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Subscription Information

Critical Issues in Justice and Politics is a refereed (peer-reviewed) journal that contributes to the theoretical and applied nature of justice and politics. Articles undergo an extensive review process for both content and format. Our emphasis is on the exchange of ideas in order to generate discussion and extend the boundaries of scholarly inquiry.

Critical Issues in Justice and Politics is sponsored by the Department of Political Science and Criminal Justice at Southern Utah University. The editorial board is comprised of faculty from the department as well as select faculty and practitioners from around the United States.

Published twice a year (May and December), *Critical Issues in Justice and Politics* focuses on emerging and continuing issues related to the nature of justice, politics, and policy. Special emphasis is given to topics such as policy, procedures and practices, implementation of theory, and those topics of interest to the scholar and practitioner alike.

Nature of Electronic Publication

Critical Issues in Justice and Politics is considered a serials publication under definitions by the Library of Congress and the International Standard Serial Number (ISSN) system. The ISSN number, along with identifying information for the serial publication, appears on all copies of the journal. The journal may be obtained online or through many of the traditional research databases in academia.

Because we publish online, we provide a wider audience than most small, scholarly journals. The cost of other journals can be prohibitively restrictive; our electronic format provides access to the journal at no cost to qualified subscribers. This provides a larger audience with increased opportunity for those who aim to publish.

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Critical Issues in Justice and Politics welcomes scholarly, critical, and constructive articles that focus on emerging or continuing issues in justice and politics. We also seek review essays (reviews of recent literature on a given topic), reports of significant justice or political issues, book reviews, and position papers worthy of scholarly review and comment.

It is the editorial policy of *Critical Issues in Justice and Politics* to accept submissions from all disciplines so long as the material relates to justice and politics. We also encourage submissions from practitioners, students, and others who have an interest in the topics.

Simultaneous Submissions

We prefer manuscripts that are not under review by other journals or publications. We endeavor to review all manuscripts in a timely fashion, so simultaneous submissions are not usually necessary. Refereed submissions are submitted promptly after acceptance, and we generally ask reviewers to complete their assignment within 10 working days. In most instances, an editorial decision may be reached within a month of submission.

Non-refereed materials usually receive attention within the first week of submission. An initial editorial decision is often made within five business days.

All papers submitted for refereed publication undergo a blind-review process, which submits papers in anonymous format. Additional reviewers may be used when necessary for clarification or additional comment. We do rely very heavily on our reviewers for insight and recommendations. All of our reviewers hold the appropriate degree and experience to qualify them for the particular project.

Reviewers are asked to evaluate manuscripts on the basis of their scholarly competence as well as the potential contribution to appropriate theory or related areas. Authors may not contact reviewers during the process, and reviewer names are not disclosed unless the reviewer agrees for such disclosure.

Authors who dispute the findings or suggestions of a reviewer may submit their response in writing. Final decisions on publication remain within the domain of the editorial board.

For more information or to submit an article or other material for review, please visit our website: www.suu.edu/hss/polscj/CIJP.

From the Editor

My favorite day of the academic year is Commencement, when we recognize our graduates and celebrate their accomplishments as they prepare to enter their chosen career fields. At Southern Utah University, we aim to ensure that our students have an experiential education, and few moments bring me more joy as a professor than hearing reports from students about how they have used their knowledge base to tackle real-world problems outside of the classroom.

I often tell students that they may leave my class with more questions than answers – and that's ok, because I want them to be equipped to ask the tough questions. After all, if we churn out graduates who have brains full of information but no understanding of how to apply that knowledge to solve practical problems, then what have we really accomplished?

Critical Issues in Justice and Politics serves as a forum for inquiring minds to delve into the topics that ail modern society. This edition, in particular, addresses some regional concerns, as well as broader matters of navigating public policy and politics in an increasingly diverse society.

On behalf of the rest of the editorial board, thank you for your support of *Critical Issues in Justice and Politics*. We hope you enjoy this issue!

Warm regards,

Dr. Angela E. Pool-Funai
Assistant Professor of Political Science and Public Administration
Editor, *Critical Issues in Justice and Politics*

Unearthing steering activities in Everglades policy development: A Habermas Critical Theory analysis

Critical theory's goal, creating social change that enlightens, empowers, and liberates the public, involves making the public aware of government's conflicting actions or inactions. Habermas' critical theory provides a framework to uncover a conflicting imperative: government officials are expected to serve all of the interests in their nation, but they must bolster an economic system that benefits the wealthy at the cost of the environment and many workers. Using Habermas' theory, the history of Everglades policy is analyzed for steering activities coinciding with this conflicting imperative. This article argues that by improving infrastructure, strengthening competitive advantages, and providing resources to select Florida industries, government is bolstering the economic system throughout Everglades policy history while, in recent years, claiming to emphasize environmental preservation and restoration. The article concludes with implications of these steering activities on policy and management.

Claire Connolly Knox
University of Central Florida

Introduction

Viewed from the positivist paradigm of policy development, the history of Everglades policy can be divided into three eras: drainage, water control, and restoration. Until the most recent era, policy makers took a decidedly anthropocentric stance toward the Everglades system. The shift

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to Everglades restoration, which began in the 1970s, involved a turn toward an ecocentric orientation. The positivist paradigm characterizes these shifts as responses to external system events, such as natural disasters (i.e., the hurricane of 1928 and the floods of 1947-1949), changes in public opinion (i.e., 1970s environmental movement), and trial-and-error learning (i.e., incremental policy change for Lake Okeechobee). However, critical theory challenges this account and views policy as driven by industrialization and the interests of capital accumulation. Central to Habermasian analysis is the process of steering mechanisms used by actors in the political sphere to intervene into the economic sphere.

This article argues that by applying Habermas' Critical Theory as an alternative, post-positivist paradigm to study the Everglades Restoration Program, there is evidence of a conflicting imperative and government propping up the economic system under the guise of "Everglades Restoration." By improving infrastructure, strengthening competitive advantages, and providing resources to select Florida industries, government has been bolstering the economic system throughout Everglades policy history while, in recent years, claiming to emphasize environmental preservation and restoration. This article specifically asks: in the history of Everglades policy, which steering activities does the political system use to intervene into the economic system? To answer this question, Habermas' advanced capitalist society's principle of organization and steering activities will be explained. Then evidence of five steering activities in the history of Everglades policy will be provided. Lastly, the implications of these steering activities on policy and management will be discussed.

Theories of Policy Change

Multiple policy theories and frameworks from the positivist and post-positivist paradigms analyze different aspects of policy development, adoption, implementation, and change. Numerous theoretical frameworks from the positivist paradigm have been empirically tested and are commonly used, including: advocacy coalition (Sabatier & Jenkins-Smith, 1988, 1993), multiple streams (Kingdon, 1984), punctuated equilibrium (Baumgartner & Jones, 1993), institutional rational choice (Ostrom, 1986,

1990; Moe, 1984), and diffusion theory (Walker, 1969). While these theoretical frameworks have advanced the understanding of the policy-making progress and policy change, most of this research has remained insensitive to its own paradigmatic presumptions and assumptions (deHaven-Smith, 1988; deHaven-Smith & Ripley; Deleon, 1999; Fischer, 2003; Jann & Wegrich, 2007; Schneider & Ingram, 1997). This desensitizing has led positivist policy-studies researchers to overlook anomalies in the policy-making process, which potentially blinds them to important characteristics of government activities.

Meanwhile, other researchers have argued for an alternative, interpretive approach to policy analysis (Fischer, 1990; Schneider & Ingram, 1997; Stone, 2002; Yanow, 1993, 1996). Post-positivist theoretical frameworks contribute to the growing literature by posing alternative questions to addresses these anomalies, specifically who is being advantaged or disadvantaged by implementing and changing policy. Frameworks include Social Construction Framework (Schneider & Ingram, 1993; Stone, 1988; Yanow, 1992), Narrative Policy Framework (Jones & McBeth, 2010), and Critical Theory (Habermas, 1975).

Habermas' critical theory was chosen for this study because his theories are highly critical of the epistemological view of rationality, which dominates the positivist policy-studies paradigm (Eriksen & Weigård, 2003). Moreover, his theory provides the best juxtaposition between the dominant instrumental rationality of the positivist policy-studies paradigm and his proposed communicative rationality. Researchers have applied elements of his theory to study accounting (Rahaman, Lawrence, & Roper, 2004), computer-mediated communication (Ess, 1996; Heng & de Moor, 2003), discursive democracy (Dryzek, 1990; Eriksen & Weigård, 2003), environmentalism (Dryzek, 1987; Eckersley, 1992; Sköllerhorn, 1998), industrial crises (Shrivastavia, Mitroff, Miller, & Miglani, 1988), Internet and social networking (Khan, Gilani, and Nawaz, 2012), journalism and the public sphere (Simpson, 2015), the planning process (Forester, 1993; Kelly, 2004; Willson, 2001), social media and legitimacy (Halpern & Gibbs, 2013; Author ID Removed), and welfare policy (de Haven-Smith, 1988). This literature has brought a broader critical eye to public policy analysis and study. While critical theorists are not arguing for the

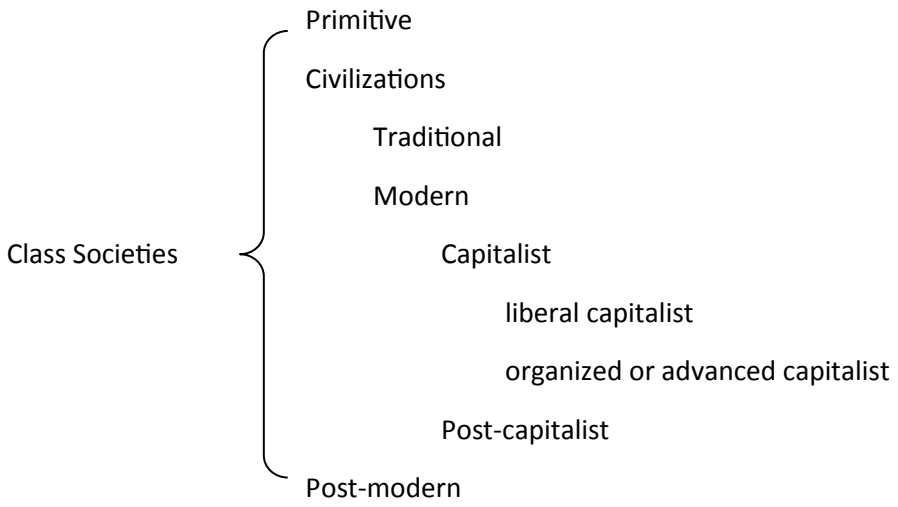
elimination of empirical methodologies, they are calling for all types of knowledge, such as interpretative and normative, to be included in policy research. These other forms of knowledge are recognized by individuals in the positivist policy-studies paradigm as irrational (Schneider & Ingram, 1997).

