tribes, mirrors nineteenth century America where the Indian’s ability to enforce their rights was precluded by the greater might of the United States. For the Navajo people, the ruling in Arizona means that their struggle will continue. Just as they had at Bosque Redondo, the Navajo will have to fight on to achieve the homeland promised them in 1868.

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<sup>131</sup> *Ibid*, 1833.

# “Finally, I Gave In. I Went Home”: Shifting Marriage Dynamics in Film Adaptations of James M. Cain’s Fiction

*Sam Frank*

Dedication: For my grandmother, Vell H. Snyder (1926-2023)

## Introduction

When moviegoers flocked to New York’s Strand Theater for the debut of *Mildred Pierce*, America was in its early postwar period. It was September 28, 1945. Joan Crawford, a Hollywood star whose dedicated fans had filled theaters throughout the 1930s, was making her triumphant return to the big screen after a multi-year hiatus.<sup>132</sup> In the weeks leading up to the film’s opening, Japanese surrender had marked an end to the Second World War. Soldiers were returning home and women were leaving the factories. As audience members found their seats some may have thought of the picture’s inspiration: a James M. Cain novel of the same name. The novel and the film bookend World War II. The

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<sup>132</sup> June Sochen, “Mildred Pierce and Women in Film,” *American Quarterly* 30, no. 1 (1978): 3.

novel hit the shelves in 1941 and the film's first screening took place mere weeks after the declaration of American victory.

The film that debuted that night was a far cry from the original novel. A slow-burn psychological drama became a murder mystery film reminiscent of *Double Indemnity*, another Cain novel adaptation that came out the year before. Rather than a painstakingly detailed account of family life in the Great Depression, *Mildred Pierce* began with murder followed by the protagonist's contemplation of suicide.<sup>133</sup> Plot adjustments did more than heighten the drama, though. The film depicted marriage as an institution which tumultuous years had radically changed. What happened in the four years between the publication of *Mildred Pierce* and the debut of its film adaptation fundamentally altered the course of American marriage for years to come.

While *Mildred Pierce* is one example of Depression-era fiction addressing rapidly changing marriage norms, *The Postman*

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<sup>133</sup> *Mildred Pierce*, directed by Michael Curtiz (1945; Burbank, CA: Warner Brothers).

*Always Rings Twice*, another Cain novel from the period, adds a different dimension to this analysis. Cain published the novel eight years before he published *Mildred Pierce*. The film adaptation of *Postman* hit theaters in 1946, a year after the adaptation of *Mildred Pierce* did. This paper will explore the effects of altered conceptions of marriage on gender relations and power dynamics. Although *Postman* and *Mildred Pierce* both grapple with issues of gender, sexuality, and marriage, the former does so by confronting the immediate aftershocks of the Depression while the latter is more engaged with long-term ramifications. Comparing these two Depression-era Cain novels to their postwar film adaptations evidences the shift in the discourse surrounding American marriage in this period. Novels about disillusionment with the American Dream during the Great Depression became film noir pictures that prioritized popular conceptions of marriage and punished characters who subverted them. These films reflect public attitudes of the historical moments they came out of. At the same time, the popularity of the films presented new master narratives; filmmakers had to adhere to the conservative guidelines

of the Hays Code. Therefore, the films themselves may have reified emerging ideas about marriage.

Evaluating the significance of additions and omissions from the novel to the film requires an interdisciplinary approach; literary theory provides a necessary framework for wading into other disciplines. In his writings on novel to film adaptations, literary scholar Ian Balfour considers these films to be “compelling supplements” to the novel.<sup>134</sup> He argues that successful adaptations convey the general spirit of the original while simultaneously offering a new interpretation of the source material. There is an intertextuality at play that warrants reading these films as comments on the novels that inspired them. Applying Balfour’s framework to the cultural products James M. Cain created or inspired can deepen our understanding of the cultural history of American marriage.

## **The Great Depression and Marriage**

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<sup>134</sup> Ian Balfour, “Adapting to the Image and Resisting It: On Filming Literature and a Possible World for Literary Studies,” *PMLA* 125, no. 4 (2010): 971.

The stock market crash of October 24, 1929, known as “Black Thursday,” had a devastating and near-immediate impact on American marriage. Newspapers across the country reported on businessmen committing suicide and husbands abandoning their families.<sup>135</sup> When this initial shock wore off, a different sort of tragedy began to unfold. Stories of jumping stockbrokers gave way to starving families scrounging for food at garbage dumps.<sup>136</sup> As the country sunk deeper into the Depression, this economic instability put pressure on marriages. Historian Stephanie Coontz found that statistics from the period indicate a lower divorce rate during the Depression, but that this trend is more indicative of financial desperation than stable marriages.<sup>137</sup> In some cases, this drop in divorce meant that couples could simply not support themselves independently; they remained married because the alternative was destitution. In other cases, couples separated but

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<sup>135</sup> Carolyn Johnston, *Sexual Power: Feminism and the Family in America* (Tuscaloosa, AL: University of Alabama Press, 1992), 144-145.

<sup>136</sup> Johnston, *Sexual Power*, 146.

<sup>137</sup> Stephanie Coontz, *Marriage, a History: How Love Conquered Marriage* (New York, NY: Penguin Books, 2006), 218.

lacked the money to legally divorce; five percent of married people in 1930 were separated from their spouse.<sup>138</sup> For the couples who stayed together, harsh economic realities challenged the popular conception of marriage as a union between the male breadwinner and the subservient wife responsible for hearth and home.

These destabilizing events led to a temporary shift in what motivated couples to marry. The economist Matthew J. Hill has studied Great Depression marriage in light of gross domestic product. His findings indicate a positive correlation between GDP and marriage rates.<sup>139</sup> Essentially, better economic conditions meant more people married and vice versa. Hill notes a brief realignment in marriage patterns in the early 1930s. Prior to the crisis, Hill's model shows that the average woman considered a man to be a suitable husband based on 1) his wealth and 2) their compatibility. During the Depression, however, compatibility became more important. Wives who married their husbands based

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<sup>138</sup> Johnston, *Sexual Power*, 151.

<sup>139</sup> Matthew J. Hill, "Love in the Time of the Depression: The Effect of Economic Conditions on Marriage in the Great Depression," *The Journal of Economic History* 75, no. 1 (2015): 163.

on their pre-Depression wealth had little incentive to stay with their husbands once the money dried up.<sup>140</sup> There were certainly exceptions to this trend, but the research shows that the marriage calculus of the 1930s was unique. Economic volatility changed the way that people thought about marriage and altered the dynamics within marriages as well.

In the midst of this financial turmoil, record numbers of married women began working. One reason for the trend was the type of unemployment that the country was experiencing. The Depression wreaked havoc on production jobs that men traditionally held. Women, on the other hand, primarily worked administrative, clerical, and service industry jobs. This work was still necessary during the Depression so unemployment impacted working men more than working women.<sup>141</sup> Many women took advantage of this market and entered the workforce. By the mid-1930s, 15 percent of married women were working, an increase of

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<sup>140</sup> Hill, "Love in the Time of the Depression," 170.

<sup>141</sup> Johnston, *Sexual Power*, 150.



nine percent compared to 1900 levels.<sup>142</sup> Many women took charge in their marriages, becoming primary earners while simultaneously managing the home amidst massive male unemployment. A Depression-era poll from the *Ladies' Home Journal* suggests that increased contribution in marriages led to a desire for greater equality. Seventy-five percent of respondents to the poll expressed a belief that marriages should consist of joint decision making and 60 percent took issue with including the word “obey” in marriage vows.<sup>143</sup> The contributions of working married women in this period were critical to the survival of their husbands and children. A reversal of traditional gender roles emerged as women began taking control of their marriages and their families. As the Depression continued, public opposition to this reversal grew.

This opposition, rooted in widespread feelings of emasculation, presented additional obstacles to the married woman who wanted to work. Sociological research indicates that in some

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<sup>142</sup> Coontz, *Marriage, a History*, 218.

<sup>143</sup> Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York, NY: Basic Books, 2008), 56.

cases, gender role reversal resulted in men feeling insufficient and resenting women. Those sentiments led to an increase of domestic violence and substance abuse. Understandably, women who had to handle domestic responsibilities while simultaneously supporting their families through work came to resent their unemployed husbands as well. Sociologists point to rates of sexual activity to understand the effect, noting that men generally became less sexually active with their wives and had extramarital affairs more often.<sup>144</sup> Insecure men were not the only ones who took issue with married women entering the workforce. In a poll from the period, 80 percent of respondents were opposed to married women working outside of the home.<sup>145</sup> Growing fear over the working married woman compelled the government to react. State legislatures passed laws banning married women from working. New Deal social programs prioritized aid for men and incentivized

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<sup>144</sup> Johnston, *Sexual Power*, 152-153.

<sup>145</sup> May, *Homeward Bound*, 59.

marriage.<sup>146</sup> This was the economic and cultural climate in which James M. Cain wrote *Mildred Pierce*.

### **The Great Depression and James M. Cain's Novels**

In Cain's first novel, *The Postman Always Rings Twice*, marital woes prove deadly. A traditional hardboiled crime novel, *Postman* depicts an unsatisfying marriage that drives immoral protagonists to murder. It is a book concerned with the Depression through and through—Cain wrote the novel after Columbia Studios fired him as a screenwriter in 1933.<sup>147</sup> The story follows Frank Chambers, a drifter trying to get by during the Depression. Cain teases out fragments of Frank's backstory throughout the novel, informing the reader that Frank has had previous run ins with the law resulting in a criminal record.<sup>148</sup> Given that Frank is the novel's first-person and less-than-reliable narrator, it is possible that Frank is one of the men who left their families at the

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<sup>146</sup> Coontz, *Marriage, a History*, 219-220.

<sup>147</sup> Sheri Chinen Biesen, "Raising Cain with the Censors, Again: The Postman Always Rings Twice (1946)," *Literature/Film Quarterly* 28, no. 1 (2000): 42.

<sup>148</sup> Cain, *Cain* x 3, 50.

onset of the Depression. Academics have suggested that the hardboiled fiction of the '30s spoke to an ethos of machismo that appealed to an unemployed male readership that felt emasculated during the Great Depression.<sup>149</sup> This book draws on that ethos and taps into the anxieties of unemployed men.

In *Postman*, the threat to marriage comes from an outside competitor, through a love triangle with Cora Papadakis, Frank's love interest, and Nick Papadakis, Cora's husband. Linguist Jopi Nyman posits that gender and power are deeply intertwined in the novel. Whereas Nick is a friendly man defined by his soft, sweet manner, Cain describes Frank as the ideal man whose muscular physique matches his toughened demeanor.<sup>150</sup> In the book, the threat to Nick and his marriage does not come from his wife but rather from this hypermasculine rival who cuckolds him in the first ten pages of the book. The novel's plot represents changing marriage dynamics in the period; having middle-class money was

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<sup>149</sup> Johnston, *Sexual Power*, 157.

<sup>150</sup> Nyman, "Body/Language," 71.

no longer enough to keep a marriage intact. Rugged masculinity is also a prerequisite. Some critics, however, have argued that it is in fact Cora who plots her husband's demise. Maysaa Husam Jaber even categorizes her as a femme fatale, a woman who uses sex to manipulate men into doing her criminal bidding.<sup>151</sup> Though this reading certainly holds for the film adaptation to come, the Cora of the novel is far from a femme fatale. She is not a mastermind constantly thinking two steps ahead but rather a victim of Frank's lust-fueled recklessness. Cora is complicit in Frank's reprehensible actions, but Frank is firmly in control of the relationship. He is the one who destroys the marriage.

Frank's arrival is critical to the dissolution of Nick and Cora's relationship. As Frank cons Nick into giving him a free meal, Nick asks him if he wants a job at the diner he runs, an offer Frank does not consider until he meets Nick's wife Cora. He notices her "shape," immediately objectifying and sexualizing

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<sup>151</sup> Maysaa Husam Jaber, *Criminal Femmes Fatales in American Hardboiled Crime Fiction* (Basingstoke, Hampshire: Palgrave Macmillan, 2016), 78.

her.<sup>152</sup> Then, Frank accepts the job for the sole purpose of ogling Cora. As Frank and Cora's relationship develops, Cain provides context for why she married Nick. Her dreams of becoming a movie star fell flat and she ended up resorting to sex work and waitressing at a cheap restaurant. She accepted Nick's proposal as a way out. Cora's dissatisfaction with her marriage is representative of the disillusionment many women experienced in this period. Carolyn Johnston argues that during the Depression, the agreed-upon partnership between the male provider and female homemaker sometimes dissolved when men failed to maintain their end of the deal.<sup>153</sup> Unable to fulfill Cora's needs, sexually or otherwise, Nick failed to keep up his end of the partnership. Frank too is unable to provide but at least offers sexual fulfillment. Fueled by sexual desire, Frank and Cora decide to run away together, signaling the beginning of the end of Nick and Cora's

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<sup>152</sup> Cain, *Cain* x 3, 4.

<sup>153</sup> Johnston, *Sexual Power*, 145.

marriage. When absconding does not pan out, Frank and Cora kill Nick to guarantee a future together.

Nick's murder and the events that follow prove that Frank holds greater power over Cora than she does over him. After getting Nick drunk and driving him to a remote, mountainous location, Cain viscerally describes Frank attacking him with a wrench: "His head cracked, and I felt it crush. He crumpled up and curled on the seat...Then Cora...gave a funny kind of gulp that ended in a moan."<sup>154</sup> Cora is in on the plan, but the gruesome murder disturbs her. They push the car down the ravine then try to make themselves look as if they were all three in an accident. To this end, Frank violently removes Cora's clothing and hits her hard enough in the face to knock her to the ground. Frank remains standing as Cora kneels on the ground, staring up at him. Scholars have remarked on the positioning of this scene, reading it as symbolic of Frank's command over Cora.<sup>155</sup> Cain reinforces this

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<sup>154</sup> Cain, *Cain* x 3, 38.

<sup>155</sup> Nyman, "Body/Language," 72.

lopsided power dynamic as Frank proceeds to initiate consensual rough sex with her. Having eliminated his rival, Frank exerts physical dominance over Cora.

After they manage to avoid convictions for the murder, Frank and Cora slip into an odd existence, living with guilt as they operate the tavern together. They eventually marry on account of Cora's pregnancy. In tandem, the marriage and the pregnancy have a redemptive effect. "It's a new life for us both, Frank," Cora says after their rushed ceremony.<sup>156</sup> Their marriage symbolizes a future of domestic happiness and general optimism. The possibility of a brighter future is quickly dashed when that same day Frank and Cora get into a car accident that kills Cora on impact.<sup>157</sup> In an ironic twist of fate, investigators believe that Frank killed her intentionally and the book ends as Frank prepares for his execution. Cain's portrait of a loving marriage lasts little more than two pages in the entirety of the novel. As he awaits execution,

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<sup>156</sup> Cain, *Cain* x 3, 96.

<sup>157</sup> Cain, *Cain* x 3, 98.



Frank is firmly disillusioned having lost both his object of lust and any possibility of happiness through a meaningful romantic relationship.

In *Mildred Pierce*, James M. Cain employs his signature hardboiled style to depict realistically middle-class people struggling through the Depression. Hardboiled fiction is a genre that places characters in harsh worlds devoid of traditional standards of morality. The word “hardboiled” refers both to its pessimistic worldview and the gritty vernacular its authors employ.<sup>158</sup> *Mildred Pierce*, with its negative outlook on American life and blunt portrayals of everyday people, certainly fits within this category. Cain pushes the limits of the genre by setting his book in middle-class Los Angeles rather than the city’s seedy underbelly where most hardboiled stories occur. The fusion of this style with this setting is itself a comment on Depression-era

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<sup>158</sup> Jopi Nyman, “Body/Language: Gender and Power in Hard-Boiled Fiction,” *Irish Journal of American Studies* 4, (1995): 68.