Habermas' Advanced Capitalist Society

Principle of Organization

As social systems evolved from primitive to post-modern formations, different principles of organization govern the discourse (Habermas, 1975). The principles tend to be taken for granted, and determine the learning capacity and level of development (Figure 1).

Figure 1: Habermas' social formations (source: Habermas, 1975)

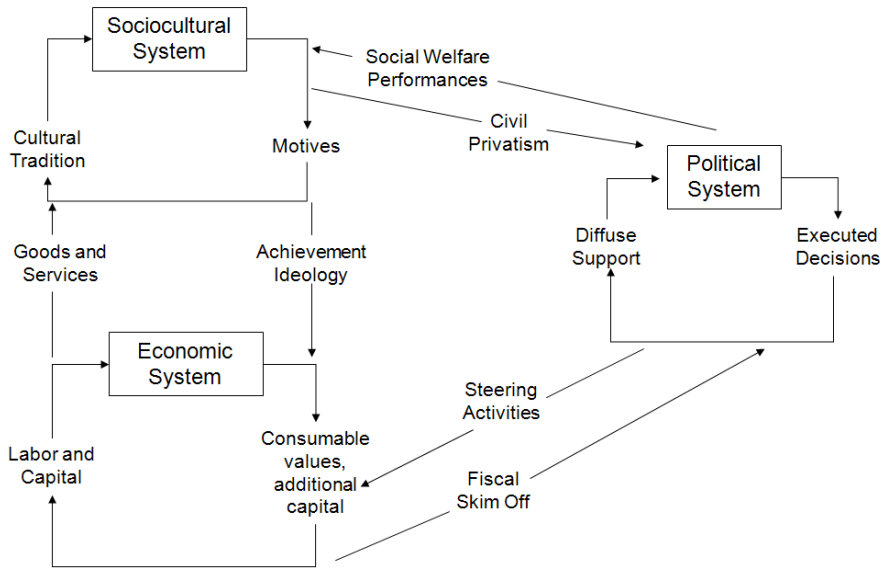


Western democracies are in an advanced capitalism system in which political and economic spheres are intertwined because these societies have become progressively more complex (Habermas, 1975) (Figure 2). This complexity stems from government's intervention into the economy because of the rise of the labor movement in reaction to escalating economic crises. The political sphere's role is transformed to protecting and creating the required infrastructure for the economic sphere,

in addition to alleviating the "functional gaps" that develop (Habermas, 1975, p. 33). Interaction between these two spheres also merged the two steering mechanisms, money and power, in the system. The intervention occurred when the political sphere institutionalized wage labor and became dependent on a taxation system. The state was then connected up with production via the yield from taxes on those employed. The state apparatus becomes dependent upon the media-steered subsystem of the economy; this forces it to recognize and leads, among other things, to an assimilation of power to the structure of a steering medium: power becomes assimilated to money (Habermas, 1984, p. 171).

This is a reason why policy in the U. S. positivist policy-studies paradigm focuses on inputs into the economy (i.e., improvement to labor through education and training, funding research and design through weapons development, building infrastructure) and outputs (i.e., cleaning up environmental problems, caring for disabled workers). The political system is trying to promote uninterrupted economic growth without intruding directly into the decisions of business owners.

Figure 2: Habermas' conception of advanced capitalism (source: deHaven-Smith, 1988)



As Habermas explains further, the government is simultaneously tasked with two different actions:

On the one hand, it [the government] is supposed to raise the requisite amount of taxes by skimming off profits and income and to use the available taxes so rationally that crisis-ridden disturbances of growth can be avoided. On the other hand, the selective rising of taxes, the discernible pattern of priorities in their use, and the administrative performances themselves must be so constituted that the need for legitimation can be satisfied as it arises (1975, p. 62).

If the government fails in the first task, a rationality crisis erupts. Failure in the second task results in a legitimation crisis (Habermas, 1975). However, if the government can continue to stabilize the economy without appearing to violate the capitalist principle of organization, then the public will not question these actions because the government's justifications do not prevent the public from cultural reproduction. For instance, during the economic downturn in 2010, the U.S. government tried to stabilize the economic system by providing "loans" to banks and automobile companies. If government leaders nationalize these companies, then the principle of organization is violated because the illusion of the political system respecting the boundaries of the economic system is broken. Hence, the involved political actors want to avoid giving the appearance that they are indeed favoring private interests with public resources. The principle of organization in the advanced capitalism principle of organization is that the political system must prop up the economic system, as it were, from the outside.

In the Everglades policy history there is evidence the principle of organization is largely in place between the government, the sugar industry, and the public. The sugar industry is subsidized heavily by the federal government, and is highly profitable and successful. In addition, this industry has powerful lobbyists working on its behalf at the state and federal levels of government. However, this industry is impoverishing its workers and creating phosphorus pollution, which is harming both the environment and the public living in southern Florida. Sugar towns like Belle Glade, which house a majority of the sugarcane migrant workers, are

completely saturated with AIDS and poverty, and "foreign-service trainees [are] sent there to prepare for the Third World" (Grunwald, 2006a, p. 282; Nordheimer, 1985; Bramstedt, 1990). Phosphorus pollution from the sugar industry first was realized by scientists at the South Florida Water Management District in the early 1970s; however, the pollution was not addressed adequately until the federal government sued the state of Florida in 1988. The subsequent legal settlement required taxpayers to fund over half of the cleanup costs for the phosphorus pollution.

Discourse surrounding the advanced capitalist principle of organization is highly influenced by the media, large corporations, and social elites. Political actors use various symbols, ideologies, and language to engage the public and gain legitimacy from the public for their actions or inactions (Hardy & Clegg, 1996). These influences not only manipulate the general population into desiring what has been manufactured for them, but also leave its members feeling unfulfilled and alienated. Habermas explains that alienation will persist because "any civilization that subjects itself to the imperatives of the accumulation of capital bears the seeds of its own destruction, because it...blinds itself to anything, however important, that cannot be expressed as a price" (1991, p. 32). The Frankfort School theorists referred to these feelings as false reconciliation – the public's view of society as rational and "conducive to human freedom and happiness" is altered to become deeply irrational and an obstacle to the desired freedom and happiness (Finlayson, 2005, p. 5). These obstacles and irrationalities give rise to potential crises in the society. Not until the crisis surrounding the principle of organization is overcome does the social formation advance. The capitalist principle of organization can hinder collective action and the institutionalized learning process by constraining discourse.

Steering Activities

Habermas (1975) elaborates how the state (i.e., political institutions) intervenes into the market/economic system in a variety of ways. Those specific to this study are:

- "through 'strengthening the competitive capability of the nation by organizing supranational economic blocks, securing international stratification by imperialist means, etc." (p. 35).

- "through improvement of the material infrastructure (transportation, education, health, recreation, urban and regional planning, housing construction, etc.)" (p. 35).
- "through relieving the social and material costs resulting from private production (unemployment compensation, welfare, repair of ecological damage)" (p. 35).

When studying the Everglades program under a different set of assumptions than those associated with the positivist paradigm, we find evidence of Everglades policy being driven by industrialization and the interests of capital accumulation—not simply government's actions in an incremental process of policy learning and improvement. Examples of steering activities in the Everglades policy history are discussed in further detail in the following sections of this article. These steering activities suggest that the policies represent a problematic, unstable, and possibly illegitimate compromise between economic and environmental interests. Using archival and secondary data, evidence of such a compromise has been found in the Everglades program and is discussed below.

Methods

Data analysis

As part of a larger study, an historical analysis was completed for this study on the history of the Everglades policy program. Secondary data, namely historical and documented records, provided evidence for critical theory, namely steering activities, in the retelling of the Everglades policy history from the Swampland Act of 1850 to the Northern Everglades and Estuaries Protection Program Bill of 2007.

Similar to previous data collection processes, the researcher completed an in-depth review of historical information and ongoing coverage of the Everglades policy formation utilizing major national and Florida newspapers and magazines[1]; federal, state, and local government agency and university websites[2]; state staff analysis of Everglades legislation; and nonprofit[3] and corporate[4] newsletters, websites, and discussion boards. In addition to this archival data, secondary analysis of Everglades and Florida policy history included Blake, 1980; Carter, 2004; Grunwald, 2006a; Levin, 2003; McCally, 1999; Pittman & Waite, 2009;

Warner, 2005). Dr. Joe Knetsch and Dr. Sara Warner, both with the Florida Department of Environmental Protection's Bureau of Survey and Mapping in the Division of State Lands, provided feedback on the historical analysis. Dr. Knetsch, a recognized state land expert for Florida, assisted in Tallahassee, FL, with obtaining historical material in the Florida Collection at the State Library of Florida and maps at the Department of Environmental Protection map, survey, and deed vault.

Keeping Habermas' list of steering activities in mind, the collected data were open and axial coded for phrases and references pertaining to those activities. Both deductive and inductive coding techniques were applied since qualitative researchers acknowledge that relationships and concepts are data driven, and realize that their own biases can distort the meaning of the analysis (Strauss & Corbin, 1997). For example, major elements of Everglades' policy development and change were inductively identified from an extensive literature review. This inductive process provides consideration of different understandings and explanations, and was also informed by deductive insights (Marshall & Rossman, 1999).

First, open coding helped identify key concepts and ideas regarding steering activities in Everglades policy history within the data. The researcher examined archival and secondary data for references to any type of steering activity government officials are using to intervene into the economic system in the Everglades. A second pass through the material focused on the micro-dynamics/constructions that comprise the evidence of steering activities (e.g., improving infrastructure, strengthening competitive advantages, and providing resources). If there is evidence of a steering activity, the literature states that it will come from different points of view/perceptions. The researcher categorized identified key concepts and prepared a series of theoretical memos as a "thought record" of conjectures drawn during the inductive process. These memos recorded the evolving analytic process, which aided to refine coding categories and their definitions. Then the researcher axial coded the data and induced the relationships existing between these categories and prepared memos, specifically relationships among conditions, actions, and consequences identified during open coding.

Results/Discussion

In Habermas' conception of advanced capitalism, the political and economic systems are no longer separate, but intertwined. The political system's steering activities provide the economic system with needed resources and capital for the corporations and businesses. In the Everglades program, the government is intervening into the market system and these actions have been increasing since the decision to build the Hoover Dike in 1928. Archival data show the government's role in the Everglades, and its role in the economic system, have grown greatly under advanced capitalism.

From the perspective of critical theory, the government's increased involvement in the Everglades ecosystem is not due to policy-oriented learning as highlighted by the positivist paradigm. It is instead the result of government intervening into the economic system to promote growth and development, which benefits a small subset of the state's population, often at the expense of the larger public and the environment. Furthermore, the more government becomes involved in supporting and steering economic activity, the less effective its actions are. As Buechler (2000) explains, government must

> intervene extensively to offset an economic crisis, but doing so requires more revenue than it can effectively generate. It must engage in long-term planning and regulation, but it has no real authority over the critical variable of capital investment. It must respond to a wider range of societal needs, but each effort to do so creates higher expectations and invites further demands on its already limited resources (p. 81).

In this research, government steadily increased its intervention into the economic system surrounding the Everglades. Although numerous examples of these activities exist, this study will focus on a select few: providing infrastructure, a competitive advantage, and a variety of resources to select Florida industries, namely Big Sugar[5], mining, and residential and commercial development (Table 1).

Table 1: Steering Activities in the Everglades Policy History

Type of Steering Activity	Steering Activity in Everglades	Effect of Steering Activity on Everglades Ecosystem
Improving infrastructure	Hoover Dike construction	Protection and drainage of land for the developing sugar industry and the future Everglades Agricultural Area. Recurrent water pollution problems and drought conditions in the Everglades.
Improving infrastructure	Central and South Florida Flood Control Project construction	Two-thirds of the Everglades have been developed and modified for human needs. Recurrent water shortages from Orlando to Miami and saltwater intrusion into the Biscayne aquifer.
Strengthening competitive advantage	Cuban Sugar Embargo and Subsidies	Allowed the sugar industry to gain political power that was then used to shape state and national policy to their advantage.
Providing resources	Limestone mining	Limestone mining permitted by the USACE and approved by local government has destroyed over 20,000 acres of the Everglades ecosystem.
Providing resources	Land expansion and development	Westward expansion of the urban development boundary into the Everglades ecosystem destroying nearly 4,000 acres.

Using archival and secondary data, this section provides evidence of government's intervention into the economic system in the Everglades.

Improving infrastructure: Hoover Dike

Similar to the Mississippi River overflowing its banks during the wet season, Lake Okeechobee expanded and overflowed nearly 850 square miles during its wet season (Levin, 2003). This expansion created flooding problems for the farmers trying to locate in this region and Lake Okeechobee needed to be contained. The Hoover Dike was constructed

around the lake to provide flood control after the 1928 hurricane struck central Florida, killing nearly 3,000 people. In the name of flood control to protect the public, President Hoover assigned the U.S. Army Corps of Engineers (USACE) to build the levee. The alternative paradigm, which highlights the compromises between economic and environmental interests, provides a different reason as to why the Hoover Dike was built – protection and drainage of land for the developing sugar industry and the future Everglades Agricultural Area. In the conflict between economic interests and the environment, the former won.

Prior to the American Civil War, cane sugar represented 95% of the world supply. After the war, cane sugar production dropped and beet sugar increased to 66% of the world supply. The federal government wanted not only to become competitive with the European beet sugar markets, but also to become the international sugar leader (Hollander, 2005). While Louisiana had the only successful commercial sugarcane industry in the U.S., many viewed Florida's subtropical climate as ideal for growing and crystallizing sugar cane, primarily because the state had a harvest season that was twice as long (Martin, 1941). Governor Broward, a large supporter of this new national goal, noted, "All the sugar necessary to make up this deficiency in the production in this country to meet its consumption can be grown in one corner of the Everglades in Florida" (Broward cited Hollander, 2005, p. 346).

C. Lyman Spencer, an influential realtor and scientist, partially agreed with Governor Broward; they disagreed on the size of the sugar farms. Governor Broward was influenced by President Theodore Roosevelt's 1902 Reclamation Act in the West. This Act called for farms to be 160 acres or less, and the governor campaigned for small farms in this region to use this same acreage requirement (J. Knetsch, personal communication, May 11, 2010). Meanwhile, Spencer advocated that "innumerable large sugar estates…be established...without the necessity for consolidation of small land owners" and viewed this approach as an advantage to planting sugarcane in the Everglades ecosystem (Spencer cited Hollander, 2005, p. 347). Additionally, this ecosystem was the only area in the U.S. where sugarcane grew to 20 feet high and produced "between 40 and 80 tons of cane an acre" (Martin 1941, p. 39). Land

designated for sugar production later became known as the Everglades Agricultural Area (EAA) in the northern Everglades, and labeled as the "Sugar Bowl of the Nation" by Governor Carlton in 1929. This label made the EAA a region of national importance, which later proved to be effective when requesting additional federal and state political and financial support (Hollander 2005).

At this time, the land in the future EAA was too wet for farming. The Florida Department of Agriculture's "Florida Sugar Bowl" 1941 report explains that since 1885 numerous attempts at commercial cultivating and manufacturing sugar "failed largely because of a lack of proper flood control" (Martin, 1942, p. 11). Dahlberg, President of Dahlberg Corp of America, owned approximately 130,000 acres of sugar cane fields in this area south of Lake Okeechobee and needed this type of flood protection and control, especially following the two 1920s hurricanes. After contributing campaign money and adding pressure with lobbying efforts, Dahlberg was able to secure federal funding to build the Hoover Dike, which helped to drain the Everglades for his sugar business, Southern Sugar[6]. Florida's congressional leaders reassured him via telegrams that "the 'entire Florida delegation are working in and out of session to secure the passage of a bill' that would provide federal support for drainage and reclamation of more wetlands for sugar" (Hollander, 2005, p. 348). However, prior to building the Hoover Dike, the federal government had to disguise the levee as a navigation project because the public officials were "leery about appropriating funds for flood control during the depression" (Levin, 2003, p. 208).

The end result was the construction of the Hoover Dike around the southern rim of Lake Okeechobee which promptly dried Dahlberg's property. The Florida Department of Agriculture's 1941 report estimated that in the Everglades there were between 1.5 million and 2 million acres of suitable farm land for sugarcane production. "Of this acreage, there are approximately 200,000 acres bordering the southern rim of Lake Okeechobee which is now *properly* drained and under cultivation and which could be planted almost immediately into sugarcane" (Martin, 1941, p. 13) (emphasis added). This levee construction, and especially the

Central and Southern Florida Project (discussed in the following section), enabled the sugarcane production to increase in the Everglades ecosystem.

Improving infrastructure: Central and South Florida Flood Control Project

During World War II there was an increased need for sugar because it was viewed as a necessary raw material, such as iron, beef, petroleum, and tin. However, even with the suspension of domestic sugar quotas (which lasted until 1948), the U.S. production of sugar could not keep up with the demand. The first rationed food staple in the U. S. was sugar and it was the last staple released from rationing in 1947 (Hollander, 2005).