America as it likens the desperation of that middle-class existence to the criminal underworld.

From *Mildred Pierce*'s opening scene, the reader gets an intimate portrait of a crumbling marriage. Cain begins with descriptions of Mildred and Bert Pierce, a middle-class couple raising their daughters Ray and Veda in Glendale, California. Bert has lost his source of income and Mildred has picked up the slack by baking. She repeatedly criticizes Bert for his uselessness in the face of their family's struggles. As Mildred works to support the family, Bert has an affair. Mildred kicks him out on account of his unemployment and infidelity. "She had little to say about love, fidelity, or morals," Cain writes of Mildred, "She talked about money, and his failure to find work."<sup>159</sup> Her issue with Bert is not his disloyalty as a partner but rather his incompetency as a provider. Bert's unemployment garners resentment as Mildred must earn for the family while maintaining the home. The emotional chasm that develops leads Bert to seek intimacy outside

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<sup>159</sup> Cain, *Cain x 3*, 108.

of the marriage. Their broken marriage is emblematic of many during the Depression: a partnership rooted in financial security that fell apart once the man could no longer provide that security. As the Pierce family enters into more dire financial straits, Mildred's job search represents the obstacles that married women encountered at the time.

With Bert gone, Mildred scrambles to find a way to keep her house and support her children. After the separation, Wally, one of Bert's former business associates, pursues Mildred. Though Mildred is hesitant, her neighbor encourages her to invite him over for dinner as an "investment."<sup>160</sup> She tells Mildred that being with Wally could offer security and even finance her divorce from Bert.<sup>161</sup> As a housewife with no business experience, finding a decent job as a married woman is difficult. Even though research indicates women had better job prospects than men at the time, these were menial jobs with yearly salaries that were roughly half

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<sup>160</sup> Cain, *Cain* x 3, 127.

<sup>161</sup> Cain, *Cain* x 3, 128.

of what men earned.<sup>162</sup> When a marriage to Wally is no longer an option, she looks for work. In a conversation with a job agency representative, Mildred grapples with the hiring discrimination married women encountered in the Depression. The representative informs Mildred that she has no useful skills and that familial obligations make her less hireable. At the end of the conversation, the representative suggests that Mildred find a husband instead. Mildred arrives at a catch-22 as the family she must support makes her less employable. The positions available to her are either service jobs with poor pay or classified ads for “attractive women” that opportunistic men post in the papers.<sup>163</sup> Here, financially beneficial marriage is the only way out. This disheartening reality contextualizes divorce figures from this period. The novel’s plot suggests that a low divorce rate may indicate that women had to remain married or get married to survive.

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<sup>162</sup> Johnston, *Sexual Power*, 150.

<sup>163</sup> Cain, *Cain x 3*, 135-136.

Cain gives the novel an ambiguous ending, presenting a loving marriage as a source of comfort in the face of despair. Mildred eventually divorces Bert and establishes a successful chain of restaurants on her own. As her restaurant empire grows, Mildred has a long-term affair with a wealthy man named Monty. Veda, Mildred's petulant daughter whose behavior borders on evil, takes a liking to Monty. Despite his problematic behavior, Mildred eventually marries him to win Veda's approval. At the novel's conclusion, Mildred divorces Monty and remarries Bert, the only true marriage for love that Cain has described thus far. This marriage only comes after Mildred has lost her business and Veda has betrayed her, eloping with Mildred's now ex-husband Monty. Mildred is devastated by her broken relationship with Veda and the remarriage offers little consolation. The final scene of the book consists of Bert telling Mildred not to think about Veda anymore and the two of them resolving to get drunk together.<sup>164</sup> Although the marriage appears stronger than Mildred's first two marriages

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<sup>164</sup> Cain, *Cain x 3*, 362.

have been, a union strengthened by shared trauma and alcoholic tendencies is hardly a happy ending.

In *Mildred Pierce* and *The Postman Always Rings Twice*, Cain paints grim portraits of marriage in the Great Depression. Critics have pointed to Cora's difficult life and tragic demise as emblematic of the hollowness of the American Dream.<sup>165</sup> This reading applies to *Mildred Pierce* as well. Mildred's inability to simultaneously maintain a loving marriage, a healthy relationship with her daughter, and a successful career suggests that it is impossible for a woman in this time to truly have it all. That reading applies to Cain's Depression-era fiction as a whole. Hardboiled conventions allow Cain to comment on societal decline from the viewpoint of characters who are at best troubled and at worst immoral. Adopting their viewpoints forces readers to consider the limited options of those living through the Depression. The utilitarian function of the marriages in Cain's novels speaks to

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<sup>165</sup> Gabriel Miller, *Screening the Novel: Rediscovered American Fiction in Film* (New York, NY: F. Ungar Publishing, 1980), 49.

the sense of desperation and despair gripping America at the time. Cain's portrayal of marriage as an unhappy union or an empty arrangement emphasizes Depression-era America as a society in decline.

### **World War II and Marriage**

American entry into World War II brought immediate and tangible changes to Depression-era marriage trends. The beginning of the conflict gave rise to a "marriage fever" within the United States, a major reversal from marriage deferral during the Great Depression.<sup>166</sup> In addition to improved economic prospects, government messaging played a role in the zeal to marry. The Office of Facts and Figures, for example, sponsored radio programs that espoused the virtues of the American nuclear family; Americans should fight to protect an idyllic suburban life, a reward for winning the war.<sup>167</sup> Patriotic fervor and profound faith in the government made for potent propaganda. When the nuclear family

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<sup>166</sup> Coontz, *Marriage, a History*, 220.

<sup>167</sup> May, *Homeward Bound*, 60.

became the *raison d'être* for mobilization, on the battlefield and the home front alike, trends suggest that young couples hastily married before male deployment in 1941 and 1942.<sup>168</sup> Once the war was in full swing, marriage rates tapered off. As deployment overseas continued, mobilization required women to take jobs, permanently altering American gender dynamics and marriage by extension.

Wartime labor demands and government incentives led to a massive influx of women into the workforce. The unique circumstances of World War II meant that even married women not only had the opportunity to take traditionally male jobs but were also expected to do so in support of the war effort. By 1942, only 13 percent of survey respondents were opposed to married women working compared to the 80 percent who objected during the Depression.<sup>169</sup> By 1945, 60 percent of women were employed, and 75 percent of those new workers were married women.<sup>170</sup> Of

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<sup>168</sup> “Marriage Rates in the United States, 1900-2018,” Centers for Disease Control and Prevention, accessed October 19, 2023, [https://www.cdc.gov/nchs/data/hestat/marriage\\_rate\\_2018/marriage\\_rate\\_2018.htm#suggested](https://www.cdc.gov/nchs/data/hestat/marriage_rate_2018/marriage_rate_2018.htm#suggested).

<sup>169</sup> May, *Homeward Bound*, 59.

<sup>170</sup> May, *Homeward Bound*, 59.



course, work opportunities did not equate to equity. The historian Carolyn Johnston posits that female employment was palatable because it “reaffirmed the view that male activities were more important than those of females.”<sup>171</sup> While women’s contributions were valuable, government messaging suggested that their primary purpose was to aid the overseas fighters. The end of the war signaled an immediate flip of these employment trends. Men returning home needed jobs and employers were all too willing to fire the women who had answered their patriotic call.

The gains that women procured through employment and independence in wartime engendered reactionary ideology more extreme than what working women encountered during the Great Depression. Some women were happy to cede their jobs to returning veterans but others were not. Female workers, especially those in high-paying jobs, protested mass firings for several years after the war’s end.<sup>172</sup> Eighty-five percent of female respondents to

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<sup>171</sup> Johnston, *Sexual Power*, 191.

<sup>172</sup> Coontz, *Marriage, a History*, 222.

a United Auto Workers poll expressed a desire to keep their jobs after the war ended.<sup>173</sup> This sentiment ran counter to the idealized American nuclear family ideology that grew in popularity during the postwar period. Many returning veterans wanted something reminiscent of pre-Depression family dynamics with male breadwinners and wives responsible for the domestic sphere. Cultural commentators raised fears about women who had occupied masculine spaces during the war. The concern was that these liberated women posed a sexual threat that could tear apart families and contribute to moral decay.<sup>174</sup> Divorce rates from the time added fuel to the fire. Rates of divorce in both 1946 and 1947 were remarkably high compared with previous years.<sup>175</sup>

### **The Postwar Years and Cain-inspired *Noir***

To confine married women back to the home and reestablish men as breadwinners, feature films began vilifying

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<sup>173</sup> Johnston, *Sexual Power*, 191.

<sup>174</sup> May, *Homeward Bound*, 59.

<sup>175</sup> Eliza K. Pavalko and Glen H. Elder, "World War II and Divorce: A Life-Course Perspective," *American Journal of Sociology* 95, no. 5 (1990): 1216.

women who deviated from traditional marriage roles. Analyzing depictions of marriage in postwar film, specifically *film noir*, sheds light on how marriage changed between the Great Depression and the end of World War II. Historians have noted that films from this period represent the dramatic shift in family values following the war.<sup>176</sup> Filmmakers were tasked with simultaneously adhering to industry-standard morality codes and appealing to as wide an audience as possible. Film noir, a category of wartime and postwar film concerned with society's darker elements and moral ambiguity, is an especially rich source for analysis. These films are entrenched in a zeitgeist of postwar pessimism through which filmmakers could question American society and values. Given this background, the conservative messages that the films express about marriage are unexpected and significant. The fact that the messaging of noir films reinforces the status quo on this particular

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<sup>176</sup> Stephanie Coontz, *The Way We Never Were: American Families and the Nostalgia Trap* (New York, NY: Basic Books, 1992), 27.

topic demonstrates how dominant conservative marriage norms were in the immediate postwar period.

As cultural products, noir films represent both a continuance of the hardboiled tradition and Hollywood censorship guidelines. In “Notes on *Film Noir*,” film critic Paul Schrader traces noir’s lineage back to hardboiled fiction writers, James M. Cain among them.<sup>177</sup> Schrader and other commentators have often remarked on the similarities between the hardboiled fiction of the 1930s and the film noir movement in the 1940s. Film noir, however, took on a more conservative tone than the hardboiled fiction which preceded it. When studying the narrative changes between the novels and the films, it is important to consider the impact of the Production Code, the morality guidelines for film in this period.<sup>178</sup> These were stringent guidelines that prohibited everything from portrayals of evil to what constituted appropriate

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<sup>177</sup> Alain Silver and James Ursini, *Film Noir Reader* (New York, NY: Limelight Editions, 2006), 56.

<sup>178</sup> Thomas Patrick Doherty, *Hollywood’s Censor: Joseph I. Breen & the Production Code Administration* (New York, NY: Columbia University Press, 2007), 41.

costumes for dancers. Especially relevant to hardboiled fiction and noir films is the code's provision that "No plot should be so constructed as to leave the question of right or wrong in doubt or fogged."<sup>179</sup> For literature concerned with moral ambiguity to become major motion pictures under this code, plots had to change.

Inconsistencies between Cain's novel *The Postman Always Rings Twice* and its film noir adaptation demonstrate the shift between marriage during the Depression and marriage in the immediate postwar years. The most dramatic change between the novel and film is Cora's status as a femme fatale. Critics identify her character in the film as the paragon of a lethal seductress who uses sex to manipulate men and enlist their help in carrying out evil deeds.<sup>180</sup> Cora commits vile acts in the novel, but Frank is the prime mover. She and Frank build their relationship through sex,

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<sup>179</sup> Thomas Patrick Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934* (New York, NY: Columbia University Press, 1999), 352.

<sup>180</sup> Jack Boozer, "The Lethal Femme Fatale in the Noir Tradition," *Journal of Film and Video* 51, no. ¾ (1999): 21.

but the Cora of the novel does not weaponize it as she does in the film. Cora's first appearance on screen is an iconic shot where the camera moves up her legs to reveal a scantily clad woman doing her makeup.<sup>181</sup> Director Tay Garnett uses this shot to cast Cora as a highly sexual person who uses her charms on the unsuspecting Frank Chambers. This is an about-face from the novel in which Cora seems to be an unassuming woman whom Frank sexualizes. Placing Cora in the femme fatale archetype speaks to the wartime and immediate postwar fears of assertive women who threaten male dominance. In the years following the end of World War II, the femme fatale trope emerged as an amalgamation of fears about independent women who threatened popular conceptions of marriage as a partnership in which the husband had power over the wife.<sup>182</sup> Turning Cora into a femme fatale demonstrates that at the time of the film's production, American men feared women with these attributes. The filmmakers' choice to adjust the plot in this

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<sup>181</sup> *The Postman Always Rings Twice*, directed by Tay Garnett (1946; Burbank, CA: Warner Brothers).

<sup>182</sup> Boozer, "The Lethal Femme Fatale in the Noir Tradition," 20.

way suggests that the greatest threat to married men was no longer an outside competitor but rather their wives who refused to let go of the power they gained in wartime.

This shift is evident in how Cora plans Nick's murder. In the book, Cora is the one to suggest that the couple murders Nick. Frank pushes back slightly but quickly agrees.<sup>183</sup> In the film, Cora's proposition is far more dramatic. Intense music begins when she explains the plan and Frank is shocked. To persuade him, Cora bats her eyelashes and initiates physical contact to get what she wants. Even though sections of dialogue are identical between the two, the staging in the film makes it clear that Cora is using her sexuality to manipulate Frank. When they succeed in their second murder attempt, Frank and Cora handle the situation adeptly. Everything goes according to plan and Frank seduces Cora at the scene of the murder. In the film, Frank trips and falls in the course of pushing the car down the ravine; he is not in control and becomes injured as Cora escapes unscathed.

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<sup>183</sup> Cain, *Cain* x 3, 14-15.

The marriage between Nick and Cora also takes a different form in the film. Garnett's production vilifies both Cora and Nick in ways that Cain does not in his novel. The writers make Nick out to be cheap, including multiple scenes where he reminds Frank and Cora to turn off the lights to save money. He is also irresponsible and unintelligent, nearly getting into a serious accident after drinking and driving. Tensions between Nick and Cora reach a fever pitch when he decides to sell the tavern and move in with his injured sister so that Cora can take care of her. Cora is adamantly against this but Nick refuses to listen. This interaction casts Nick as obstinate and unreasonable. Nick's conduct in the film amounts to a list of behaviors to avoid as a husband, unlike the novel where Nick appears to be a good and well-intentioned person.

The changes that the filmmakers incorporate create a prescriptive lesson for husbands. While Cora is undoubtedly the evil figure, Nick is responsible for some of the escalation by failing to provide a comfortable life for her where she does not need to work. When he attempts to move Cora to his family's home and



force her into a caretaker role, that is the event which spurs Cora to carry out the murder. The negative portrayal of Nick as a husband demonstrates the expectations that husbands would need to meet in the immediate postwar years. Being cheap and failing to sufficiently provide, sources of complaint against husbands during the Great Depression as well, may lead to your marriage falling apart. Frank's outcome exhibits the consequences of giving in to a controlling woman's demands. The violent results of the film are instructional, showing what can happen when husbands and wives deviate from their respective roles.

Frank and Cora's marriage is deeply flawed, justifying the film's brutal end. They marry after they have avoided convictions and do so only to avoid legal trouble of a different sort for unwedded cohabitation. The marriage is strictly functional, and Frank especially is unhappy to go forward with it. After the minimalist ceremony, Cora comments on the tie she gave him as a wedding present: "The way he wears it you'd think it was a noose

around his neck,” she says.<sup>184</sup> Frank is effectively trapped in this marriage with a woman he no longer trusts. The couple marries earlier in the film than they did in the novel. This change means that Frank’s infidelity takes on a greater degree of immorality. Pursuant to the Production Code, the filmmakers had to portray love forbidden by human law as clearly wrong.<sup>185</sup> By making the marriage one of dishonesty and deceit, Garnett further villainizes the protagonists who will ultimately pay the price for their immoral behavior.