After the war, Florida sugar farmers lobbied Congress to allow for higher quotas, namely two and a half times greater than the 1941 quotas (Hollander, 2005). In addition, then President of U.S. Sugar Clarence R. Bitting claimed that if Florida's sugarcane industry would expand, "it would mean a yearly increase of about $2.5 million in payrolls for the next 10 years" (Martin, 1941, p. 42). This increased production would only be possible with additional "properly drained" wetlands. Therefore, in 1948, the USACE began building the Central and South Florida Flood Control Project (C&SF Project), with over 1,000 miles of man-made canals and levees; 150 water control structures; 15 square miles of interconnected water reservoirs; and 16 major pumping stations channel[ing] 1.7 billion gallons of freshwater daily from Lake Okeechobee out into the bays, ocean, and Everglades (Ogden, 2008, Brief History, n.d.). This state-sponsored project allowed the wetlands south of Lake Okeechobee to drain and the land was then suitable for planting more sugarcane. Further south of the EAA, those dried, reclaimed wetlands gave way to a large development boom. This boom provided a new source of revenue for the state's economy, which continues today.

The USACE and South Florida Water Management District (SFWMD) both acknowledge the problems the C&SF Project has caused:

> This project [C&SF Project] accomplished its intended purpose and allowed people to more easily live on the land. It did so, however, at tremendous ecological cost to the Everglades. While the population of people has risen from 500,000 in the 1950s to more than 6 million today, the numbers of native birds and other

> wildlife have dwindled and some have vanished. The size of the Everglades has been reduced by half since the turn of the century. The splendor that was the Everglades is rapidly being lost (Why restore, n.d., p. 1).

This project has allowed two-thirds of the Everglades to be developed and modified for human needs. Recurrent water shortages from Orlando to Miami and saltwater intrusion into the Biscayne aquifer are caused by the daily pumping of approximately 1.7 billion gallons of freshwater out of the Everglades ecosystem and into the Atlantic Ocean (Ogden, 2006).

Strengthening competitive advantage: Cuban sugar embargo and subsidies

With the 1959 revolution in Cuba, many American, Cuban, and Spanish entrepreneurs moved to southern Florida, some specifically into the Everglades for sugar farming. After the U.S. embargo on Cuban sugar in 1961, the Florida sugar producers took advantage of the disruption in Cuban sugar imports by increasing their planting. "The demand for acreage by new growers, both in sugar beets and in Florida, is reaching a breaking point," commented Director L. Myers of the Sugar Division in the USDA's Commodity Stabilization Service (Myers cited Hollander, 2005, p. 353). The completion of the canals and levees from the Central and South Florida Project in the Everglades Agricultural Area in 1963, as well as the creation of three water conservation areas to its south, provided the state-sponsored landscape for this rapid increase in production. Additionally, Florida provided this industry "low taxes for land and water, and at an annual expense of more than $50 million to the American taxpayer, Washington kept the EAA drained in the wet season and irrigated in the dry" (Levin, 2003, p. 202). This newly created wet and dry season did not correlate with the natural wet and dry seasons of central and south Florida. This has resulted in increased droughts and wildfires throughout the Everglades ecosystem.

After the Cuban sugar embargo and completion of the canals and levees, the total acreage of sugarcane farming increased substantially from just under 50,000 acres to approximately 223,000 acres, sugar producing mills increased from three to eleven, and annual raw sugar production from 175,000 tons to 572,000 tons (Alvarez & Polopolusm 2009, Salt, Langton,

& Doyle, 2008).[7] Land that had been selling for $300 an acre in 1960 was being bought for $1,000 an acre in January of 1961 (Business, 1961).

The disruption of Cuban sugar imports also increased the sugar industry's political influence in the Everglades, which was witnessed in the creation of the Everglades Agricultural Area south of Lake Okeechobee (Rodriguez, 2002). During this time period, one of the most powerful families growing sugar in the Everglades was the Fanjul family. Owners of Flo-Sun, Inc. and Florida Crystals, they were close friends with the Kennedys for over three generations. Jose Pepe Fanjul stated in a 1997 letter to Robert F. Kennedy, Jr. "our families have known each other for three generations, since the time our grandparents used to frequent each others' homes as guests...I have personally met your uncles, late father, and different members of your family on many occasions" (Fanjul cited in King, 1997, p. 21). This close relationship with the Fanjul family and the political elite in America continues today. For example, on February 16, 1996, President Clinton had a 22-minute phone conversation with Alfie Fanjul regarding a tax on sugar farmers. The tax would help to pay for the water pollution flowing out of the EAA into the Everglades. This tax never passed and public tax dollars are funding the majority of the cleanup (Barlett & Steele, 1998).

Subsidies, bounties, tariffs, and the "Sugar Trust" date back to the 1890s. Studies by the Cato Institute have shown that sugar policies, such as the Jones-Costigan Act of 1934, are a "textbook case of economic damage done by big government intervention in the marketplace" (Edwards, 2007, p. 2). The federal government's actions to restrict sugar supplies has given the sugar industry a "monopoly power, and they protect that power by becoming important supporters of presidents, governors, and many members of Congress" (Edwards, 2007, p. 2). An April 1994 report from the Department of Interior to Congress concluded: "Withdrawing import quotas and price support subsidies [to the sugar industry] would have a major positive effect on consumers, taxpayers, and the Everglades wetlands" (Vick, 1994, p. 1A).

Yet, the power held by these special interests in the Everglades policy arena remains strong and has been recognized by a variety of

individuals, including Charles Lee, Florida Audubon Society's senior vice-president. In 1993 he stated:

> It does not seem to make a lot of difference whether the politician is a Bob Martinez, a Lawton Chiles, a Bob Graham, a George Bush, a Bruce Babbitt, or a Bill Clinton…the reality is the same. Sugar's mess in the Everglades is still something political figures just have press conferences about…The courage, candor, and moral strength necessary to look across the table into the eyes of the sugar industry lobbyists and tell them they are going to have to significantly change their ways isn't there (Lee cited Perry & Perry, 1994, pp. 168-169).

The sugar industry has received assistance and support from leaders of state agencies in Florida as well. The first example of this support is evidenced during the 1988 lawsuit between the federal and state government regarding polluted waters flowing out of the EAA and negatively impacting the Everglades ecosystem. The original smoking gun memo, Exhibit No. 57, in this landmark case was from SFWMD biologist J. Walter Dineen to one of his colleagues. In the memo dated June 16, 1971, Dineen expressed concern about the "giant doses of farm pollutants his employer was pumping into the river of grass" (Crook, 1990, p. 1). A 1975 SFWMD scientific report, Exhibit No. 60, stated that water conditions were possibly being affected by agricultural runoff. However, in both instances little to no action was completed by SFWMD leadership to clean up the pollution (Crook, 1990). In 1990, two years after the lawsuit was filed and two years before a compromise was reached, the SFWMD was blaming USACE and Congress for allowing this pollution to continue for 20 years (Perry & Perry, 1998).

A second example of state support is from May of 2003 when Governor Jeb Bush modified the Everglades Forever Act (EFA) to benefit the sugar industry in two ways. First, the deadline for the pollution cleanup was extended 10 years from 2006 to 2016. Second, phrases in the original EFA were changed. The modified phrases regarded the original goal of the EFA to reach a phosphorus limit of 10-parts-per-billion in the Everglades. The phrase "to the maximum extent possible" was added and "polluter pays" was removed. These changes allowed sugar farmers in the EAA

neither to reach the original goal nor to pay new taxes on pollution set forth by the legislation (Weisskoff, 2005). Governor Bush said the law was "strong legislation buil(t) upon good policy" and these new changes would "alleviate concerns about their intent and commitment" (cited in Clark, 2003, p.7). This revision of the EFA passed both the House (96-18) and Senate (34-4)[8] with bi-partisan support in the Florida legislature (Clark, 2003). At this same time, the SFWMD Director, Sam Poole, was avowing: "The environment comes first, every time. Cities and farms will have to wait in line" (Rozsa, 1994a, p.6). This contradiction between the actions of Gov. Bush and the words of Director Poole recurs throughout the history of the Everglades.

Meanwhile, the sugar industry has spent millions of dollars fighting Everglades' restoration efforts. For example, it spent millions of dollars fighting a variety of components in the 1994 Everglades Forever Act and hired more than 36 lobbyists (Fineout, 2004). In addition, $3 million was spent fighting three amendments (Numbers 4, 5, and 6) to expand the 1996 Save Our Everglades program (Levin, 2003).

Providing resources: limestone mining

Limestone beds underlie a majority of the Everglades and there is a history of limestone mining in this ecosystem.[9] Yet this destructive activity continues to be permitted by the USACE, which is the lead agency for the majority of Everglades restoration projects. Additionally, the agency has been criticized heavily for leveeing Lake Okeechobee and channeling the Kissimmee River. Evidence shows the USACE's actions, as with state government, are more in the service of developers than in the service of the ecosystem and the public at-large. The 2005 *St. Pete Times* investigation of wetland permits discovered that out of more than 12,000 wetland permits submitted to the USACE between 1999 and 2003, only one was denied (Pittman & Waite, 2005). Between 2002 and 2008, the USACE granted permits to 10 companies to begin limestone mining in the Everglades, which has the potential to destroy 7,500 acres of protected wetlands (ENS, 2002; Alvarado, Zeitlin, & Lush, 2008).

More recently on January 29, 2010, the USACE issued a limestone mining permit that would account for destroying 10,044 acres of Everglades wetlands (U.S. Army, 2010). This latest permit, in a long line

of other similar permits, is compatible with the 2000 Comprehensive Everglades Restoration Plan (CERP). As the Corps explains this compatibility, the new mining permit is "part of the legislatively endorsed Lake Belt Plan to mesh environmental restoration with the public's needs for construction aggregate, clean fill material, and cement products" (Army Corps Approved, 2002, p. 3). Therefore, the contradiction is that the primary federal agency in charge of protecting Florida's wetlands saved less than 6% of them and cost the tax payers millions of dollars in flood damage (Collier County spent $30 million in tax money for citizens affected by flooding because of a wetland development) (Pittman & Waite, 2005).