Cora’s grisly end and the ironic twist of fate that lands Frank on death row signify the price of building a marriage on lust. Once Frank learns of Cora’s pregnancy, their relationship takes a turn for the better. There is a renewed sense of trust and the charged sexual dynamic returns. Driving home from the beach, Frank gives into his libido and begins kissing Cora, looking away from the road. He crashes the car and Cora dies instantly. Cora’s

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<sup>184</sup> *The Postman Always Rings Twice*, directed by Tay Garnett.

<sup>185</sup> Doherty, *Pre-Code Hollywood*, 355.

hand falls limply, dropping her lipstick which has been a recurring symbol of her sexuality. In the novel, the accident occurred as Frank rushed Cora to the hospital for an unrelated ailment. This deliberate choice is a punishment of the couple's untamed sexuality which has driven them to committing horrible acts. The final scene of the film also takes on a different tone than the conclusion of the novel. A jury has convicted Frank for Cora's murder, and he has a heart-to-heart with a priest. He delivers a dramatic speech about how much he loves Cora and how he trusts God's will. Facing imminent execution, Frank ends the film by asking the priest to pray: "Make it that we're together, wherever it is," he pleads, referring to Cora.<sup>186</sup> This is a major change from the novel's conclusion where Frank expresses doubts about the priest and religion. The film attempts to give the story a happy ending, proving that a loving union can be redemptive for even the most sinful.

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<sup>186</sup> *The Postman Always Rings Twice*, directed by Tay Garnett.

Filmmakers deal with the redemptive power of marriage more directly in their adaptation of *Mildred Pierce*. The picture takes a radically different narrative approach than the novel, painting a new portrait of marriage. Rather than mimicking the novel's year-by-year account of a woman living through the Depression, the filmmakers turn the story into a murder mystery. They sanitize the reality for married women in the Depression, removing reference to Mildred's contemplation of sex work or domestic jobs. The movie begins with Monty's death, something that never happened in the novel, and consists of a series of flashbacks as Mildred recounts the events leading up to the murder. In the film, Bert Pierce takes on a more prominent role than he did in the novel. Bert is the first suspect that police consider. Bert as a falsely accused individual sets up the charitable treatment which he will receive throughout the film. Viewing the novel and the film in conversation with one another as Balfour suggests demonstrates the filmmakers' desire to raise the stakes. The events of the film will determine whether or not the falsely accused Bert will be punished or vindicated, a dramatic storyline

absent in the novel. Mildred's relationship with Bert and the film's vaguely positive conclusion speak to the film's endorsement of conventional marriage.

The film makes it clear that Mildred's divorce of Bert was a mistake and that he is an upstanding person. When Mildred arrives at the police station, she sees Bert and is upset that he has become a suspect. When police officers ask about her relationship with Bert, she calls him a kind and gentle person. When the detectives ask her why she divorced him in the first place, she says that she was wrong and has come to regret it.<sup>187</sup> Then, Mildred has a flashback to four years prior when she and Bert separated. They are bickering about their family finances in the midst of the Depression. Adding this sequence makes Bert a sympathetic and mistreated character.

As the flashback continues, the filmmakers present a portrait of Bert and Mildred's relationship far more favorable and traditional than the relationship of the novel. Even when she

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<sup>187</sup> *Mildred Pierce*, directed by Michael Curtiz.

struggles to maintain a healthy relationship with Veda, Mildred is first and foremost a caretaker unwilling to give up on her family. After a particularly violent argument with Veda, Mildred takes a trip. In her voiceover narration, though, Mildred says “[f]inally, I gave in. I went home.”<sup>188</sup> While Bert’s infidelity and unemployment are still issues that precipitate the separation, Bert appears to be the bigger person in the aftermath. Unlike the novel he never resorts to physical violence against Mildred. He is consistently civil with her and even finds a job, improving himself in the way that Mildred wants him to. In the novel, Bert never found work and simply moved in with his parents after his affair ended. Even after the affair, Bert never regained the provider role he held prior to the Great Depression.

The Bert of the film also appears to be far more passionate about Mildred than the Bert of the novel. In order to run her restaurant, Mildred needs to make the divorce with Bert official. He comes to discuss the divorce and finds Mildred with Monty.

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<sup>188</sup> *Mildred Pierce*, directed by Michael Curtiz.

Bert clearly has feelings for Mildred, getting into a heated exchange with Monty and slapping a glass out of his hand. When it comes time to finalize the divorce, Bert is cooperative. These interactions stand in stark contrast to the milquetoast character we see in the novel. Instead of being friendly with Monty and obstinate about signing the divorce papers, Bert is kind to Mildred, getting emotional but remaining chivalrous. After she marries Monty later on, Bert is compassionate and concerned. He asks her whether she really loves Monty. She admits that she does not and confides in Bert.<sup>189</sup> Mildred and Bert have love for one another throughout the film. Their marriage is one built on affection and mutual respect unlike the marriage of the novel which Cain characterizes as having an unbalanced power dynamic. When it is revealed that their daughter Veda was the murderer, the film ends on a bittersweet note as Mildred and Bert walk into the sunrise together, signaling a new dawn where they will reunite and rebuild their lives together. This end is far more uplifting than the novel's.

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<sup>189</sup> *Mildred Pierce*, directed by Michael Curtiz.

If *The Postman Always Rings Twice* reflects fears of dangerous women, *Mildred Pierce* reflects concerns about the breakdown of American marriage. In this period, the nuclear family as something essentially American was becoming a more official ideology; government policy and popular culture alike endorsed marriages between breadwinning husbands and homemaking wives as the path to happiness and fulfillment.<sup>190</sup> A higher divorce rate in this period signaled a weakening of the institution that necessitated a response in the eyes of more conservative commentators. In *Mildred Pierce*, the filmmakers take a story about a woman struggling to support her family through the Great Depression and make it into another cautionary tale. Bert, a man wrongly accused, ultimately becomes the solution to Mildred's crisis. They are able to turn back time and reunite, rekindling a marriage Mildred has come to realize she never should have left. Their reunion is only possible after Mildred has lost her business and Bert has reassumed his role as provider. In this way, a

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<sup>190</sup> May, *Homeward Bound*, 88.



movie with a strong female lead ultimately concludes that a strong and loving marriage is how one attains happiness; divorce leads to discontent.

## **Conclusion**

Cain's novels and the plot adjustments in their film adaptations illustrate that concerns about marriage in the immediate postwar years differed from concerns about marriage in the Depression. The institution of marriage was a mechanism of male domination in both eras, but the oppression of women manifested differently in each respective period. In both cases, female empowerment outside of the domestic sphere engendered opposition. During the Great Depression, female emancipation, albeit limited, came as a reaction to an emasculating financial catastrophe. There was backlash when female employment threatened male control over the family. During and immediately after World War II, oppression stemmed from fears surrounding women working traditionally male jobs. This phenomenon gave rise to existential concerns about how soldiers would reintegrate

back into family life and society at large. The key difference between the two is *how* society responded. The Depression led writers like James M. Cain to fundamentally question American institutions and the economic system that led to the financial crisis. Postwar filmmakers, on the other hand, saw tradition as the cure-all, posing marriage as an answer to personal and societal ills.

Understanding the American response to wartime gender dynamics sheds light on why these films changed in the ways they did. In *The Postman Always Rings Twice*, Cora becomes a femme fatale because she represents male anxieties of the time. A woman with sexual power and ambition, Cora embodies a dangerous sexuality that poses a threat to male dominance and the fiber of the American nuclear family. Her ability to neutralize Nick suggests that men must rise to the occasion and regain control of the family. Turning *Mildred Pierce* into a story of a woman who regrets leaving a loving union conveys a traditional message about postwar marriage. Women ought to marry and stay married in order to find happiness. At a time when divorce was on the rise,

incorporating this anti-divorce message served to reinforce patriarchal marriage dynamics. If a category of film as destabilizing and introspective for the time as film noir encourages viewers to marry, postwar American society clearly prioritized conventional marriage.

As audience members filed out of the *Mildred Pierce* debut, ideology on American marriage was becoming more established. The disruptive historical events that occurred in rapid succession between the early 1930s and the late 1940s fundamentally altered the lives and outlooks of America's youths. Living through these events shaped this generation's thinking as America entered the Cold War.<sup>191</sup> This is the generation that in large part established the benchmark of nuclear marriage that still exists to this day. By the end of the decade, divorce numbers fell and fertility figures rose.<sup>192</sup> Getting to the marriage dynamics of the Baby Boom from the marriage dynamics of the Great

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<sup>191</sup> May, *Homeward Bound*, 88.

<sup>192</sup> Coontz, *The Way We Never Were*, 25.

Depression less than 20 years beforehand required a fundamental shift in how Americans viewed marriage. The drastic changes between hardboiled fiction from the Depression and popular noir films in the years after reveal this shift. Due to a confluence of economic and cultural factors, the ambiguity of marriage in Cain's novels lost popularity in wartime and postwar society. Rather than a fundamental questioning of what purpose marriage served, filmmakers determined that marriage's utility was in its ability to reestablish pre-war and even pre-Depression norms.

# ***Harris v. McRae's* Fatal Impact on Abortion Access**

*Callie Hollis*

In the contentious landscape of Medicaid funding for abortions, the Hyde Amendment's debut in 1976 wasn't the final act—it was merely the opening scene. It set the stage for a United States Supreme Court decision that cemented the restriction on Medicaid funded abortions and handed the decision on funding them to the states: *Harris v. McRae* (1980). In other words, the Hyde Amendment walked so the Supreme Court's *Harris v. McRae* decision could run. As a result, many women who could no longer afford legal abortions sought illegal ones or carried the baby to term against their wishes.<sup>193</sup> The goal of this article is to assess the impact of the *Harris v. McRae* decision compared to the first Hyde Amendment. This article will compare met and unmet abortion care needs from two years before and after the Hyde Amendment, 1976 to 1979. Those statistics will then be compared

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<sup>193</sup> Nancy Binkin, Julian Gold, and Willard Cates, Jr. "Illegal-Abortion Deaths in the United States: Why Are They Still Occurring?" JSTOR, 1982. <https://www.jstor.org/stable/2134722>.

to the five years preceding *Harris v. McRae*, 1980 to 1984.

Overall, this article will demonstrate how the Supreme Court's *Harris v. McRae* decision more adversely impacted maternal mortality rates from 1980 to 1984 than the Hyde Amendment from the years 1976 to 1979.

### **Definition of Terms**

This article references the United States government's Medicaid program throughout. Medicaid is a "joint federal and state program that gives health coverage to some people with limited income and resources,"<sup>194</sup> which included abortion care in the years 1973 to 1977. This term is often confused with the Medicare program as they sound similar. However, Medicare is a government program that is only for those who are sixty-five and older or those under sixty-five who have "certain disabilities or conditions."<sup>195</sup>

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<sup>194</sup> "FAQs Category: Medicare and Medicaid." HHS.gov. Accessed April 23, 2023. <https://www.hhs.gov/answers/medicare-and-medicaid/index.html>.

<sup>195</sup> "FAQs Category: Medicare and Medicaid." HHS.gov.

## **A Brief History of the Hyde Amendment and *Harris v. McRae***

When the Supreme Court announced the *Roe v. Wade* decision in 1973, pro-choice advocates were elated as it allowed women legal access to abortions within the first two trimesters of their pregnancy.<sup>196</sup> Over the course of the four years following *Roe v. Wade*, almost one million abortions were funded by the federal government through Medicaid.<sup>197</sup> However, pro-life members of Congress began to create loopholes in the form of amendments to restrict abortions. Specifically, in 1977, the United States Congress passed the Hyde Amendment named after Henry Hyde, a Republican member of Congress from Illinois.<sup>198</sup> It stated that Medicaid funding would not “be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.”<sup>199</sup> That year, though, 22.8 million people were

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<sup>196</sup> Rickie Solinger. *Pregnancy and Power: A History of Reproductive Politics in the United States*. New York: New York University Press, 2005.

<sup>197</sup> Melody Rose. *Abortion: A Documentary and Reference Guide*. Westport, Conn: Greenwood Press, 2008.

<sup>198</sup> Lucinda Almond. *The Abortion Controversy*. Detroit: Greenhaven Press, 2007.

<sup>199</sup> Congress. “Text - H.R.14232 - 94th Congress (1975-1976): An Act Making ...” Congress.Gov, 1976. <https://www.congress.gov/bill/94th-congress/house-bill/14232/text>.

insured through Medicaid— a majority of them women.<sup>200</sup> At that time, Medicaid was also the “main source of money for abortions for people on welfare.”<sup>201</sup> The one-sentence Hyde Amendment included in the 94th Public Law Act meant that tens of millions of women who primarily relied on their Medicaid insurance could no longer afford the legal abortion services granted to them in *Roe v. Wade*.<sup>202</sup> Yet the country’s courts did not exactly know what to do with the Hyde Amendment. In the three years after its creation, courts fought over injunctions to stop the Hyde Amendment from taking effect.<sup>203</sup> As a result, sixty-five percent of women living in a low-income household still “obtained state funds to pay for a legal procedure” during the years of discourse over the Hyde

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<sup>200</sup> Christie Provost, and Paul Hughes. “Medicaid: 35 Years of Service.” Health care financing review. U.S. National Library of Medicine, 2000. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4194689/>.

<sup>201</sup> Lucinda Almond. *The Abortion Controversy*. Detroit: Greenhaven Press, 2007.

<sup>202</sup> Congress. “Text - H.R.14232 - 94th Congress (1975-1976): An Act Making ...” Congress.Gov, 1976. <https://www.congress.gov/bill/94th-congress/house-bill/14232/text>.

<sup>203</sup> DJ Zimmerman, PB Levine, AB Trainor. “The Effect of Medicaid Abortion Funding Restrictions on Abortions, Pregnancies and Births.” *Journal of Health Economics*. U.S. National Library of Medicine, 1996. <https://pubmed.ncbi.nlm.nih.gov/10164043/>.



Amendment.<sup>204</sup> The fluctuation between the ban and allowance of Medicaid funded abortions created a confusing situation for women who needed abortion care and the hospitals that provided it— which also produced a loophole to legal abortions that many women took advantage of.

Then came *Harris v. McRae* in 1980. After the passage of the Hyde Amendment, Cora McRae, a pregnant woman who used Medicaid as her primary insurance, was denied an abortion because her life was not in danger.<sup>205</sup> McRae then sued the United States, specifically the Secretary of Health and Human Services, Patricia Harris, because she wanted to ensure that other indigent women had access to abortion.<sup>206</sup> McRae was joined by four other women barred from abortion access by the Hyde Amendment

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<sup>204</sup> Nancy Binkin, Julian Gold, and Willard Cates, Jr. “Illegal-Abortion Deaths in the United States: Why Are They Still Occurring?” JSTOR, 1982.

<https://www.jstor.org/stable/2134722>.

<sup>205</sup> David Schultz. *The Encyclopedia of the Supreme Court*. Infobase Publishing, 2005.

[https://books.google.com/books?id=I\\_f6Oo9H3YsC&pg=PA201&lpg=PA201&dq=cora+mcr&source=bl&ots=U4iZwrm\\_GA&sig=ACfU3U2EjFOxwOfdE9nyoLMfB1eTRoTqyw&hl=en&sa=X&ved=2ahUKewiyuoix97qEAxV3rmoFHV9OAEA4ChDoAXoECAIQAw#v=onepage&q=cora%20mcr&f=false](https://books.google.com/books?id=I_f6Oo9H3YsC&pg=PA201&lpg=PA201&dq=cora+mcr&source=bl&ots=U4iZwrm_GA&sig=ACfU3U2EjFOxwOfdE9nyoLMfB1eTRoTqyw&hl=en&sa=X&ved=2ahUKewiyuoix97qEAxV3rmoFHV9OAEA4ChDoAXoECAIQAw#v=onepage&q=cora%20mcr&f=false).

<sup>206</sup> *Ibid.*

(whose names are not mentioned in the court proceedings), as well as the Women’s Division of the Board of Global Ministries of the United Methodist Church.<sup>207</sup> The Women’s Division joined because women within their ministries were denied access to “medically necessary” abortions.<sup>208</sup> The women’s lawyers argued that the Hyde Amendment violated the First Amendment, Fifth Amendment, and Title XIX, a part of the Social Security Act.<sup>209</sup> The lawyer for Harris, Wade H. McCree, argued *Roe v. Wade* did not create an obligation for the government to fund abortion.

In the oral argument of *Harris v. McRae*, Justice Byron R. White asks Wade H. McCree, lawyer for the appellee, “don’t we have to assume for purposes of analysis at least that some women will be denied abortions if they don’t receive federal funding?”<sup>210</sup> McCree responds, “Oh I think we have to.”<sup>211</sup> Justice White

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<sup>207</sup> *Ibid.*

<sup>208</sup> *Ibid.*

<sup>209</sup> “*Harris v. McRae*, 448 U.S. 297 (1980).” Justia Law, 1980. <https://supreme.justia.com/cases/federal/us/448/297/>.

<sup>210</sup> “*Harris v. McRae*.” Oyez. Accessed February 22, 2024. <https://www.oyez.org/cases/1979/79-1268>.

<sup>211</sup> *Ibid.*

retorts, “Then we therefore must also assume that some of those women will suffer serious medical harm.”<sup>212</sup> McCree states that the responsibility will fall on Congress for what happens to women who may suffer harm from a lack of access to abortion.<sup>213</sup>

Nevertheless, in a five to four majority decision, Justice Potter Stewart argued that the Hyde Amendment was legal as it only handed off the decision for federally funded abortions to the states. The decision explained that the government could take away federal funding since women would still have a legal right to abortion, even if banning Medicaid for abortion leaves them with no funds to be able to access them. Justice Stewart also asserted that women were not hindered by this decision, but that it “encourage[d]s alternative activity deemed in the public interest.”<sup>214</sup> The alternative activity, in this case, being childbirth because the government has “interests in preserving potential

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<sup>212</sup> *Ibid.*

<sup>213</sup> *Ibid.*

<sup>214</sup> “Harris v. McRae, 448 U.S. 297 (1980).” Justia Law, 1980.  
<https://supreme.justia.com/cases/federal/us/448/297/>.

human life and encouraging childbirth,”<sup>215</sup> as argued by McCree in his oral argument. In essence, women in poverty who cannot afford an abortion would be forced to have a child, not for themselves, but for the government.

In 1979, the poverty rate for white people was around twelve percent.<sup>216</sup> The poverty rate for Hispanic communities was twenty-one percent, double that of whites, and the Black population was 31 percent, almost triple the amount compared to those of whites.<sup>217</sup> In tandem with women’s income being, on average, less than men’s, women of color were disproportionately affected. The decision also mentions that since the federal government created Medicaid, “it need not remove those not of its own creation,”<sup>218</sup> or worry about taking away funding that they installed into the government. Unlike the uncertainty created by the

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<sup>215</sup> “*Harris v. McRae*.” Oyez. Accessed February 22, 2024.

<https://www.oyez.org/cases/1979/79-1268>.

<sup>216</sup> Center on Budget and Policy Priorities. “Poverty Rate Hits Lowest Level Since 1979 As Unemployment Reaches A 30-Year Low.” Center on Budget and Policy Priorities, 2000. <https://www.cbpp.org/sites/default/files/archive/9-26-00pov.htm>.

<sup>217</sup> *Ibid.*

<sup>218</sup> “*Harris v. McRae*, 448 U.S. 297 (1980).” Justia Law, 1980.

<https://supreme.justia.com/cases/federal/us/448/297/>.

first implementation of the Hyde Amendment, the *Harris v. McRae* decision clearly outlined and codified the ban on federal Medicaid funding for abortions for over nineteen million women. Over the next five years, this decision led directly to an adverse impact in the percentage of legal abortions and an increase in maternal death rates.

### **Previous Literature on the Impact of the Hyde Amendment and *Harris v. McRae***

The 1996 report, “The Effect of Medicaid Abortion Funding Restrictions on Abortions, Pregnancies and Births,” covers how the restriction of Medicaid funding for abortions affects the amount of pregnancies, abortions, and childbearing in the United States.<sup>219</sup> The analysis by D.J. Zimmerman, P.B. Levine, and A.B. Trainor, all economics professors, focuses broadly on twelve years of those restrictions at the state level.<sup>220</sup> In

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<sup>219</sup> DJ Zimmerman, PB Levine, AB Trainor. “The Effect of Medicaid Abortion Funding Restrictions on Abortions, Pregnancies and Births.” *Journal of Health Economics*. U.S. National Library of Medicine, 1996.

<https://pubmed.ncbi.nlm.nih.gov/10164043/>.

<sup>220</sup> *Ibid.*

their conclusion, they find that the restrictions affect populations with lower-income the most.<sup>221</sup> Yet, this 1996 source falls short as it covers statistics from 1984 to 1996, without taking into account the *Harris v. McRae* decision and the impact it had on statistics following it. In contrast, this article will instead focus on the two years before the Hyde Amendment all the way until five years after *Harris v. McRae*, to show the importance of the *Harris v. McRae* case.

In addition, the article “Effects of Restricted Public Funding for Legal Abortions: A Second Look” focuses on complications from legal and illegal abortions. The authors, distinguished scientists W. Cates and C.W. Tyler, and Dr. R.M. Selik, report that few women were hospitalized from illegal abortions from 1979 to 1980.<sup>222</sup> They assert that these statistics are explained by “poor women [who] are either experiencing a decrease in pregnancy rates, or more likely, are continuing

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<sup>221</sup> *Ibid.*

<sup>222</sup> W Cates, RM Selik, CW Tyler. “Effects of Restricted Public Funding for Legal Abortions: A Second Look.” *American Journal of Public Health*. U.S. National Library of Medicine, 1981. <https://pubmed.ncbi.nlm.nih.gov/7258435/>.

pregnancies to childbirth.”<sup>223</sup> However, the authors also consider that this study primarily used statistics that are biased towards the worst complications from each hospital. Their conclusion also makes a small error because it fails to take into account the prospect that many women who had illegal abortions may not have reported them or felt safe enough to go to a hospital due to financial stress. Nevertheless, this article will give a well-rounded view of what the statistics of abortion mortality rates mean in the greater context of 1976 to 1984.

In another report, “Abortion mortality, United States, 1972 through 1987,” authors Dr. H.W. Lawson, Dr. A. Frye, Dr. H.K. Atrash, J.C. Smith M.S., H.B. Shulman M.S., and M. Ramick, all distinguished within their scientific fields, concluded that medical innovations were the cause of positive changes in maternal death rates.<sup>224</sup> They found that hemorrhaging and infections were the

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<sup>223</sup> *Ibid.*

<sup>224</sup> HW Lawson, A Frye, HK Atrash, JC Smith, HB Shulman, M Ramick. “Abortion Mortality, United States, 1972 through 1987.” *American Journal of Obstetrics and Gynecology*. U.S. National Library of Medicine, 1994. <https://pubmed.ncbi.nlm.nih.gov/7977548/>.

leading cause before 1977, but, in between 1977 and 1982, pregnant women were primarily dying of anesthesia complications.<sup>225</sup> Though evolving medical procedures are factors in the changing rates of maternal death rates, the statistics are not foolproof due to the unlikelihood of reporting a death caused by an at-home abortion. The most important factors in these deaths were the decisions made within the judicial system that caused many women to seek out deadly methods of abortion.

### **The Hyde Amendment's Impact on Abortions in the US**

Before the Hyde Amendment, there were 1.2 million legal abortions in 1976 and 1.32 million in 1977.<sup>226</sup> This means that there was a twelve percent increase in the two years prior to the first restriction on Medicaid for abortion. Interestingly enough, the rise in legal abortions continued even after the Hyde Amendment restricted federal Medicaid funding and handed off the decision to

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<sup>225</sup> *Ibid.*

<sup>226</sup> Jacqueline Darroch Forrest, Christopher Tietze, and Ellen Sullivan. "Abortion in the United States, 1976-1977." JSTOR. Family Planning Perspectives, 1978. <https://www.jstor.org/stable/2134379>.



fund abortions to the states. The number climbed to 1.37 million in 1978 and eventually 1.5 million in 1979.<sup>227</sup> As a result, legal abortions in the United States saw a twenty five percent increase from 1976 to 1979, even with the Hyde Amendment enacted. This could be explained by the vacillating court opinions in the years between the Hyde Amendment and *Harris v. McRae* that allowed sixty-five percent of women on Medicaid to receive federal funds for abortion.<sup>228</sup> It also shows that the Hyde Amendment did negatively impact the percentage of abortions and, instead, the United States experienced a steady incline of legal abortion rates from 1976 to 1979. Though Planned Parenthood is historically a pro-choice organization, its report on illegal abortions relies on government censused information and the authors of the article are healthcare professionals, such as Dr. Nancy Binkin who worked at the Centers for Disease Control and Prevention for over twenty

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<sup>227</sup> JD Forrest, E Sullivan, C Tietze. “Abortion in the United States, 1977-1978.” Family planning perspectives. U.S. National Library of Medicine, 1979. <https://pubmed.ncbi.nlm.nih.gov/401078/>.

<sup>228</sup> DJ Zimmerman, PB Levine, AB Trainor. “The Effect of Medicaid Abortion Funding Restrictions on Abortions, Pregnancies and Births.” Journal of Health Economics. U.S. National Library of Medicine, 1996. <https://pubmed.ncbi.nlm.nih.gov/10164043/>.

years. The study concluded that there was about one illegal abortion out of every one thousand legal abortions in the United States from 1975 to 1979.<sup>229</sup> The article shows that the number of illegal abortions stayed relatively small and consistent in comparison to the number of legal abortions performed in those years.

The amount of abortions provided in the year before the Hyde Amendment and after its passing were about the same. In 1975, about fifty-two percent of women who needed legal abortions (899,850 women) obtained them, while an average of 434,295 women went without.<sup>230</sup> In the year of the Hyde Amendment in 1977, there were still an average of over 500,000 women unable to legally acquire an abortion.<sup>231</sup> These steady numbers show that the Hyde Amendment had little impact on

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<sup>229</sup> Nancy Binkin, Julian Gold, and Willard Cates, Jr. "Illegal-Abortion Deaths in the United States: Why Are They Still Occurring?" JSTOR, 1982. <https://www.jstor.org/stable/2134722>.

<sup>230</sup> Edward Weinstock, Christopher Tietze, Frederick S Jaffe, and Joy G Dryfoos. "Abortion Need and Services in the United States, 1974-1975." JSTOR, 1976. <https://www.jstor.org/stable/pdf/2133988.pdf>.

<sup>231</sup> Jacqueline Darroch Forrest, Christopher Tietze, and Ellen Sullivan. "Abortion in the United States, 1976-1977." JSTOR. Family Planning Perspectives, 1978. <https://www.jstor.org/stable/2134379>.

women obtaining abortions in the years surrounding it. In fact, according to the study “Abortion in the United States, 1977-1978,” the United States government spent over eighty-six million dollars funding abortions through Medicaid in 1977 alone.<sup>232</sup> This, again, shows that the Hyde Amendment did not slow down the number of abortions, but rather confused the legalities surrounding abortions until the Supreme Court’s *Harris v. McRae*.

### ***Harris v. McRae*’s Impact on Abortions in the US**

In 1980, *Harris v. McRae* solidified the government’s stance against federal funding for abortion through Medicaid by giving states the authority.<sup>233</sup> This decision negatively impacted the number of legal abortions in the United States. For example, the number of legal abortions in 1980 was 1.55 million,<sup>234</sup> in 1981

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<sup>232</sup> JD Forrest, E Sullivan, C Tietze. “Abortion in the United States, 1977-1978.” Family planning perspectives. U.S. National Library of Medicine, 1979.

<https://pubmed.ncbi.nlm.nih.gov/401078/>.

<sup>233</sup> “Harris v. McRae, 448 U.S. 297 (1980).” Justia Law, 1980.

<https://supreme.justia.com/cases/federal/us/448/297/>.

<sup>234</sup> SK Henshaw, JD Forrest, E Sullivan, and C Tietze. “Abortion Services in the United States, 1979 and 1980.” Family planning perspectives. U.S. National Library of Medicine, 1979. <https://pubmed.ncbi.nlm.nih.gov/7037447/>.

1.57 million<sup>235</sup>, and stayed almost the exact same in 1982.<sup>236</sup> Yet, in 1983 that number dropped to 1.268 million<sup>237</sup>, a decrease of almost twenty percent. The large change most likely stemmed from the twenty-seven states that almost automatically took state funding away from abortion care after *Harris v. McRae*.<sup>238</sup> The dramatic loss of funds for women in low-income households could also help explain the fast decrease in the number of abortions.

In addition, the United States Medicaid program funded abortions with 10.69 million dollars in 1980, 4.74 million dollars in 1981<sup>239</sup>, and finally one million dollars in 1982.<sup>240</sup> That is a 90.65 percent decrease in federal funding for abortions over the

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<sup>235</sup> SK Henshaw, JD Forrest, and E Blaine. "Abortion Services in the United States, 1981 and 1982." Family planning perspectives. U.S. National Library of Medicine, 1984. <https://pubmed.ncbi.nlm.nih.gov/6468641/>.

<sup>236</sup> *Ibid.*

<sup>237</sup> Tedd V. Ellerbrock, Hani K. Atrash, Elaine P. Rhodenhiser, Carol J. R. Hogue and Jack C. Smith. "Abortion Surveillance, 1982-1983." JSTOR, 1987. <https://www.jstor.org/stable/44784763?read-now=1>.

<sup>238</sup> *Ibid.*

<sup>239</sup> Rachel Benson Gold. "Publicly Funded Abortions in FY 1980 and FY 1981." JSTOR, 1982. <https://www.jstor.org/stable/2134639>.

<sup>240</sup> Barry Nestor, Rachel Benson Gold. "Public Funding of Contraceptive, Sterilization and Abortion Services, 1982." JSTOR, 1984. [https://www.jstor.org/stable/2135002?searchText=&searchUri=&ab\\_segments=&searchKey=&refreqid=fastly-default%3A1312bb7e046780c24d558a59372f4c07](https://www.jstor.org/stable/2135002?searchText=&searchUri=&ab_segments=&searchKey=&refreqid=fastly-default%3A1312bb7e046780c24d558a59372f4c07).

three-year period following the *Harris v. McRae* decision. The drastic change in federal funding stemmed from the Supreme Court's ruling that the obligation for funding abortions did not fall on the federal government. After 1983, the number of legal abortions plateaued well below the previous 1.55 million legal abortions from 1980. In 1984, legal abortions slightly rose to 1.333 million<sup>241</sup> and decreased by less than one percent in 1985, staying at 1.328 million.<sup>242</sup> This shows that two million women who statistically would have accessed abortions prior to *Harris v. McRae*, who statistically would have obtained abortions before *Harris v. McRae*, were subsequently unable to do so. Though some could argue that outside factors such as other amendments, laws, or natural disasters are responsible for the changes in abortion rates, the *Harris v. McRae* decision to take away federal funding is the most likely culprit due to how drastic the statistics changed in only five years. The rapid decline in abortions in the United States from

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<sup>241</sup> "Abortion Surveillance, United States, 1984-1985." Centers for Disease Control and Prevention. Centers for Disease Control and Prevention, 1989. <https://www.cdc.gov/mmwr/preview/mmwrhtml/00001467.htm>.

<sup>242</sup> *Ibid.*

1980 to 1985 is explained by the almost ninety-one percent decrease in Medicaid funding for abortions caused by *Harris v. McRae*.