Under CERP, limestone pits are to be mined in the Everglades affecting 20,000 acres of wetlands. The justification government is providing to the general public for allowing these mining pits is to prepare the land for future water retention areas for south Florida's drinking water supply (Gonzalez, 2005). Limestone companies[10] are arguing these mining activities are beneficial for the state of Florida because they provide jobs. Hardy Johnson, Business Unit President of Titan Florida, stated, "Our economy is in critical need for jobs and construction materials, especially in Florida" (Richesson, 2009, p. 6). Yet these same companies have been legally cited for using blasting compounds found to be chemically hazardous, which led to benzene contamination in the Biscayne aquifer. This aquifer is a major source of drinking water for Miami-Dade County. However, benzene is not the only contaminate of concern; other contaminates, such as cryptosporidium, are found in the aquifer (Grunwald, 2006b).[11]

In 2002, the USACE issued permits for limestone mining on approximately 5,409 acres of historic Everglades on top of the Biscayne aquifer. These permits have been the center of a legal debate[12] in the U.S. District Court. Judge Hoeveler ruled in favor of the Sierra Club that the 2002 limestone mining permits approved by the USACE were in violation of the Clean Water Act, National Environmental Protection Act, and Administrative Procedure Act. Yet this agency continues to approve these types of permits and has slated permits for 10,000 to 15,000 additional acres for limestone mining. "Rock from the Everglades quarries supplies

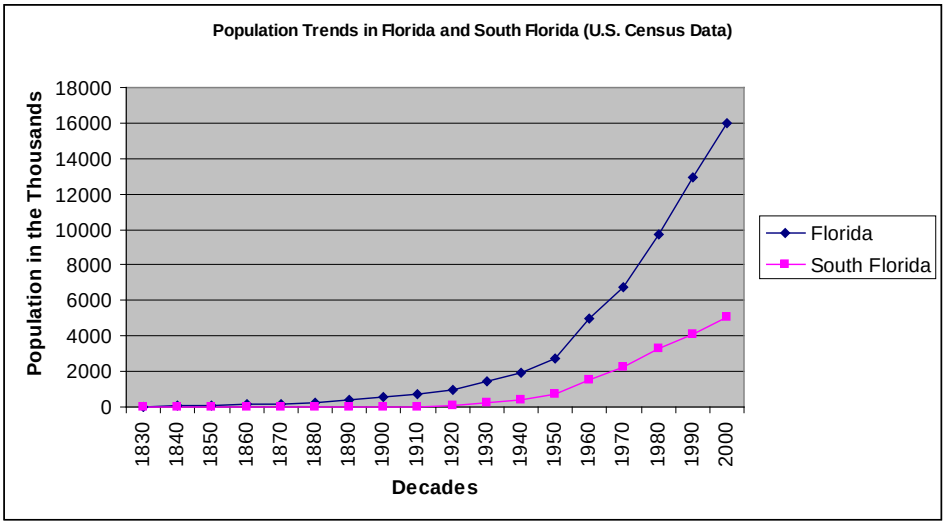
about 40% of the crushed stone used in cement across Florida for new highways and bridges," stated Greg May, the USACE official in charge of issuing the permits (Army Corps Approved, 2002, p. 4). Limestone mining in the Everglades is authorized for an additional 10 years.

Local governments in south Florida also are allowing limestone mining to occur within their boundaries. Palm Beach County commissioners have allowed limestone mining to occur on restoration lands and have been heavily criticized for these actions (Reid, 2009). More recently, in November 2009, Miami-Dade County commissioners had on their agenda[13] to allow Collier Resource Company to mine for petroleum and minerals at the Dade-Collier Training and Transition Airport in the Big Cypress Wildlife Management Area in the middle of the Everglades (Mining for Money, 2009). This proposed world's largest airport was the center of an environmental battle in the 1970s and as a result only one runway remains. The agenda item was quickly heard and unanimously passed the Miami-Dade Airport and Seaport Commission on October 15, 2009, and was scheduled to appear on the County Commission meeting agenda on November 3, 2009. Miami's Mayor Alvarez disagreed with this decision and removed the item from the agenda the day before the commission meeting.

Providing resources: land

Florida's population slowly increased between the years 1830 and 1950. The population began to increase rapidly in the 1950s and the increase continues today. South Florida's population followed the state's trend until the 1960s (Figure 3). This population boom is viewed by many as the "most powerful force shaping the destiny of south Florida" and the Everglades (Salt, Langton, & Doyle, 2008, p. 8). The completion of the C&SF Project in 1963 "allowed people to more easily live on the land" (Why restore, n.d., p. 1). With this rapidly increasing population in south Florida, the need for land resources for the development industry expanded as well. Urban sprawl is a problem affecting many cities across the United States. However, when this sprawl encroaches onto sensitive lands that are being restored, it creates more problems. This has been witnessed as the Miami-Dade County Urban Development Boundary (UDB) has been expanded continuously and this trend is increasing.

Figure 3: Florida and south Florida population trends from 1830 to 2000 (Historical Census, 2004)



Miami-Dade County has had a generalized land use plan map since the 1960s. In 1975, the county commissioners adopted the first comprehensive development master plan (CDMP). This plan only had urban versus rural demarcation until 1983 when an official UDB was added to the CDMP map. This boundary separates urban from rural areas, and has many goals including preventing leap-frog development, promoting redevelopment, and protecting environmentally sensitive lands, such as the Everglades (Dekle, 2006). In the 1990s, this boundary moved only twice. However, between 2002 and 2009, the boundary line expanded westward into the Everglades more than five times and all expansions were voted upon by the Miami-Dade County commissioners. Since 1993, the Miami-Dade UDB has not been expanded for residential reasons; all applications have been for industrial and commercial property.

Since 2002, there have been a number of expansions of this UDB (U.S. Environmental, 2010). According to staff with the Metropolitan Planning Section of the Miami-Dade County Planning and Zoning Department, on May 30, 2002, Miami-Dade County commissioners voted to allow westward development into the Everglades for two projects. The first, Beacon Lakes, consisted of a 432-acre commercial park at 25th Street

and the Florida Turnpike and was listed as a development of regional impact. Compared to the current Parkland approval process, Beacon Lakes did not receive much media attention (Perkins, 2003). The second, Shoppy Land, consisted of 160 acres and was approved by the Miami-Dade County Commission at the same time as Beacon Lakes. Both projects were for industrial offices. In 2006, Hialeah was annexed into Miami-Dade County. These 1,000 acres were added by expanding the UDB. The Brown application was approved by the county commission in April 2008 for approximately 50 to 60 acres of industrial land. This expansion of the UDB is located west of Kendall and has yet to be built upon (personal communication, May 7, 2010).

The latest approved expansion currently is in a legal battle. In April 2008, the majority of Miami-Dade County commissioners voted to extend the UDB to allow Lowe's, a home improvement store, to build on 50 acres of wetlands thereby further encroaching westward into the Everglades. Although Mayor Alvarez vetoed the new development, the commission overruled him twice and the item passed the agenda. Mayor Alvarez explained his veto decision,

> It would be highly hypocritical of us to be asking [Washington] for hundreds of millions of dollars for the restoration of the Everglades and then turn around and make decisions that infringe on the integrity of the Everglades. It shoots our credibility (cited Padgett, 2008, p.6)

In May 2009, Judge Bram D. E. Canter, an administrative law judge, ruled that the county commission's vote and expansion of the UDB was unlawful. In August 2009, the Florida Cabinet voted 3 to 1 in support of the judge's ruling, stating that the state's Growth Management Act was violated (Klas, 2009). Lowe's is in the process of appealing Judge Canter's decision. Currently being debated by the commission is a 961-acre suburb named Parkland that would again expand the UDB to accommodate 19,000 new residents with homes, offices, and shops (Haggman, 2009). Due to the national economic downturn, their application with the county is on hold and has yet to be reactivated (Metropolitan planning staff, personal communication, May 7, 2010).

Miami-Dade County is not the only local government in south Florida allowing westward expansion into the Everglades. Broward and Palm Beach counties are allowing urban sprawl to creep westward. On December 15, 1994, the SFWMD approved the Sunset Lakes residential area, which allowed an additional 2,000 homes to be built on approximately 1,280 acres of Miramar wetlands on the eastern edge of the Everglades. Only two members of the Water District Governing Board voted against this new development: Allan Milledge of Coral Gables and Betsy Krant of Fort Lauderdale (Rozsa, 1994b). A few days later, the Broward County Commission voted 4-3 in favor of the development. Commissioner Suzanne Gunzburger, who voted against the measure, stated, "I thought we were going to do something to help restore the Everglades. I don't think we helped it by our actions today" (cited Tanfani, 1994, p.19).

Conclusion

By using an alternative paradigm, Habermas' critical theory, a different perspective on the Everglades program history is uncovered. Evidence found in the archival and secondary data indicates that the active social formation is advanced capitalism and the corresponding principle of organization is dominant. Government is stepping out of the political subsystem and supporting the economic system throughout the Everglades policy history, even while in recent years, claiming to emphasize environmental preservation and restoration. The state's intervening activities are being disguised as "Everglades restoration," including providing infrastructure, a competitive advantage, and resources to select Florida industries.