## **The Reality of Maternal Mortality and Illegal Abortions**

Before explaining the statistics behind the maternal mortality and illegal abortion rates of both the Hyde Amendment and *Harris v. McRae*, it is important to acknowledge the gruesome reality created by a lack of abortion access. Qualitative studies reviewing the specific impact of the *Harris v. McRae* decisions are scarce, but the interviews recounting abortions before the legalization of abortion are available. Complications from at-home abortions could range anywhere from massive hemorrhages and infections to perforated uteruses and death.<sup>243</sup> Dr. Sid Pratt, a General Surgeon of Montana in 1939, witnessed a woman who “tried to use a catheter, but she put it in the wrong organ, she

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<sup>243</sup> Sid Pratt, "Dr. Sid Pratt Interview, 1981." *Illegal Abortion in Montana Oral History Project*, 1981.

[https://scholarworks.umt.edu/mt\\_illegal\\_abortion\\_oralhistory/3](https://scholarworks.umt.edu/mt_illegal_abortion_oralhistory/3)

pushed the catheter into her bladder.”<sup>244</sup> Thankfully, the woman survived, but not all women were that lucky. Another physician from Montana, Dr. James Armstrong, witnessed “a young woman [that] came in that was dying... [because] she had had an abortion.”<sup>245</sup> Though he could have saved her, Dr. Armstrong explained that “it was a legal matter, and a couple of detectives came in... she was so far gone at that time... and she died.”<sup>246</sup> Dr. Armstrong was not aware of what was done to induce the woman’s abortion, but techniques such as inserting a coat hanger into the uterus or a catheter into the cervix for long enough to create an infection were prevalent at the time.<sup>247</sup> Before the advent of antibiotics, many women would die from these infections and other complications created from the widespread at-home methods. However, even after advancements in the medical field, the decision in *Harris v. McRae* kept many women who could not

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<sup>244</sup> *Ibid.*

<sup>245</sup> James Armstrong. “Dr. James Armstrong Interview, September 1981.” *Illegal Abortion in Montana Oral History Project*, 1981.

[https://scholarworks.umt.edu/mt\\_illegal\\_abortion\\_oralhistory/2](https://scholarworks.umt.edu/mt_illegal_abortion_oralhistory/2).

<sup>246</sup> *Ibid.*

<sup>247</sup> *Ibid.*

afford abortion care without Medicaid from receiving professional care.

## **The Hyde Amendment’s Impact on Maternal Mortality and Illegal Abortion Rates**

Unlike abortion rates, the Hyde Amendment had a strong effect on the mortality rates of women. In 1970, forty pregnant women out of one million died from attempts to receive legal abortion care.<sup>248</sup> Then, in 1976, that number dropped to about one pregnant woman dying for every group of one million pregnant women due to advances in the medical field, like antibiotics.<sup>249</sup> Illegal abortions also decreased between 1970 and 1976 as *Roe v. Wade* opened the door in 1973 for women to receive legal abortion care and funding from the federal government.<sup>250</sup> This was a revolutionary time as, according to an analysis of legal abortions in

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<sup>248</sup> Willard Cates, Jr., David A. Grimes, and Kenneth F. Schulz. “The Public Health Impact of Legal Abortion: 30 Years Later.” Guttmacher Institute, August 25, 2022. <https://www.guttmacher.org/journals/psrh/2003/01/public-health-impact-legal-abortion-30-years-later#2>.

<sup>249</sup> Willard Cates, Jr., David A. Grimes, and Kenneth F. Schulz. “The Public Health Impact of Legal Abortion: 30 Years Later.”

<sup>250</sup> *Ibid.*



the United States from 1985, illegal abortions had “a risk of death as much as 30 times that of legal abortion.”<sup>251</sup> Nonetheless, there were seventeen reported illegal abortion deaths from 1975 to 1979.<sup>252</sup> It is reported that five out of those seventeen, or twenty-nine percent, occurred due to financial strain that an abortion caused the pregnant women<sup>253</sup>— at-home abortions were cheaper as women could perform the abortions themselves. Though one woman was ignorant of her eligibility for Medicaid, the other four suffered from their barred access to federally funded abortions by the Hyde Amendment.<sup>254</sup> Though a low number of illegal abortion fatalities were reported compared to the rate of legal abortions in 1976, the Hyde Amendment still caused almost thirty percent of them. Therefore, maternal mortality rates were, even if slightly, negatively impacted by the creation of the Hyde Amendment.

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<sup>251</sup> LB Tyrer. “Health Benefits of Legal Abortion: An Analysis.” Planned parenthood review. U.S. National Library of Medicine, 1985.

<https://pubmed.ncbi.nlm.nih.gov/12340404/>.

<sup>252</sup> Nancy Binkin, Julian Gold, and Willard Cates, Jr. “Illegal-Abortion Deaths in the United States: Why Are They Still Occurring?” JSTOR, 1982.

<https://www.jstor.org/stable/2134722>.

<sup>253</sup> *Ibid.*

<sup>254</sup> *Ibid.*

It is also important to take into consideration that the total number of women who died from illegal abortions were less likely to be reported as receiving an abortion was something most women wanted to keep from the public, and the available statistics likely do not provide the full picture.<sup>255</sup> Even if the women did visit a hospital in the aftermath of an at-home abortion, they were unlikely to disclose what they had done to doctors due to legal and societal repercussions. In the 1982 article “Illegal-Abortion Deaths in the United States: Why Are They Still Occurring?” researchers purport that the annual amount of illegal abortion deaths would be 5,600 if all that occurred were reported.<sup>256</sup> Nonetheless, with the information that *was* reported, the most probable cause of thirty percent of the women who sought illegal abortions and died as a result based on statistics was the Hyde Amendment.

***Harris v. McRae’s Impact on Maternal Mortality and Illegal  
Abortion Rates***

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<sup>255</sup> *Ibid.*

<sup>256</sup> *Ibid.*

Reported maternal mortality rates due to illegal abortions were less after *Harris v. McRae* than after the Hyde Amendment. Information on illegal abortion deaths from 1982 to 1983 are not widely available, but statistics before and after those dates are. There is not a clear answer for this lack of information, but it could be caused by changes in legislation after *Harris v. McRae*, women's hesitancy to communicate about their illegal abortions with a healthcare worker, leading them to believe it was a miscarriage, or less funding for research into illegal abortions. In 1980 there was one death due to an illegally-induced abortion compared to eighteen deaths caused by legal abortions, or five percent of all abortion deaths that year.<sup>257</sup> In 1981, the CDC reported only one death from illegal abortion out of the eleven deaths related to abortions that year.<sup>258</sup> In 1984, there were no

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<sup>257</sup> Pamela R. H. Lang, Nancy J. Binkin, Andrew M. Kaunitz, Michael E. Kafriksen, Carol J. R. Hogue, Elaine P. Rhodenhiser, Joyce M. Hughes, and Jack C. Smith. "Abortion Surveillance, 1979-1980." JSTOR, 1983.  
<https://www.jstor.org/stable/44784281>.

<sup>258</sup> "Current Trends Abortion Surveillance: Preliminary Analysis -- United States, 1981." Centers for Disease Control and Prevention. Centers for Disease Control and Prevention, 1984.  
<https://www.cdc.gov/mmwr/preview/mmwrhtml/00000366.htm>.

deaths from illegal abortions, but there were eighteen deaths due to legal abortions.<sup>259</sup> In 1985, there was one illegal abortion death and fourteen legal abortion deaths.<sup>260</sup> All in all, the average rate of deaths from illegal abortion compared to legal abortions was five percent from 1980 to 1985. This was a twenty-four percent decrease from the number of illegal abortion-induced deaths from 1975-1979. The statistics show that the decision made in *Harris v. McRae* by the Supreme Court had the reverse effect of the Hyde Amendment and less illegal abortion deaths occurred, according to those that were reported.

There are several factors that could have impacted the decrease in mortalities due to illegal abortions after *Harris v. McRae*. As mentioned in the previous section of this paper, it is unlikely that all deaths from illegal abortion inducing practices were reported. At that time, abortion was a topic of secrecy. Abortion-related deaths could have been reported as miscarriages

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<sup>259</sup> “Abortion Surveillance, United States, 1984-1985.” Centers for Disease Control and Prevention. Centers for Disease Control and Prevention, 1983. <https://www.cdc.gov/mmwr/preview/mmwrhtml/00001467.htm>.

<sup>260</sup> *Ibid.*

or other ailments by hospitals because moribund women were reluctant to tell their doctors that they had gone for an at-home abortion.<sup>261</sup> The *Harris v. McRae* decision also translated to birth statistics. The National Academy of Sciences used a government funded survey called the National Survey of Family Growth (NSFG) to find how many intended and unintended pregnancies, and if unintended, how many were unwanted or mistimed.<sup>262</sup> Twelve percent of women who lived below the poverty line experienced unwanted pregnancy births in 1982 and that number rose to twenty-one percent by 1988.<sup>263</sup> These were “steeper increases” in births than the women living above the poverty line who only experienced a two percent increase in unwanted births in those six years.<sup>264</sup> The women who lived in poverty after 1980 were most likely eligible for Medicaid, but were unable to use their

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<sup>261</sup> Nancy Binkin, Julian Gold, and Willard Cates, Jr. “Illegal-Abortion Deaths in the United States: Why Are They Still Occurring?” JSTOR, 1982.

<https://www.jstor.org/stable/2134722>.

<sup>262</sup> National Academy of Sciences. “Demography of Unintended Pregnancy - the Best Intentions - NCBI Bookshelf.” National Library of Medicine, 1995.

<https://www.ncbi.nlm.nih.gov/books/NBK232124/>.

<sup>263</sup> *Ibid.*

<sup>264</sup> *Ibid.*

state's funding for their abortions. The *Harris v. McRae* case, then, impacted the number of unwanted pregnancies that resulted in live births in the United States, not the number of illegal abortions.

## Conclusion

The first version of the Hyde Amendment in 1976 stated that none of the government's federal funds would be used for abortions except when women were endangered by the possible birth. Three years after the Hyde Amendment, though, courts argued back and forth on the question of if Medicaid should fund abortions. This left many women eligible for Medicaid to continue to receive federal aid for abortions. The amount of abortions, then, did not decrease and, instead, *increased* with as many as 1.5 million legal abortions in 1979.<sup>265</sup> The Hyde Amendment did, however, have a negative effect on the number of mortalities due to illegal abortions from 1976 to 1979. Specifically, it was the cause of death for thirty percent of women who sought illegal

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<sup>265</sup> JD Forrest, E Sullivan, C Tietze. "Abortion in the United States, 1977-1978." Family planning perspectives. U.S. National Library of Medicine, 1979. <https://pubmed.ncbi.nlm.nih.gov/401078/>.

abortions and, if those women had continued to receive Medicaid funding, they may have lived.<sup>266</sup>

In addition, the Supreme Court stated in *Harris v. McRae* that their decision to uphold the Hyde Amendment “by means of unequal subsidization of abortion and other medical services, encourages alternative activity deemed in the public interest.”<sup>267</sup> This plan to “encourage” more births in the United States worked as unwanted live births by women in poverty increased by nine percent in the years following the decision. The amount of federal funding for abortions also dropped by 90.65 percent due to *Harris v. McRae* from 10.69 million dollars in 1980 to one million in 1982.<sup>268</sup> This restriction of funds accounted for the decrease of two million abortions in the United States over the span of three years. Thus, *Harris v. McRae* negatively affected women through

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<sup>266</sup> DJ Zimmerman, PB Levine, AB Trainor. “The Effect of Medicaid Abortion Funding Restrictions on Abortions, Pregnancies and Births.” *Journal of Health Economics*. U.S. National Library of Medicine, 1996. <https://pubmed.ncbi.nlm.nih.gov/10164043/>.

<sup>267</sup> “*Harris v. McRae*, 448 U.S. 297 (1980).” Justia Law, 1980. <https://supreme.justia.com/cases/federal/us/448/297/>.

<sup>268</sup> Rachel Benson Gold. “Publicly Funded Abortions in FY 1980 and FY 1981.” JSTOR, 1982. <https://www.jstor.org/stable/2134639>.

unwanted live births, while also decreasing the amount of legal abortions from 1980 to 1984.

Although the Hyde Amendment influenced the mortality rates by thirty percent for mothers over the span of three years, it did not have an adverse effect on the yearly number of abortions in the United States. On the other hand, the *Harris v. McRae* decision affected both the number of legal abortions and unwanted live births in the United States in the years following it. It is, then, obvious that the 1980 conclusion of the Supreme Court's adverse effects on women's access to legal abortions was greater than its predecessor, the Hyde Amendment.

Today, *Harris v. McRae* continues to jeopardize women's right to legal and safe abortions. In 2022, the Supreme Court of the United States' decision in *Dobbs v. Jackson Health Women's Health Organization*<sup>269</sup> reversed *Roe v. Wade*, handing the decision to criminalize or legalize abortion to the states. In the

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<sup>269</sup> 19-1392 *Dobbs v. Jackson Women's Health Organization* (06/24/2022) (Supreme Court of the United States June 24, 2022).  
[https://www.supremecourt.gov/opinions/21pdf/19-1392\\_6j37.pdf](https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf)



dissenting opinion for *Dobbs*, Justices Breyer, Sotomayor and Kagan point out that “a State will be able to impose its moral choice on a woman and coerce her to give birth to a child.”<sup>270</sup> It seems that McCree’s argument in *Harris v. McRae* that the government held a vested interest in birth rates set a dangerous precedent for decisions such as *Dobbs*.

The decision in *Harris v. McRae* has evolved to federal funding for abortions only in special cases, such as rape or incest, which most states follow.<sup>271</sup> Some states, though, use state funding for those seeking an abortion with Medicaid.<sup>272</sup> In 2019, several Pennsylvania abortion providers sued the Department of Human Services (DHS) over the Pennsylvania Abortion Control Act, which states that federal funding can only cover abortions in cases of rape, incest, or danger of death.<sup>273</sup> The abortion providers

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<sup>270</sup> *Ibid.*

<sup>271</sup> KFF. “Does Medicaid Cover Abortions?” KFF, October 30, 2023. <https://www.kff.org/faqs/faqs-health-insurance-marketplace-and-the-aca/does-medicaid-cover-abortions/>.

<sup>272</sup> *Ibid.*

<sup>273</sup> Allegheny Reprod. Health v. PA DHS (Supreme Court of Pennsylvania October 26, 2022). <https://www.pacourts.us/assets/opinions/Supreme/out/J-65-2022mo%20-%20105815658253412907.pdf?cb=1>

argued that the law violated the Equal Rights Amendment, but a Commonwealth Court dismissed their claims.<sup>274</sup> In January 2024, however, the Pennsylvania Supreme Court decided that a lower court must hear the abortion providers' arguments because they held standing in their challenge against the law.<sup>275</sup> If the lower court rejects the claims by abortion providers, the case could be appealed again to the Pennsylvania Supreme Court.<sup>276</sup> If the abortion providers are still not satisfied after their state's decisions, they could file a *writ of certiorari*, meaning a request for review in a higher court, to the United States Supreme Court.<sup>277</sup> Though the hearings will not be held until much later, the Pennsylvania Supreme Court is paving the way for Medicaid funded abortions for their state, and maybe even for the United States as a whole.

Until the Supreme Court oversees another case challenging the legality of banning Medicaid funding of abortion, state

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<sup>274</sup> *Ibid.*

<sup>275</sup> *Ibid.*

<sup>276</sup> *Ibid.*

<sup>277</sup> United States Courts. "Supreme Court Procedures."

<https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/supreme-1>.

legislatures will continue to have the decision to use state funds to offset the harm that arises or leave it to the federal law. As shown through the mortality rates following the aftermath of the *Harris v. McRae* decision, abortion access is incredibly important to the safety of women. Not only that, but the lack of funding of abortion through Medicaid can be fatal, especially for indigent women. The *Dobbs* decision has exasperated these disparities further between women who can afford travel to states with abortion access and women who cannot. And in states where women can access abortion, the *Harris v. McRae* decision blocks women dependent on Medicaid funding from receiving abortions. In tandem, these major Supreme Court cases are detrimental to the mortality rates of women living in twenty-first century America and will continue to be if Medicaid is barred from covering women's abortions.

## **All Aboard the Mothership: George Clinton's Vision of Freedom and Black Power in Outer Space**

*Camille Carleton*

A Review of Parliament/Funkadelic's *Mothership Connection*. It is suggested to listen to the album while reading for the best experience. See past reviews below before embarking upon your journey:

“Disco, of course, but also quite suitable for just plain listening.”

**Billboard, 1976**

“This was *the* Parliament masterpiece. It mixed creative and clever satirical takeoffs on James Brown, Sly Stone and classic black radio with the kind of loose, inventive improvising seldom heard in R&B or soul circles. The narratives were swift and humorous and the music crackling, fast-moving and progressive.”

**Ron Wynn, *The All-Music Guide to Rock*, 1995**

“On *Mothership Connection*, George Clinton evokes his starship with the stunning co-opting of the line “swing low, sweet chariot,” and ties together centuries of African American suffering under a transcendent wish for release, for freedom, for happiness—in short, for da funk.”

**Quinten Skinner, *VH1's 100 Greatest Albums*, 2003**

“Its chants treat funk as a path to enlightenment, melding the idealism of the late '60s (best embodied by Sly and the Family Stone) with Me Decade escapism. Put it all together, and you have a cosmic revival meeting of the highest order.”

**Tom Moon, *1,000 Recordings To Hear Before You Die***

“Funkadelic’s famed line: Free your mind and your ass will follow.” From there, Clinton and crew do everything they possibly can to loosen up any lingering rigidity in your pelvic section.”

**Tom Moon, *1,000 Recordings To Hear Before You Die***

*Mothership Connection* was chosen as the 363rd greatest album of all time in a Rolling Stone magazine poll of artists, producers, critics, and music industry figures in October 2020.

Stay funky!

The 1975 album *Mothership Connection* by Parliament/Funkadelic crafts a vision of the future for Black communities across America in the wake of the Civil Rights Movement of the 1960s’ and its immediate aftermath into the 1970s. George Clinton, lead singer and conductor of the band, creates a symbolic vision of the future that is centered on escaping via the “Mothership,” a created vessel of freedom and liberation. Clinton asserts that to enter the Mothership, one must accept the “funk”. By identifying funk in this way, I argue that Clinton views “funk” as knowledge, which will enlighten the listener upon

acceptance. This enlightenment will grant the listener access to the unified place aboard the Mothership, free from the constraints of American society at the time. This utopia is created by way of characters such as Starchild, a persona that Clinton would take on while onstage during performances. By using characters like Starchild and performing them on stage, Clinton and P. Funk create a universe of mythology for Black people, by Black people. Through Parliament/Funkadelic's *Mothership Connection*, George Clinton offers a compelling narrative about how the acquisition of funk conceptualized outer space as a unified, free, and temporary form of escape for Black people in the 1970s. In this paper, I will analyze how five of the seven tracks on the *Mothership Connection* album convey these themes of liberation and freedom to ultimately offer Black people a temporary form of escape amidst the disunity of the 1970s.

George Clinton is the conductor of the band he fused together, Parliament/Funkadelic ("P. Funk"). In a SPIN article from 1985, Clinton describes the band as "sort of like a black

Barnum & Bailey.” This description of the band as almost circus-like makes perfect sense in the context of the band itself; made up of rotating musicians, P. Funk has included personalities such as Bootsy Collins, Bernie Worrell, and Eddie Hazel. With Clinton as their guide, many of these artists have branched off and created solo projects or bands, such as Bootsy’s Rubber Band. The band’s eclectic costuming is psychedelic in nature, and their collective mythology (*Mothership Connection* is just one part of the mythological tale the band tells) would help to generate the growing genre of Afrofuturism. Corraling the circus of a group was just one of Clinton’s jobs; a man of many descriptors, Clinton has called himself a “preacher, poet, and a pimp,” explaining that “A preacher ain’t nothing but a rapper.”<sup>278</sup> Clinton has appeared in numerous interviews over the years and explained in each how he envisions *Mothership Connection*. When *Mothership Connection* was released in tandem with *Chocolate City* in 1975, both albums

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<sup>278</sup> Greg Tate, “Parliament-Funkadelic: Our 1985 Interview with George Clinton,” *SPIN* (October 1985). <https://www.spin.com/2019/08/parliament-funkadelic-george-clinton-october-1985-interview-the-atomic-dog/>.

amplified the claim that Clinton was making: how to be Black in America. P. Funk's album *Mothership Connection* helped to generate the funk movement within the 1970s and is illustrative of the musical and political scene during this era.

The funk movement emerged as a kind of counter-protest to the largely white political structures in place during the 1960s. The beginnings of funk as a musical genre can be attributed to James Brown, whom Clinton famously renamed the “Grandfather of Soul,” who conceptualized and developed the “One.”<sup>279</sup> In Anthony Bolden's *Groove Theory*, Bolden discusses the origins of the “One” as “... Brown's new concept. The drummer emphasized the first beat in a four-bar measure—generally known as the “One.””<sup>280</sup> Bolden explains how “funk is a percussive form of rhythm and blues that emphasizes the groove.”<sup>281</sup> In *Groove Theory*, Bolden quotes an interview between Maureen Mahon and

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<sup>279</sup> Tyler Golsen, “James Brown explains the origins of funk,” *Far Out, Music From The Vault* (November 24th, 2021). <https://faroutmagazine.co.uk/james-brown-origins-of-funk/>.

<sup>280</sup> Anthony Bolden, *Groove Theory: The Blues Foundation of Funk* (Jackson, Mississippi: University Press of Mississippi, 2020), 1.

<sup>281</sup> Bolden, *Groove Theory*, 1.



guitarist Kelvyn Bell, where Bell explores how “funk put even more emphasis on...heavy rhythms [than R&B]... It’s all based on the power of the electric guitar... When you get like wah wah wah [he imitates a screaming guitar], you play one note and it’s waaaaah.”<sup>282</sup> This distortion of the electric guitar creates a more powerful rhythm that both the players and the audience can deeply connect with. Funk allows for people to, as Bolden states, “become enthralled or immersed psychologically and express joy through dancing and other forms of body movement.”<sup>283</sup> Funk’s genesis with the “One” is also tied into other genres of Black-pioneered music such as soul and jazz, but particularly the blues. Bolden argues that “the concept of funk preceded the musical genre... [and is] related to the blues.”<sup>284</sup> Funk is both a combination and byproduct of the blues, jazz, soul, and R&B music. It is a culmination of years of Black-pioneered musical fields and achievements. In a *Spin* magazine article written in 1988, Brown

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<sup>282</sup> Bolden, *Groove Theory*, 4.

<sup>283</sup> Bolden, *Groove Theory*, 7.

<sup>284</sup> Bolden, *Groove Theory*, 1.

explained that “Funk is coming down on the one. If it’s on the one, then it’s funky.” Brown’s combination of soul, jazz, and gospel was nurtured into what we know now as funk music.

Brown’s record “Say it Loud: I’m Black and I’m Proud” came just four months after the assassination of Martin Luther King Jr. in 1968, and is one of the landmark cultural texts of the 1960s.<sup>285</sup> “Say it Loud: I’m Black and I’m Proud” was revolutionary both in how the song combined and crossed multiple genres of music, and also in its direct exclamation of being Black in America. James Brown called for people to be proud of their Blackness, and did so in a way that has placed his song as a cultural landmark of the 1960s. Randall Kennedy, a law professor at Harvard University, explores the importance of James Brown’s song being released in the 1960s, stating: “The Black Liberation Movement had a variety of fronts. One front was outward facing

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<sup>285</sup> Mitchell, Zoë, and Meghna Chakrabarti, “‘Say It Loud’: 50 Years Ago, James Brown Redefined Black Pride | Radio Boston,” *WBUR.Org* (July 24, 2018).  
<https://www.wbur.org/radioboston/2018/07/24/james-brown-black-pride>.

challenging white supremacy. The other front...was the inner struggle in Black America to rehabilitate itself; to reclaim itself.”<sup>286</sup> Brown’s hit song sought to encourage Black America to rehabilitate itself, as many communities were reeling after the death of Dr. King as well as continuing the fight for civil liberties. Funk has its roots in the struggle for liberation, tied specifically to the Civil Rights Movement and its immediate aftermath in the 1960s-1970s.<sup>287</sup> Brown’s “Say it Loud: I’m Black and I’m Proud” was not only a call to action for Black communities around America but also a reclamation of their identity. Funk music became a new discourse for Black people to communicate with each other, and to communicate to Black people how to *know* themselves. Greg Tate, writer, and Black cultural critic explains that “Knowing yourself as a Black person— historically,

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<sup>286</sup> Mitchell and Chakrabarti, “Say It Loud”.

<sup>287</sup> Kennedy continues that James Brown’s legacy lasted not only in the funk genre, but into the Black Lives Matter movement we still see reverberating today: “People say, you know, ‘Why do you say Black Lives Matter? Or, is black life any more important than white life?’” Kennedy explains that “of course... all lives matter. All hues are beautiful, except that some hues have been systematically put down for decades.” Mitchell and Chakrabarti, “Say It Loud”.

spiritually, culturally— is not something that’s given to you, institutionally; it’s an arduous journey that must be undertaken by the individual.”<sup>288</sup> This “arduous journey” is one that Clinton and P. Funk choose to highlight in their 1975 album releases *Chocolate City* and *Mothership Connection*, mythologizing the historical, spiritual, and cultural ways of knowing oneself as a Black individual.

Clinton and P. Funk imagine a vision of the future in outer space specifically created for Black people, by Black people. However, P. Funk was not the only band to do so. Solo artists such as Marvin Gaye and Prince would both release songs about outer space later on. Marvin Gaye’s “A Funky Space Reincarnation” is both a funk and jazz single that was recorded and released in 1979. Taking inspiration from P. Funk’s *Mothership Connection*, Gaye sings to the audience about “interplanetary funk,” a direct sample

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<sup>288</sup> Dery, Mark, “Black to the Future: Interviews with Samuel R. Delany, Greg Tate, and Tricia Rose,” *Flame Wars: The Discourse of Cyberculture*, edited by Mark Dery (Durham, North Carolina: Duke University Press, 1994), 210. <https://doi.org/10.2307/j.ctv1220m2w.12>.

from “P. Funk (Wants to Get Funked Up),” where the lyrics read “When you improve your interplanetary funkmanship.” In 1994, Prince would release a record called “Space” on his album *Come*. Prince uses a NASA sample in the intro and outro of his song, with lyrics asking his lover if they want to go “Where the souls go (The space).” P. Funk began to look into what space could mean not only for the human race but also for Black people in 1975, and artists such as Marvin Gaye and Prince would reinterpret these ideas later on in their own work.

While Prince and Marvin Gaye certainly interact with themes of outer space within their music, no one did it quite like Sun Ra. During an interview with NUVO in 2016, interviewer Kyle Long and Clinton discussed Sun Ra and P. Funk’s alleged connection with him. Long explains that Sun Ra was “an incredible avant-garde jazz bandleader who claimed he was from the planet Saturn and he recorded over 100 albums of experimental music that consistently explored cosmic themes of space travel and

Blackness.”<sup>289</sup> These connections between space travel and Blackness are indisputable within *Mothership Connection*. Though very different in form, the messages present similarly. Sun Ra also released a short film *Space Is The Place* (1974) that stars Sun Ra and his band as themselves. Nabeel Zuberi, author of “The Transmoleculization of Black Folk,” discusses how the film explores Sun Ra’s goal to transport the Black community of America to a new planet in outer space. The film has been classified under many genres but without a doubt holds themes of sci-fi and Afrofuturism. Within the film, Sun Ra says to the camera, “The Music is different here. The vibrations are different. Not like Planet Earth.”<sup>290</sup> Even with this deliberate notion that the *music*—the sound!— is different on this other planet, Clinton maintains that he and P. Funk did not draw any inspiration from

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<sup>289</sup> Kyle Long, “George Clinton talks Sun Ra, Kendrick, Prince, Jimi Hendrix, and More: Space Man Cometh,” *NUVO* (May 2nd, 2016).

[https://www.nuvo.net/music/george-clinton-talks-sun-ra-kendrick-prince-jimi-hendrix-and-more/article\\_e3f8b681-7990-5bf8-a3d2-6c1013e3bfa8.html#:~:text=Clinton%3A%20I%20didn't%20really,when%20he%20came%20to%20Detroit.](https://www.nuvo.net/music/george-clinton-talks-sun-ra-kendrick-prince-jimi-hendrix-and-more/article_e3f8b681-7990-5bf8-a3d2-6c1013e3bfa8.html#:~:text=Clinton%3A%20I%20didn't%20really,when%20he%20came%20to%20Detroit.)

<sup>290</sup> Sun Ra and Joshua Smith, *Space Is The Place*, directed by John Coney (1974), film.

the film or Sun Ra himself. However, in the same NUVO interview, Clinton agrees with his work being understood under the umbrella of Afrofuturism:

Yeah, funk or R&B — that groove — they change the name every so often, but we continue to call it funk... all of that came from a futurist standpoint.

All of that came from an era when we were contemplating space travel. **We created funk for outer space:** myself, Jimi Hendrix, Sun Ra, David Bowie, and Labelle. All of that was the beginning of the theatrical sci-fi.

P. Funk not only racializes outer space but also creates a knowledge basis within funk for their listeners. This vision of a future and outer space coexists with other interpretations, including the artists Clinton named and many others. Artists and creators within the space age were interacting with and adapting their visions of what another world could offer humanity. In order to understand Clinton and P. Funk's vision of the future, we must look into the context Clinton was working within.

The United States' entrance into outer space began in tandem with the then Soviet Union, coining the term "Space Race" to be used in describing the events that occurred between the two countries from 1955 to 1975. The space race that the Soviet Union and the United States engaged in throughout this period aimed to achieve superiority in what was known as the "final frontier."<sup>291</sup> According to American historian Walter McDougall, "space activity embodied the post-World War II concept of technocracy...the institutionalization of technological change for state purposes."<sup>292</sup> The idea of being able to enter outer space meant the possibility of a new domain for war. Thus, the United States needed to "secure space" from the Soviets, while the Soviets needed to do the same for the United States.<sup>293</sup> However, it was "after Yuri Gagarin's flight in 1961 [that] the United States was in

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<sup>291</sup> Rosa Bertoli, "Advertising the Space Race, 1957-1962," *Wallpaper* (October 27, 2022). <https://www.wallpaper.com/lifestyle/advertising-the-space-race-1957-1962>.

<sup>292</sup> James Clay Moltz, "The Changing Dynamics of Twenty-First Century Space Power," *Journal of Strategic Security*, Vol. 12, No. 1 (2019): 16.

<sup>293</sup> Moltz, "The Changing Dynamics of Twenty-First Century Space Power," 18.



dire need of a convincing space victory.”<sup>294</sup> While the internal race within the US government was to secure outer space from the Soviets in the hopes to stave off another war, outer space was marketed to the American public in a different way. As author Bradley G. Shreve posits, “space exploration... served as a pressure valve or balancing point to the heightened Cold War tensions of the early 1960s.”<sup>295</sup> Due to these political achievements by not only the American government but also the Soviet Union, conceptions of outer space slowly began to pop up in popular culture, taking scientific thought and exploration and turning it into media forms such as television, movies, and most importantly—music. The music of the late 1960s and 1970s began to characterize outer space into different visions of the future, transforming the wide, unexplored universe into a metaphorical “space” average humans could imagine themselves within.

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<sup>294</sup> Karsten Werth, “A Surrogate for War—The U.S. Space Program in the 1960s,” *Amerikastudien/American Studies* 49, no. 4 (2004): 564.