Habermas' analysis of government intervening into the market/economic system can shed light on these scenarios. By improving material infrastructure, strengthening competitive advantages, and providing resources, the state has stepped out of the political subsystem and into the economic subsystem. The state legitimizes its actions to the public by informing them that building the new dike around Lake Okeechobee and the canals in the Everglades will benefit the common good (i.e., flood control and protection; and national security during World

War I, World War II, and the Cold War), while having the potential to benefit a select few (i.e., sugar farmers in the EAA and consequently the developers in south Florida) at the expense of the environment (i.e., polluted waters, saltwater intrusion). To prevent the public from questioning the legitimacy of these actions taking place in the Everglades ecosystem, the political officials use story lines or narratives in an attempt to rationalize, legitimize, obscure, and conceal their actions under advanced capitalism (Author ID Removed).

This evidence leads us to ask: what happened to the ecocentric worldview shift that occurred in the 1970s? The positivist policy-studies paradigm speaks proudly of that shift to start restoring this ecosystem. However, analysis in this study highlights the anthropocentric approach that still dominates this policy system. The language of Everglades restoration being used in policies and the media has taken an ecocentric turn; however, reality has not. We would expect to find this under Habermas' critical theory analysis. Policymakers will give programs misleading names (i.e., Comprehensive Everglades Restoration Plan); will overstate programs' environmental benefits and understate their benefits to economic special interests (farmers, ranchers, developers); and will suppress evidence and advocacy that cast doubt on policymakers' claims about program performance.

For example, many national environmental groups, such as the Sierra Club, did not support the 2000 Comprehensive Everglades Restoration Plan (CERP), and many local environmental groups, including Friends of the Everglades, were not involved with the governor's commission to implement this plan. With more than 60 components to this "restoration" plan, all of which include either a large-scale water storage, treatment, or delivery project, many people consider CERP to be a water use plan labeled with environmental language to collect public support (Ogden, 2008). Additionally, this "restoration" plan calls for the destruction of 20,000 acres of Everglades for the construction of limestone pits to store freshwater for the residents of southeastern Florida (Gonzalez, 2005). Although this policy was labeled as an environmental restoration plan, it is destroying more of the Everglades and is serving the needs of the development and agriculture community.

By applying this alternative paradigm to policy study, research, and analysis, we stand the chance of becoming "sufficiently enlightened" to question the capitalist principle of organization enveloping and hindering us. Political actors find themselves trapped in a contradiction between an ideology of an economic system and the actual problem it is trying to solve, and running up against the capitalist principle of organization. To avoid a rationality crisis, these policymakers and leaders are trying to manage and maintain the system and their obligations.

Although this is a single case study, the results indicate that Habermas' critical theory is applicable to programs in which the state (i.e., government officials) is trying to restore or protect a large commons area. Yet, more research is needed. Future research could apply this theory to other large-scale restoration programs, including the Louisiana, Chesapeake Bay, and California Bay-Delta restoration programs. Based on this qualitative study, researchers should empirically test if there is a positive or negative effect of Habermas' steering activities on restoration policies and the associated program. Specifically, do steering activities positively or negatively affect policy development, adoption, and implementation. If so, to what degree? If conflicting imperatives arise, how are policymakers and public administrators managing them? Are these individuals using abstractions and social constructions to disguise their intervention into the economic system? If so, what are the abstractions and social constructions and how are they disseminated to the individuals in the socio-cultural system, specifically the lifeworld? These additional case studies will aid in not only building this literature, but also provide more tools for public administrators and policymakers to understand their actions and inactions from a post-positivist perspective.

Endnotes

1. For example, *New York Times*, *Washington Post*, *St. Pete Times*, *Tampa Tribune*, *Miami Herald*, *Time Magazine*, etc.
2. Specifically the U.S. Geological Survey, South Florida Water Management District, Florida Department of Environmental Protection, Government Accountability Office, U.S. Army Corps

of Engineers, Florida Office of Policy Program Analysis and Government Accountability, Florida Legislature, Florida International University Everglades Archives, National Research Council, Department of Agriculture, and the U.S. Census.

3. For example, The Nature Conservancy, Audubon, Everglades Foundation, The Everglades Trust, Friends of the Everglades, and Everglades Coalition.
4. For example, U.S. Sugar, Flo Sun, and Florida Crystals.
5. The companies considered to be included with Big Sugar: U. S. Sugar; Flo-Sun, Inc.; and Florida Crystals.
6. A bankrupt Southern Sugar was reorganized and renamed U.S. Sugar Corporation on April 28, 1931 by Charles Stewart Mott (Martin, 1941, A Family, n.d.).
7. In 2001, the total acreage of Florida sugarcane reached a high of 454,000 acres, but then decreased to 400,000 acres in 2009. The 2008 harvesting season yielded 1.41 million metric tons of raw sugar valued at $450 million. This accounted for 48% of the cane sugar produced in the U.S., keeping Florida the leader of sugarcane production (Baucum & Rice, 2009).
8. Only four south Florida Democrat senators opposed this modification (Clark, 2003).
9. Limestone is not the only mineral being mined in the Everglades; phosphorus is as well. Florida has been recognized as the world's leader in the production of phosphate rock, accounting for approximately "75% of the U.S. supply and 25% of the world supply" (Overview, n.d., p. 30). The break down of commercial production of phosphate is: "90% is used for fertilizer for the production of food and fiber; 5% is used for livestock feed supplements; 5% is used for vitamins, soft drinks, toothpaste, film, light bulbs, bone china, flame-resistant fabrics, and optical glass" (Overview, n.d., p. 30-31).
10. Major companies mining in the Everglades are: Cemex, Vulcan Materials Company, Titan America, and White Rock Quarries.
11. Cryptosporidium, a one-celled parasite in waterways, causes human and animals to become ill. It is one of the most common diseases

and is especially problematic in immune deficient individuals. For more information, see the Center for Disease Control and Prevention website http://www.cdc.gov/crypto/ (Cryptosporidium, 2009).

12. Case No. 03-23427-CIV-HOEVELER: Sierra Club, Natural Resources Defense Council, and National Parks Conservation Association versus Lt. Gen. Robert L. Van Antwerp, Chief of Engineers, U.S. Army Corps of Engineers and H. Dale Hall, Director, U.S. Fish and Wildlife Service.
13. Agenda Item No. 8(A)(1)(H)

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Gendered Politics

In a world surging forward with female heads of State, and a growing number of countries being represented by women, the United States is lagging behind in our female leadership representation. With over half of America's population as women, the number of females in state, local, and national leadership roles is disproportionate to say the least. While accounting for every factor in this parity may not be possible, factors pertaining to gendered politics include media bias, political party influence, campaign finance, and female stereotypes. In the qualitative research of this topic, thematic analysis was used in coding emerging themes and concepts. As this is an issue of continuing relevance with the presence of female candidates in the 2016 Presidential election cycle, this paper will review and analyze the factors that affect our gendered political landscape and offer possible solutions to these challenges.

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The gender gap in today's business world is undeniably large, and even larger in American politics. While only a small portion of women hold CEO and other executive positions, we also lack female representation at the local, state, and national levels (Warner, 2014). According to the Center for American Women and Politics (CAWP), only 19% of the U.S. Congress, 24% of the state legislatures, and 18% of local mayors are women (Center for American Women and Politics, 2015). Utah ranks number 44 in the proportion of women to men in state legislatures (Center for American Women and Politics, 2015). According to the Center

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for American Progress, women have outnumbered men on college campuses since 1998, and outnumbered men in earning undergraduate business degrees since 2002 (Warner, 2014). However, women have made few gains in relation to these strong statistics. They estimate that it will take until 2085 for women to "reach parity with men in leadership roles in our country" (Warner, 2014). If 90% of voters would consider voting for a female president, and three in four Americans believe that a female president would be good for our country, then why is that sentiment not shown currently with the amount of female representation we have (Warner, 2014)? These statistics may seem discouraging to a young woman looking to pursue a career in business, politics, and leadership. The numbers are frustrating, but the reasons behind them can be perceived as even more disheartening.

The Media

There is no doubt that political success in campaigns can be attributed to the positive (or negative) coverage a candidate receives from the media. That coverage is also the basis for opinions of ability and credibility to the American people. That being said, the type of media coverage women candidates often receive can be a disservice to that woman and the success of her campaign. One of the main problems in gendered media is the focus on physicality as opposed to content (Newsom, 2011). It is far more common that women's hair, makeup, shoes, clothes, and imperfections are criticized in comparison to a man's. While media reporters might willingly comment on a female candidate's appearance, they often neglect to also criticize their male counterparts. The focus isn't on whether the male candidate's suit is too tight, his wrinkles on his forehead are too deep, or that he needs to shed a few pounds; the focus is on the female candidate who sees a constant bombarding of physical remarks. When the media begins to cover physicality opposed to what that individual has said - or done, it begins to trivialize the woman and affect the viewer's perception of that individual. History shows that this is not a new or generational habit. In 1985 at the Democratic Convention, newscaster Tom Brokaw referred to Geraldine Ferraro as: "The first woman to be nominated for vice-president … size 6" (Geraldine

Ferraro Obituary, 2011). Michael Savage, from Savage Nation, had very controversial comments about former Secretary of State, Madeline Albright, when he said, "You know that ugly hag, Madeline Albright? A psycho. She was Secretary of State under Clinton, remember? Like a fat moron, she looks like she would be comfortable just cooking in a kitchen and she wound up as Secretary of State" (Savage's sexist attack on Madeleine Albright, 2009). Another example is talk-radio host Lee Rogers who stated, "Look at these skanks that make up the Leadership of the Democratic Party" (Newsom, 2011). Conservative radio host Glenn Beck has often referred to Hillary Clinton as a "stereotypical bitch" (Politics, 2012). Now these commentators and analysts also attack male politicians, but the source of their substance isn't primarily based on appearance or feminine nature, like it is when describing female politicians.

It is important to change the nature of these media agencies and make them aware of the sexual biases they impose. Current women and male politicians should not tolerate media coverage that is based on physical appearances and physicality and instead, should be willing to speak out against it. They should also refrain from using comments on opponent's appearance as a political tactic. In a recent *Rolling Stone* interview with 2016 presidential candidate Donald Trump, Trump slandered fellow presidential candidate Carly Fiorina by saying, "Look at that face! Would anyone vote for that? Can you imagine that, the face of our next president?" (Rappeport, 2015). Conversely, in 2010, Carly Fiorina also made a snide comment about her opponent Barbara Boxer's hair (Kopan, 2015). The criticism given is not limited to a particular sex, but does play a part in the gendered disparity. Senator Lindsey Graham of South Carolina mocked Nancy Pelosi's appearance in saying, "Did you see Nancy Pelosi on the floor? Complete disgust, if you can get through all the surgeries, there's disgust" (McCabe, 2015). The problem when trying to change the gendered political culture of our society is that men and women both use their female opponents' physical appearance as leverage and political tactics. That being said, it may be difficult to deter candidates from using that clout when it may be politically beneficial to them.

Aside from gaining negative media attention, women also generally gain less coverage from media outlets than men. After political

office has been obtained, the effort to gain equitable media coverage is a constant challenge (Politics, 2012). In John Boehner's first four weeks as Speaker of the House, he appeared on the cover of five national weekly magazines. In Nancy Pelosi's four years as Speaker, she was never featured on the cover of any national weekly magazines (Newsom, 2011). In 2000, while running for the presidential seat, Elizabeth Dole also received less coverage than the male candidates, which research found was disproportionate to her rank and standings in the polls (Politics, 2012).

Stereotypes

Women may also be attacked on the premise of emotionality, family, and other feminine qualities. Nancy Pelosi stated in an interview, "When I first ran for congress nearly 20 years ago, the first thing a reporter asked me was who was going to watch my children. Even though they were all of college-age, I don't think that question has ever been asked to a man who ran for office" (Newsom, 2011). Women are described by the media as being two times more emotional than a man (Newsom, 2011). Along with this description, the suggestion that an emotional woman is irrational, unable to handle a crisis, and thus shouldn't be in a leadership position can be implied (Newsom, 2011). In October 2015, popular rap artist T.I., said, "I can't vote for the leader of the free world to be a woman" followed by, "women make rash decisions emotionally" (Scott, 2015). This is a stereotype and bias of nature placed on not only women, but men in today's society. According to Alkadry and Tower (2014), there are certain behaviors and attitudes that are expected of each gender. Socially, men are expected to be stoic, competitive, assertive, ambitious and confidant. Women, on the other hand, have been assigned the role of being supportive, compassionate, and gentle. According to voters, these attributes make women more competent in dealing with particular policy issues such as education, health care, and welfare. Men, on the other hand, were more likely to be attributed to engage in policy areas such as foreign affairs, economics, and defense (Turcotte & Newly, 2015).

Women also tend to be represented in lower-echelon positions that pay less, and assign less leadership and responsibility. This can be referred to as "agency segregation". Women tend to be represented in redistributive

agencies, while men considerably make up regulatory and distributive agencies (Alkadry & Tower, 2014). Redistributive agencies tend to be composed of education, housing and urban development, and health and human services departments. Distributive and regulatory agencies generally are composed of defense, justice, treasuries, transportation, agriculture, commerce, and other various departments. In the federal government as a whole, women make up about 44% of the labor force, 32% of distributive departments, and 64% of the redistributive department labor force (Alkadry & Tower, 2014). If women are more likely to be found in "feminine" policy areas, this may affect the questions they are asked in a debate setting, their experience in a wide variety of fields, and voters assumptions of their competencies.

Along with these biases of nature and gender roles come expectations in regards to family and caregiving, and it is clear women face different and often more difficult challenges than men when it comes to these topics. Women must often choose between personal fulfillment - and success. According to Facebook Chief Operating Officer Sheryl Sandberg; of married senior managers in the United States, two thirds of the married men had children, and one third of the married women had children (TEDWomen, 2010). Women must choose between self-satisfying drive in obtaining a career, and choosing to be a caregiver. It is a societal ideology and norm that men are breadwinners, and women are family caretakers. Thus women, more often than not, are forced to make trade-offs in giving adequate care to their families in spite of fulfilling career aspirations, referred to as "work-life balance" (Alkadry & Tower, 2014). Sacrificing promotions that would require more hours, longer commutes, or switching jobs is all part of this work-life balance and is a form of what is called downshifting (Alkadry & Tower, 2014). "While downshifting their careers may reduce work-life conflict of the family unit, it decreases women's lifelong earning trajectory and enhances men's" (Alkadry & Tower, 2014).

Once these women are in office, they face a very different set of challenges than just having their appearance and credibility questioned by the media; they have it questioned by their colleagues and even themselves. An interesting study conducted by Harvard Business School

concluded that gender can have an effect on perceived likeability in women. Researchers presented students with the story of a successful entrepreneur, but told half of the students that the entrepreneur's name was Howard, and the other half the name was Heidi. Although both sets of students found the entrepreneur to be effective and competent, Heidi was more likely to be seen as selfish, and unlikeable (TEDWomen, 2010). When the study was conducted ten years later, the woman was found to be slightly more likeable, but less trustworthy than the man. The study shows that success and likeability is positively correlated for men, but negatively for women (TEDWomen, 2010). Sonya Rhodes stated, "Whatever women do at work, they have to do it nicely. But the more you back off, the more they don't take you seriously" (Goudreau, 2014). If a woman is too assertive, it can be seen as aggressive, but if she is too soft it can be seen as ineffective. Yet if a man is too assertive, it is seen as drive and power. If women are too nice, they're not competent; and if they're too competent, they aren't nice.

Campaign Finance & Political Parties

According to Mary Gray, an American University mathematics professor, "we tend to not have women where it takes a lot of money to run for office." She argues that men often put money behind other men. Along with that is the problem of an incumbency advantage. Incumbents are more likely to gain campaign contributions, and since more men are currently in office, there is unintentionally a gender bias (Tam, 2013). Women in the Republican Party tend to face a more difficult hurdle than those in the Democratic Party. Political Action Committees (PACs) that funnel their support to female candidates historically do so more to Democratic women, leaving Republican women in a disparity (Politics, 2012). The Center for American Women in Politics states that although candidates, male and female, generally end up with equitable campaign contributions, it is the difficulty of obtaining those contributions which proves to be more tedious. Fifty-six percent of female state representatives compared with 9% of male state representatives said that they believe it is more difficult for women to raise campaign funds than men. Among those women, 41% believe that the reason it is more difficult, is because of

women's lack of a network (Politics, 2012). At the congressional level, studies have shown that campaign contributions come mainly from individual donors, meaning that the base of fundraising may be larger, and thus more tedious and time-intensive for women with a smaller network than men (Politics, 2012). This may deter them from running for political office.

Political parties also hold a relationship with women in congress and influence their success. In local party organizations, 11 of 50 democratic state party chairs were female, and 8 of 50 were republican (Politics, 2012). The lack of female party leaders makes it less likely to recruit a woman from the party to run for office. According to the CWAP, a majority of locally elected women have been discouraged by party leaders to run for office because of their gender (Politics, 2012). Within congress, women have historically lacked leadership roles. A woman has never presided over the Senate, and Nancy Pelosi has been the only woman to lead a party within congress (Politics, 2012). We also see that there is a vast difference between women in Democratic vs. Republican Parties. It is a possibility that party ideology of Democrats may be a stronger proponent of women and women's rights than republicans by the policies they support. Of those include women's health, family planning, and paid leave. This is shown as 60% of all women in state, local, and congressional leadership roles are Democrats (Politics, 2012).

Analysis

So it's clear that there is a gender problem within the American political system, but what's next? What can be done to change the cards that have been dealt, the nature of a woman in leadership, the prejudice of the media, and most importantly the views women have towards themselves? First, women must change the internal obstacles holding themselves back. Women must see themselves as equal to their male colleagues. Sheryl Sandberg, the former COO Facebook and author of *Lean In* says that women need to stop systematically undermining themselves and their abilities. She argues that women fail to "sit at the table," meaning that they neglect to set themselves equal to their male counterparts by taking a backseat in the workplace (TEDWomen, 2010).

Another important aspect of creating gender equality and more opportunity for women that Sandberg mentions, is to make your partner a real partner. By this she means that it is important to share the same work-load in raising children, and parenting (TEDWomen, 2010). This is important as women move forward in their goals in life, to find an individual who is willing to be a co-partner, to share the parenting, and to support the dreams and aspirations of a female provider. Lawmakers should be introducing policies of maternity and paternity leave, so men might also be able to share parenting responsibilities (Alkadry & Tower, 2014). Sandberg also visits the fact that often times the only one holding a woman back, is herself. Owning one's success as a woman, and using that success to further our career is necessary. Giving oneself credit when deserved is a must. Secondly, the gender bias we find endogenous in political organizations needs to cease. Leadership of political parties and congress should seek to place women in leadership roles as committee chairs - and party leaders. Politicians need to refrain from speaking specifically or implicitly of women's looks and abilities. Third, the media needs to change its focus of women's appearance and physicality to the substance, knowledge, and policy in which she holds. Media agencies need to rebuke journalists, commentators, and other individuals who may foster this type of behavior. Lastly, is the need to instill an attitude in children and young women to pursue careers of leadership and influence, and in doing so they will be a voice for women around the nation. One of the main reasons there is this disparity is because we are finding it difficult to get women interested in fields dominated by males. If gender biases are removed from our education and educators discredit the myths that careers are gendered, then there is hope to see a higher percentage of youth unbound by the biases of male and female careers.