<sup>295</sup> Bradley G. Shreve, “THE US, USSR, AND SPACE EXPLORATION,” *International Journal on World Peace*, vol. 20, no. 2 (June 2003): 67.

*Mothership Connection* is one album that re-conceptualized outer space specifically for Black people. The album was released in 1975, nearly seven years after the assassination of Dr. Martin Luther King Jr. in Memphis, Tennessee. Dr. King's nonviolent campaign in the 1960s worked to ensure the civil liberties of African Americans, but King's notion of nonviolent resistance was just one of the movements that fought for the rights of Black people in the 1960s and beyond. Importantly, the Black Power Movement emphasized Black self-reliance and self-determination *more* than integration, calling for Black people to create cultural organizations that served their own interests.<sup>296</sup> Integral to the foundation of the Black power movement was Malcolm X, who was assassinated in 1965. However, as scholar and civil rights activist Julius Lester said, "More than any other person, Malcolm X was responsible for the growing consciousness and new militancy of Black people." Despite—and perhaps, because of—

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<sup>296</sup> Kevin Young, "The Foundations of Black Power," *National Museum of African American History and Culture, The Smithsonian* (December 1, 2021). <https://nmaahc.si.edu/explore/stories/foundations-black-power>.

this growing consciousness, the Black Power movement, the Black Panther Party, and Martin Luther King Jr. became targets for the FBI's counterintelligence program, which waged war on these so-called "dissidents" through measures such as wiretapping phones, spreading rumors, and even assassination, like that of Black Panther Fred Hampton.<sup>297</sup> Due to these actions, the Black Power movement was severely weakened by the mid-1970s, leaving unrest and unresolved issues still at bay within Black communities around America. However, the Movement did not stop working for the equality and betterment of Black people even with the United States government's actions. In viewing the lives and work of both MLK Jr. and Malcolm X in tandem, we can begin to see how both men advocated for and together for the lives of Black Americans. This "growing consciousness" of African Americans that the Black Power Movement had planted began to shift into anger and disillusionment. Within this period of anger and disillusionment, Clinton and P. Funk accessed the same body

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<sup>297</sup> Young, "The Foundations of Black Power."

of cultural knowledge that MLK Jr. and Malcolm X drew from, incorporating aspects not only from the Black Power Movement but also from the deep, centuries-long Black mythological tradition. Clinton and P. Funk's music is surely a response to the assassination of MLK Jr, and at the same time exists in the binary of both the lives and work of MLK Jr. and Malcolm X.

George Clinton and Parliament/Funkadelic interjected two albums into the wake of this growing disillusionment: *Chocolate City* and *Mothership Connection*. *Chocolate City* tackles the issue of white flight and suburbanization, or, as Clinton calls it, the “vanilla suburbs.” These all-Black neighborhoods, called “chocolate cities” by Clinton, changed makeup in the 1970s. Housing segregation continued to happen throughout the 1970s and built up continuing economic pressure for Black people in different neighborhoods across America.

Clinton drew on many cities across America when creating *Chocolate City*. One example of a city impacted by housing segregation is Detroit. When Coleman Young became the mayor of

Detroit in 1973, he inherited a city on the brink of economic disaster.<sup>298</sup> Yet in response to the claims that Detroit's problems stemmed from Black incompetence, Young explained, "It starts with economic pressure, and the first economic pressure was slavery... It reminds me of something MLK said. 'How do you expect us to pull ourselves up by our bootstraps when we don't even have boots?'" Young continued with: "The motherfuckers stole our boots."<sup>299</sup>

As Craig Werner, expert on African American music from the 1950s-present and author of *A Change is Gonna Come* argues:

When the grudging enforcement of civil rights legislation opened new areas to the black working class, however, the situation in the old neighborhoods changed drastically. Almost overnight, black children found themselves cut off from the mentors who could teach them how to negotiate the economic world without denying their blackness.<sup>300</sup>

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<sup>298</sup> Craig Werner, *A Change Is Gonna Come: Music, Race & the Soul of America*, (New York: Plume, 1998), 184.

<sup>299</sup> Werner, *A Change is Gonna Come*, 185.

<sup>300</sup> Werner, *A Change is Gonna Come*, 186.

Clinton and P. Funk's *Chocolate City* worked within this framework to offer up a dialogue for Black people living in these cities. Their two albums, in conjunction, created mentorship for Black children in these "chocolate cities," lightly disguised by the power of funk. Clinton imagines Muhammed Ali as President of the United States in the album with Aretha Franklin as the First Lady. Clinton's goal, as he states himself, was to "put Blacks in places where they had never been perceived to be."<sup>301</sup> Once *Chocolate City* worked, Clinton and the band collectively agreed: "Damn. What about outer space?"<sup>302</sup> In viewing outer space in this way, Clinton engages with what Rickey Vincent, author of the 1996 book *Funk the Music, The People, and the Rhythm of The One*, argues is "the ethos of soul music," which is to, "put Black

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<sup>301</sup> Keith Harriston, "Forty Years Later, George Clinton's Mothership Is Still Landing," *Andscape* (October 2, 2017). <https://andscape.com/features/forty-years-later-george-clintons-mothership-is-still-landing/>.

<sup>302</sup> George Clinton, "The Mothership Connection to the Smithsonian," Interview by Brittany Burton, *Truth Be Told* (September 18, 2016), Audio, 1:09. <https://www.georgeclintonart.org/video/15-the-mothership-connection-to-the-smithsonian/>.

people in a **better** place.”<sup>303</sup> *Mothership Connection* was thus the logical (if we can call the album logical, what with the funk-bestowing aliens!) follow-up album to *Chocolate City*. After opening up and creating a dialogue for Black neighborhoods in *Chocolate City*, *Mothership Connection* tells its listeners where to look next: the stars.

We can draw several conclusions from thinking about music from a certain period of time. Music opens a window into how people of that time period interacted with and thought about the political and cultural events that occurred, as well as showing us how sound itself has developed over time. Craig Werner explores how music and history are intertwined, saying: “Structurally, music mirrors the complications of history. Moving forward in time, music immerses us in a narrative flow, gives us a sense of how what happened yesterday shapes what’s happening now.”<sup>304</sup> Clinton and P. Funk not only “mirror” the complicated

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<sup>303</sup> Harriston, “Forty Years Later, George Clinton’s Mothership Is Still Landing.”

<sup>304</sup> Werner, *A Change is Gonna Come*, 227.

history of Black people in America and the last fifteen years of the civil rights movement, but envision a created universe that is a *better place* for Black people. This “better” place is one that is unified and free.

*Mothership Connection* is a window to look at how Clinton and other funk artists of the 1970s, such as Marvin Gaye, as discussed above, viewed themselves and created a future for Black people in America. With this context in mind, I aim to dissect the lyrics in five of the seven tracks on *Mothership Connection*, engaging with the scholarship surrounding the album at large. By going through the sonic experience and lyrics of each song, the themes of Black escapism, liberation, and freedom become abundantly clear. P. Funk and Clinton’s telling of the future— of outer space— is a wild, space-age, funkadelic tale. P. Funk’s performances are quasi-religious in experience, inviting their listeners: come here, and take this funk I bestow upon you. What you will do with the funk is up to you.



To unpack P. Funk's songs, it is critical to understand the concept of "funk" that Clinton plays with throughout the album. "Funk," in its most literal sense, means "the sweat exuded during dancing or sex."<sup>305</sup> Clinton is *certainly* evoking this definition throughout his album as well as on stage during performances; he would often appear on stage with, as the interviewer from the "Our 1985 Interview with George Clinton" article states, "nothing on but [his] jockstrap."<sup>306</sup> In the same article, Clinton states that he later on "cleaned up considerably for those shows, because back then we used to come out naked for real."<sup>307</sup> Yet this exploration of "funk" must also be looked at through both a sonic and cultural lens. Culturally, as discussed above, the funk genre is made up of multiple black-pioneered musical traditions, thinking specifically about the blues, soul, jazz, gospel, and R&B. Anthony Bolden quotes Clinton in his *Groove Theory*, stating that "We [the band] realized that the blues was the key to that music [funk]. We just

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<sup>305</sup> Merriam-Webster.com Dictionary, s.v. "funk (n.)." <https://www.merriam-webster.com/dictionary/funk>

<sup>306</sup> Tate, "Parliament-Funkadelic: Our 1985 Interview with George Clinton."

<sup>307</sup> *Ibid.*

speeded blues up and called it ‘funk’ cause we knew it was a bad word to a lot of people.”<sup>308</sup> Clinton engages with both the cultural interpretation of what “funk” was to the general public, as well as how the musical genre would become re-interpreted by funk artists such as himself. Funk is a “vernacular concept,” and must be thought about as such. Yet Clinton does more than just simply engage with the funk genre in *Mothership Connection*. He introduces funk as something that can be *attained* through listening to his records. This “funk” is ultimately presented as one thing: knowledge.

Through the seven tracks on their record *Mothership Connection*, P. Funk fosters a theme of escapism in their vision of outer space. Quinten Skinner, writer of the article *VH1’s 100 Greatest Albums, 2003*, remarks that the combination of “Bootsy Collins’s elastic bass, Bernie Worrell’s extraterrestrial synthesizers, Gary Shider’s guitar, and Fred Wesley’s horny

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<sup>308</sup> Bolden, *Groove Theory*, 6.

horns” allows for the album to build a mythology around both “funk” as knowledge, and outer space as a rightful escape. Track one, “P. Funk (Wants to Get Funked Up)” introduces the audience with something of a radio show host, sampling the intro of a popular television show from the 1960s, “The Outer Limits”. The lyrics read:

Good evening/Do not attempt to adjust your radio,  
there is nothing wrong/ We have taken control as to  
bring you this special show/ We will return it to you  
as soon as you are grooving.

“The Outer Limits” begins similarly with “There is nothing wrong with your television set/ Do not attempt to adjust the picture/ We are controlling the transmission” (The Outer Limits). By introducing the album in this way, P. Funk suggests that the experience the listener is about to embark upon is otherworldly— something different, and ultimately unexpected. The song starts sultry, almost-jazz-like in sound, with a hi-hat and synth edging in as the song continues. The song continues by introducing the radio station, aptly named “W-E-F-U-N-K, better

known as We-Funk.”. In the 1970s, radio stations often preferred to play genres such as soul or disco, “ghettoizing” funk on the local or urban radio station.<sup>309</sup> Frustrated by this fact, George Clinton created his radio station, We-Funk, with its show host— the “Lollipop Man.” By introducing their album with an otherworldly radio station with its base in space, P. Funk begins the narrative that outer space offers itself to the audience if they should choose to continue listening. Around the lyric “Dealers of funky music,” a saxophone cuts in, and heightens the beat. The music continues to build as the second character of the song is introduced, “Lollipop Man.” Shortly after this, a cacophony of noise erupts as the hook of the song begins with “Make my funk the P. Funk/ I want my funk uncut.” A trumpet begins to play as the hook builds, with drums behind. A synth echoes almost otherworldly sounds in the

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<sup>309</sup> Keshia M. Morant, “Language in Action: Funk Music as the Critical Voice of a Post—Civil Rights Movement Counterculture,” *Journal of Black Studies* 42, no. 1 (2011): 74.

[https://www.jstor.org/stable/pdf/25780792.pdf?refreqid=fastly-default%3A725983143563ab8c3aff2597c0d12975&ab\\_segments=&origin=&initiator=&acceptTC=1](https://www.jstor.org/stable/pdf/25780792.pdf?refreqid=fastly-default%3A725983143563ab8c3aff2597c0d12975&ab_segments=&origin=&initiator=&acceptTC=1).

background, reminding the listener that this funk is “uncut” and not of this Earth.

P. Funk furthers the idea that space is a place of escape for Black people at the end of verse two, where the lyrics read ““Once upon a time called Now/ Somebody say, ‘Is there life after death?’”” By referring to the present time as “Now”, Clinton calls upon the long history of Black people being systematically denied any images of their past.<sup>310</sup> This systemic denial led to Black people being forced to live under the oppressive white power structure without images of their past. Yet Clinton’s assertion about the “time called Now” asserts that Black people should not dwell on this oppressive past; the future– space– offers something much better. In verse two, the lyrics read: “Somebody say, ‘Is there funk after death?’ / I say, ‘Is seven up?’”” By making clear that this “funk” does exist after death, Clinton suggests that “funk” is not *just* music, but knowledge to be obtained. By accepting this funk,

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<sup>310</sup> Dery, “Black to the Future.”

the listener will be enlightened with knowledge that lives on even after life. “Once upon a time called Right Now” is repeated in hook two. The repetition indicates that the Lollipop Man demands the audience’s apt attention. As the songs go on, the importance of what “funk” can offer the listeners will be revealed. Hook two also offers another repetition from verse one, with the lyric “Home of the extraterrestrial brothers.” By repeating this line, Clinton invites Black listeners into his vision of outer space; unlike the neglect of the Black community in the United States at the time, outer space could be an imagined escape specifically for Black people. Track one, “P. Funk (Wants to Get Funked Up)” ultimately offers a theme of escapism in space for Black people, and begins the narrative Clinton is telling.

Through the use of African-American folklore, biblical, and gospel music traditions, P. Funk illustrates how the Mothership will bring freedom. Track two, “Mothership Connection: Star Child” is the title track of the album, and introduces George Clinton’s character Star Child. Starchild’s main

goal whilst on Earth is to “save a dying world from its funklessness” (Bridge 2, Parliament/Funkadelic). Starchild is figured as an alien (or, Christ—whatever you prefer) in this album; he has been sent to save the people from their own lack of funk. Given this figuration, the sound must hold up to his arrival. “Mothership Connection: Starchild” begins with a rhythm section. The song itself is built on an infectious funk groove, and it’s this groove that keeps the song moving and encourages its listeners to keep dancing. Across several of P. Funk’s songs are a horn and bass section, and this song is no different. Horns reverberate throughout the entire track, complete with funky guitar bits placed throughout the song. The point of funk music is to get people moving— and move you do when listening to *Mothership Connection*.

Tom Moon, writer of *1,00 Recordings To Hear Before You Die*, notes that Glenn Goins is the “unsung hero” of P. Funk, and is a “sweet-voiced singer and guitarist.” Moon writes that “after the main chorus of the title track has been churning for a while, Goins

leans in with a counter line for the ages.” This counterline is the highlight of the song, with lyrics reading “Swing down, sweet chariot/ Stop, and let...me....ride!” Moon notes that Goins’ vocals changes the song into an “old-school gospel invocation...[from] what had been a mildly campy intergalactic groove into a spiritual quest.” This refrain is sampled from a spiritual called “Swing Low, Sweet Chariot”. By referencing the chariot, Clinton alludes that the Mothership is the new escape for Black people, and will carry them home to outer space. Yet Clinton twists this traditional spiritual, which could also be called a “slave hymn” from a song of oppression into a song of freedom. The refrain of the spiritual reads, “Coming for to carry *me* home.” Clinton changes this refrain in *Mothership Connection: Starchild* to “Swing low, sweet chariot/ Coming for to carry *you* home.”<sup>311</sup> While the original lyrics indicate the chariot is carrying the singer home, Clinton’s revised

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<sup>311</sup> *The Book of American Negro Spirituals*, edited by James Weldon Johnson (New York: Viking Press, 1925). Accessed from the Schomburg Center for Research in Black Culture, Jean Blackwell Hutson Research and Reference Division, The New York Public Library, The New York Public Library Digital Collections. <https://digitalcollections.nypl.org/items/6a771c60-bbff-0134-7046-00505686a51c>



version of the song carries the *listener* home by changing the lyric from “me” to “you.” Accepting the message Starchild brings will carry the listener “home” aboard the Mothership. The use of the word “home” here references the eternal home in Biblical literature: heaven. The Mothership has been sent to carry the Black people of America “home.”

The book of Exodus in the Bible illustrates this idea of “home” by equating it with the Promised Land. When the Israelites were enslaved by Pharaoh in Egypt, God delivered them “home” to the Promised Land. However, not all of the Israelites reached the Promised Land—they walked through the desert for 40 years. The eldest generations who had suffered as slaves under Pharaoh did not get to see the glory promised to them. The Exodus story is historically important to Black people in America, and as historian Albert Raboteau says, is “the most significant myth for American black identity, whether slave or free.” The importance of the Exodus story is seen in Martin Luther King Jr’s “I’ve Been to the Mountaintop” speech, given on April 3rd, 1968, the day before he

was assassinated. The last few lines of King's speech read as follows:

Because I've been to the mountaintop...I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And I've seen the Promised Land. I may not get there with you.

But I want you to know tonight, that we, as a people, will get to the Promised Land...Mine eyes have seen the glory of the coming of the Lord.

Dr. King's statement that he "may not get there with you" as he speaks to the audience is especially chilling, as he will be assassinated in the coming hours. Yet King's last words are one of action and hope. He promises the people that they *will* reach the Promised Land, with or without King's assistance. He has guided them along so far, and now, he moves forward, seeing the glory of the coming Lord. This same message of hope can be seen throughout Clinton's album. Clinton imagines a Promised Land aboard the Mothership in outer space, where Black people are finally free. By using "Swing Low, Sweet Chariot," Clinton is invoking centuries of tradition that allude to both the Exodus story and Martin Luther King Jr.'s interpretation of it.

Clinton furthers the narrative that space is a place of freedom in verse nine, with lyrics reading “Light years in time, ahead of our time/ Free your mind and come fly.” Clinton suggests that his conceptualization of outer space as the future for Black people is “ahead of our time,” and invites his audience to free their minds from the oppressive, white society at the time. By using the word “fly,” Clinton alludes to the African diaspora legend of “flying home;” while under enslavement in North America, many African Americans came up with stories to help them cope with this traumatic experience.<sup>312</sup> “Flying Africans” represented both spiritual freedom and *Earthly* freedom.<sup>313</sup> One of the governing myths of the “Flying African” is about a man who teaches the earthbound slaves to fly, and they return home to Africa, the homeland, together.<sup>314</sup> Starchild is the teacher for the citizens of the universe— Parliament/Funkadelic’s conceived universe—

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<sup>312</sup>Greg Pasciuto, “The Flying Africans: Flying Home in African American Folklore,” *The Collector* (September 12, 2022).

<https://www.thecollector.com/flying-africans-folklore/>

<sup>313</sup> *Ibid.*

<sup>314</sup> Wilentz Gay, “If You Surrender to the Air: Folk Legends of Flight and Resistance in African American Literature,” *MELUS* 16, no. 1 (1989): 23. <https://doi.org/10.2307/467579>.

teaching the earthbound audience how to fly. By “saving the world from its funklessness,” Starchild is giving his people what they need in order to “fly home” aboard the Mothership. Clinton utilizes the African-American spiritual of “Sweet Chariot” to remind the audience what they have forgotten; in verse four, the lyrics read “Face it, even your memory banks/ Have forgotten this funk.” The funk that Starchild teaches is the freedom Black people once had before slavery and the freedom they will have again only in the conceived imagination of the Mothership. Clinton and Parliament/Funkadelic offer the narrative that at the time in the 1970s, true Black freedom was not available in America. Only by realizing this by understanding and accepting the funk that Starchild provided could they board the Mothership and experience liberation in space. To impress upon their audience the importance of space as liberation, P.Funk introduced the Mothership: a replica spaceship built to look like a lander from one of the



Pictured above is a replica of the Mothership.<sup>315</sup>

Apollo missions that would descend on stage during the song.

From the Mothership Starchild would emerge, inviting the audience to play a part in the conceptualization of outer space that Parliament/Funkadelic was imagining. By having this replica spaceship descend onto stage during their shows on tour,

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<sup>315</sup> Designed by George Clinton, Jules Fisher, and Peter Larkin, a replica of the original Mothership that would descend on stage during the *Mothership Connection* tour is now on display at the Smithsonian, housed in their National Museum of African American History and Culture. This replica is made of metal, glass, and plastic. The exhibit is called “Musical Crossroads”, and the movement the piece is under is Afrofuturism. For more information on this collection and the replica itself, see George Clinton, Jules Fisher, and Peter Larkin, *The Mothership*, Sculpture, Collection of the Smithsonian National Museum of African American History and Culture: Musical Crossroads, Smithsonian Institution.

[https://www.si.edu/object/mothership%3Anmaahc\\_2011.83.1.1-.9](https://www.si.edu/object/mothership%3Anmaahc_2011.83.1.1-.9).

Parliament/Funkadelic literally extend their imagined choice of freedom to the audience at hand.

*Mothership Connection*'s final theme of the reunification of the Black community is reiterated throughout the album. In Track 3, "Unfunky UFO," Parliament/Funkadelic introduces and furthers the idea of the unification of the African-American community.

Within the first lyrics of the song, the audience is told that "You've got all that is really needed/ To save a dying world from its

funklessness." P. Funk encourages its listeners to take on

Starchild's mission of "saving the world from its funklessness."

"Unfunky UFO" starts very differently from the first two tracks of the album; there is no otherworldly radio station or introduction to

the arrival of the album's superstar. Instead, "Unfunky UFO"

begins with a guitar section and a funky riff as the vocals slide into

the beat. Keeping with style, Fred Wesley comes in on the horn

with Bootsy Collins working the bass as the song continues.

Quinten Skinner writes that George Clinton's vocals are "teasing,

mocking, exhorting, and celebrating." As the album continues, the

listeners become interwoven with the song lyrics; the songs are a conversation between Starchild and his students of this “funk.” In Track 3, “Unfunky UFO,” the listeners claim in the hook, “We’re unfunky and we’re obsolete/ (And out of time)/ And we’re out of time.” They need Starchild to teach them what this “funk” is, and how they can utilize the knowledge it has. The idea that they are “out of time” argues that the disunity of the Black community has reached a breaking point. Starchild’s students need something to help reunify the community. Thus, if the students wish, as the bridge suggests, to “...feel so much better”, the audience must take what Starchild is teaching them— the language of funk— and “...show me how to funk like you do.” By repeating the lyric “We’re unfunky and we’re obsolete,” Parliament-Funkadelic describes the disunity of the Black community at the time; they do not embrace the funk and in doing so, are obsolete. In order for them to achieve unity, the funk must be accepted by the entirety of the Black community. The listeners—Starchild’s students—who are engaging in the conversation within the song will take on Starchild’s job of bringing life to a world without funk.

In order to teach the listeners what this funk is, P. Funk uses language that has been created for their Black listeners. This language includes words such as Track 4's title, "Supergroovalisticprosifunkstication"—but "In other words, it's the thumps bump." This language is centered on the creation of funk music as a genre; funk music provided a new discourse for Black people within the 1970s. Track 4 has a dominating bassline and interwoven vocal harmonies, as well as including almost alien-like noises at the beginning and reverberating throughout the song as the lyrics grow louder and louder. P. Funk and Starchild argue that the people *want* the funk: "Give the people what they want/ When they want/ And they wants it all the time." "Unfunky UFO" presents the disunity of the African-American community in the eyes of Parliament-Funkadelic through the privatization of funk music. By making "Supergroovalisticprosifunkstication" the track immediately following, P. Funk calls on their audience to use funk as a way to unify their community surrounding them, connecting them to the Mothership—the homeland.



Track 6 of *Mothership Connection*, “Give Up the Funk (Tear the Roof off the Sucker),” indicates that the listeners have taken Starchild’s command to bring funk to the world and done it well. Bootsy Collins’s bass section in this track is part of the reason the song has held up since 1976. The song has large refrains of repetition, with the most notable reading “Oww, we need the funk/ We gotta have that funk!” The listeners of the song need the funk so badly they will “tear the roof off the sucker” (the Mothership!) in order to have it. The lyrics continue, reading “You’ve got a real type of thing going down, gettin’ down/ There’s a whole lot of rhythm going round,” the listeners clearly have found that the “funk” is worth sharing. With the continuation of “Ow, we want the funk/ Give up the funk/ Ow, we need the funk/We gotta have that funk,” it is clear that the listeners have shared the funk, and now other people are joining in too. *Mothership Connection*, when listened to in order, creates a narrative that illustrates how “funk” will be brought to the people of Earth, and how this “funk” will save them.

Bernie Worrell, who played keyboards for Parliament/Funkadelic during their *Mothership Connection* tour, stated “The Mothership was my favorite show. Because that one was really about enlarging the mind. Inner and outer space.”

Worrell speaks to the enduring legacy of *Mothership Connection*; by building upon the mythology already in place about the “Flying Africans” and escape from oppression, Parliament-Funkadelic is able to create a mythology that redefined the funk genre. P. Funk takes the role of outer space in white society and transforms it for the Black community; by promoting the narrative that space could be for *all* Black people, P. Funk encourages its audience to explore their own future. Yet in encouraging this exploration of self, P. Funk pays homage to the history of Black people in America, looking backward with the inclusion of African-American spirituals and cultural myths regarding flying. In doing so, P/ Funk calls for the Black community to look forward together—to look forward to reunification and to look forward towards imagining true liberation.

Through *Mothership Connection*, Parliament/Funkadelic's "astrofunk" lays the foundations for Afrofuturism, generating a new genre of Black thought that allows Black people to envision themselves in a different, better space. Afrofuturism, a term coined by Mark Dery in the 1990s, is an intersection of imagination, technology, the future, and liberation.<sup>316</sup> It is an unlikely fusion of Egyptian, non-Western mythology, mysticism, magical realism, Afrocentricity, modern technology, and science fiction.<sup>317</sup> In short, Afrofuturism collects cultural ideologies to put Black people into the future, and into outer space. Ytasha Womack, a writer of several books regarding Afrofuturism, describes that the movement is a way of "imagining possible futures through a black cultural lens... Afrofuturism is a way to encourage experimentation, reimagine identities, and activate liberation." Afrofuturism transformed the perception of Black history by likening the

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<sup>316</sup> Ytasha L. Womack, *Afrofuturism: The World of Black Sci-Fi and Fantasy Culture* (Chicago: Lawrence Hill Books, an imprint of Chicago Review Press, 2013), 9.

<sup>317</sup> Ruth LaFurla, "Afrofuturism: The Next Generation," *This Year in Style: The New York Times* (December 12, 2016).

<https://www.nytimes.com/2016/12/12/fashion/afrofuturism-the-next-generation.html>

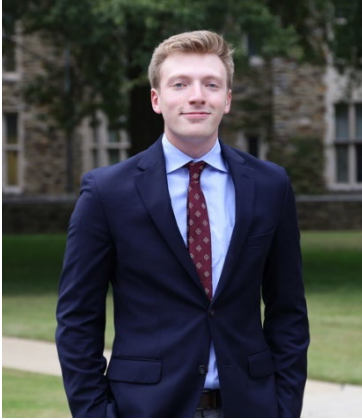
experiences of Black people to that of aliens. Plucked from their homeland, the roots of Afrofuturism sought to *return* African Americans to this homeland—outer space. The movement itself is backward-looking and forward-thinking; by reconstructing the experiences of Black people from their past, the future can indeed be engineered into a transcendent, Black space. George Clinton and P. Funk’s “astrofunk” helped to give birth to this movement by creating music that painted Black people as fully worthy of equality. P. Funk’s mythology seeks to explore new possibilities and situations that would best help to elevate Black people, whether on Earth or in outer space. P. Funk chooses to help define the presentation of large Black populations as desirable, and beautiful.<sup>318</sup> George Clinton and Parliament/Funkadelic reimagine the past of Black people and look forward to the future, creating images of a “tomorrow” specifically for Black people; indeed, as Sun R says, space *is* the place.

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<sup>318</sup> Morant, “Language,” 79.

*Mothership Connection* opens a window into how George Clinton and other Black artists thought about the future. There could be a space, in the future, *only* for Black people. Like the space of their past, *Mothership Connection* allows for Black people to imagine what this could be—what this homeland could look like. What *Mothership Connection* is truly invoking is that being Black is to be enough. Through myth, legend, and story, Parliament-Funkadelic seeks to immerse its Black audience into one conceptualization of outer space. Clinton not only gives his audience a momentary escape, but a perpetual reminder—through the unification of the Black community, there is connection to be found, liberation to be experienced, and escape from the white oppression of the world around them.

## The Authors



Sam Frank is a senior from Cincinnati, Ohio. He is a history major and English minor primarily interested in nineteenth and twentieth-century United States history and literature. Sam traces his passion for history back to his childhood of “curating” natural history exhibits in his bedroom with toy dinosaurs. When college rolled around, Sam quickly found a second home in the history department. The exceptional faculty members in this department have served

as mentors and role models for Sam over the last four years, shaping his Rhodes experience for the better. On campus, Sam serves as the president of the Honor Council, the student government body responsible for handling instances of cheating, lying, and stealing in the Rhodes community. He is also captain of the Rhodes Mock Trial A team which is currently ranked a top-25 team nationally.



Esmé Benjamin is a senior from New Orleans, Louisiana. She is a History Major and a French Minor as well as a member of the Rhodes College Varsity Tennis Team. Coming from a city that is steeped in stories, Esmé has always been drawn to the connectivity that historical studies provide to the understanding of the world around her. During her senior year, Esmé wrote a paper on a recent Supreme Court Case that illustrates the continued oppression of the Navajo

people by the U.S. government, entitled “Treaties, Water, and the Navajo Today: A Reverberation of the Past.” Following graduation, Esmé plans on pursuing postgraduate studies.



Callie Hollis is a junior from Memphis, Tennessee. She is a current History and Media Studies double major at Rhodes College. On campus, Callie is the Vice President of the Community Standards Council and the Community Service Director for the Kappa Beta Chapter of Chi Omega. After taking an entry level history course the summer before her sophomore year, Callie discovered her passion for research and analytical writing. The author of “*Harris v.*

*McRae’s Fatal Impact on Abortion Access,*” Callie is particularly interested in the history of law and how it affects and shapes people’s lives throughout history. She hopes to continue her historical research in her senior year and attend law school in the future to solidify her understanding of the law.



Camille Carleton is a sophomore at Rhodes College where she studies History and English with a concentration in Creative Writing. On campus, Camille is a staff writer for *The Bridge* newspaper and the Sisterhood Director for the Kappa Beta Chapter of Chi Omega. Camille has always loved to write, and after taking her first history course freshman year decided to pursue a major in the field. The author of “All Aboard the

*Mothership: George Clinton’s Vision of Freedom and Black Power in Outer Space,*” Camille is interested in how music both reflects and shapes a period of time, granting access to an invaluable window of history. Camille hopes to continue her historical research for the rest of her time at Rhodes, and keep writing well after she graduates.

## The Editors



Lindie Harper is a senior from fabulous Las Vegas. She is a History Major and a Music Minor, with a particular interest in studying ancient and medieval history. She previously worked as a History Fellow and Research Assistant in the Rhodes History Department, and is excited to continue assisting others in their history research and writing as an RHR editor. She also serves on the Rhodes

Gender and Sexuality Alliance Executive Board, and is very involved in the Rhodes D&D club. Next year, she will be attending the SMU Dedman School of Law in Dallas, Texas.



Gwen Williams is a senior from Little Rock, Arkansas. She is a History major and a Chinese Studies minor, with a particular interest in the 20<sup>th</sup>-century post-war order. Gwen currently works as a Research Assistant to Dr. LaRosa in the Rhodes History Department, and is looking forward to continue contributing to historical and contemporary research both in that role and as an RHR editor. She also serves

as the Senior Event Coordinator for the Rhodes chapter of Amnesty International and the Historian for the Latinx Student Association and is very involved with many other campus organizations. Next year, Gwen will continue to teach English as a Second Language before pursuing postgraduate studies in education.