Although America has made substantial gains in the recent centuries through giving women the right to vote, to allowing women to run for elected office, there is still a problem and a parity. Through media's gendered and biased exposure, to the interwoven politics of campaign finance, women are at a disadvantage to men in the political realm. Yet, it is ever-more important and vital for young women to continue in reaching for these leadership roles, to continue to insert themselves in the world of

business and to break the glass ceiling that has held women at bay for years.

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An End to the ACF Conflict?

The Apalachicola-Chattahoochee-Flint (ACF) Rivers water system is one of the most contested water basins in the United States. Yet an effective ACF water sharing resolution can serve as a national template for future interstate riparian conflicts. This study posits that federalism has been both a bane and benedict towards solving the tristate water dispute. On one hand, loose regulatory oversight has enabled Atlanta to exceed its reasonable use of withdrawals form the Chattahoochee River. On the other hand, cooperative federalism is central for achieving a positive sum outcome. State and local authorities must continue to evaluate the mathematical water modeling solution "what gets measured gets done." This approach may be best the alternative to protractive legal solutions.

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Introduction

In 1906, President Theodore Roosevelt the following statement about urban growth and water rights. "It's a hundredfold or a thousand fold more important if this water is used by the people of the city than if used by the people of Owens Valley." (Blaney, 2008). Roosevelt was speaking about Los Angeles and its potential growth even at the expense of small town famers. However, this statement is quite relevant to the ACF case today. The Apalachicola-Chattahoochee-Flint watershed controversy links back to the 1946 Rivers and Harbors Act. This act stated that a series of dams would be constructed along the Chattahoochee River. The main reasons were for hydroelectric power and flood control. However, the Act never addressed water consumption purposes. The main regulatory

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stakeholder, the Army Corps of Engineers had 'broadly' interpreted the original intent of the act to include water consumption. In turn, this has enabled Atlanta to exceed its reasonable water rights use from the Chattahoochee River. This study proposes two research questions: 1) Whether federalism is both a bane and benedict to the conflict, and 2) Could a seasonal modeling approach present a viable alternative towards achieving closure to this conflict?

Theory

Water is endemic to any society. In the United States, two legal terms govern water use and allocation. Riparian rights otherwise known as the reasonable use doctrine allows a user access to a water source adjacent to his/her property. Riparian rights govern eastern coast water practices. However, the western part of the United States is much more arid, hence it is plausible that a property owner may need to appropriate water outside of his/her property right. Thus, the term appropriate rights. The focus of this study will address the interpretation of riparian rights as applied to the ACF conflict.

The reality is that there is no one specific theory that can adequately explain stakeholder action within water policy. Federalism and its associated principles are the guiding force in determining both intra and interstate relations within the United States. Federalism is viewed as both a central and decentralized process, where the burden of responsibilities remains centralized. The Commerce Clause, Full Faith and Credit, and Supremacy Clause are all essential for the basic operationalization of federalism. Interstate Compacts also expand federal power to govern state discrepancies and it is possible that this may be the best approach solving the ACF dispute. However, there is another side to federalism whereby the federal government has not enforced its laws or has created vague regulatory statutes. In some cases, this regulatory weakness creates a forum for stronger and more powerful stakeholders to monopolize the policy process or could even allow for corruption to occur. This is particularly problematic in evaluating water policy concerns.

Literature Review

Water policy is a multifaceted study. First, water conflict can be viewed in both globally and locally. Freshwater is a finite but renewable resource. However, water supply can be negatively impacted due to drought, pollution, population growth as well as myopic governmental decision making. Hence all of the above mentioned factors can contribute to water scarcity. Absolute water scarcity as well water quality are both serious environmental concerns.

Blaney (2007) posits that Americans really do not have any definitive conceptual understanding of water policy. Blaney details that the United States' average daily precipitation equals 4.2 trillion gallons which is enough annual precipitation to cover the entire country to a depth of 30 inches. Yet such numbers are misleading due to a disproportionate allocation of freshwater east of the Mississippi River. About one-third of the United States including most of the areas west of the 100th Meridian (which passes through the Dakotas, Nebraska, Kansas, Oklahoma, and Texas) requires irrigation to sustain tilled agriculture. East Coast Americans enjoy vast quantities of easily accessible water, while Mountain and West Coast Americans often hover on the brink of water shortage and rely heavily on irrigation techniques.

Environmental policy in the United States has gone through several phases. It was not until the advent of the Civil War, that greater emphasis was placed on the environment. Much of this was attributed to the development of the transcontinental railroad. This technological fete gave way to the belief that there would be less open space in the United States. Further, waves of eastern European immigration in the early 1880s fomented this view (Webber, 2002). Early environmental policy reflected a basic preservation policy, one of which the government would set aside vast tracks of land designed to serve as national parks. Yellowstone National Park (1872), General Grant and Yosemite Park (1890) along with the founding of the Sierra Club by John Muir (1890) resonates this dimension. Conservation ideology became prominent under the Theodore Roosevelt Administration. It argued that natural resources needed to be controlled and cultivated. The Bureau of Reclamation (1902) was a central agency in promoting this process. Land development could

be enhanced by securing water rights and by creating large infrastructures like massive dams to harness rivers' energy.

Much of the early twentieth century river management reflected the push to control the environment for the development of rural areas as well as provide federal employment opportunities during the Great Depression. Sustainability which reflects both preservation and conservation principles would not emerge as significant paradigm until the latter part of the 20th century (Our Common Future, 1987).

Conservation also brought on unintended consequences and in some cases directly impact American rivers and aquifers. 1) John Barry's (1997) *The Rising Tide* addressed the 1927 Mississippi flood as well as the state and local policy officials dissent over how to address the breached levy system. However, states have also cooperated over water resources as noted with the 1922 Colorado River Compact. The states in what has come to be known as the "Upper Basin" – Wyoming, Utah, Colorado and New Mexico received half of the river's water. The remaining "Lower Basin" states – California, Arizona and Nevada received the other half. Even though the Upper Basin states had far smaller populations and were developing much slower than their lower basin counterparts, they still received an equitable share of water. In essence, California could not trump their rights (Fleck, 2016).

Another interesting cooperative case was with the Great Lakes Compact of 2008. This compact protects wildlife and habitat from water diversions from the Great Lakes basin. This Compact offers extensive protection to Great Lakes water because it treats groundwater, surface water and Great Lakes tributaries as a single ecosystem (Great Lakes Water Resources Compact National Wildlife Federation, 2016).

Interstate compacts are valuable political tools and are clearly needed for both aquifers and river basins. There are 64 aquifer systems in the country by which 30 of them account for 94 percent of the total withdrawals. The largest of the aquifers is used for irrigation. There is concern that farmers are depleting groundwater at an alarming pace. The Ogallala aquifer which underlies eight states and stretches from South Dakota to Texas has struggled to meet farming groundwater needs. In fact,

a 2013 study forecasted that the High Plain Aquifer would be 69% depleted by the year 2060 (Amelinckx, 2015).

Further west, California also suffers from water shortages. Many experts believe that the problem extends beyond drought and climate change. The state's water crisis is the direct result of bad regulations and poor planning (breitbart.com). The EPA has estimated that as much as 16% of the water used nationwide has been lost through leaking pipes. In California, more water is lost each year than is used by residents (breitbnart.com)

Comparative Case

Los Angeles had fairly good perennial streams, but by 1860 water resources became scarcer (Davis, 1998). By 1900, several prominent Los Angeles citizens conceived of the idea that the city of Los Angeles should build a 238 mile aqueduct to tap the waters of the Owens River and bring it to the San Fernando Valley. To secure the funds to build the aqueduct, a $25,000,000 bond was put on the local ballot. The Los Angeles Department of Water and Power, the City's water utility fomented concern by reporting that there was an artificial water famine. Some people claim that the City even dumped its water reserves into its sewer system at night to demonstrate an artificial deficit in water supply (Davis, 1998).

The Los Angeles water deficit problem was heralded by two western water policies. 1) The United States government was interested in developing the west and applied the Homestead Act (1862) to settle vast tracks of western land. People could claim 160 acres of land. Further, settlers would assume possession if they remained on it after five years. 2) In 1902, The United States created the Bureau of Reclamation which was designed to create hydroelectric projects to develop and cultivate land. This included building an irrigation system to help the farmers of Owens Valley (Reisner, 1993).

Owens Valley was nearly 250 miles from Los Angeles. Its remoteness was overshadowed by one majestic fact: Owens Lake, the terminus of the river sat at an elevation of about four thousand feet. Los Angeles was a few feet above sea level. In other words, it would be easy

for an aqueduct to carry water to a developing city hundreds of miles away (Reisner, 1993).

Barry Commoner (1992) cites that there exists an orderly balance within nature. However, water conflict would upset this balance. The southern California water wars began when Frederick Easton was elected mayor of Los Angeles in 1898. He appointed William Mulholland to be superintendent of the newly-created Los Angeles Department of Water and Power. Both Eaton and Mulholland felt that Los Angeles' future growth was contingent on securing sufficient water supplies (Reisner, 1993).

Eaton lobbied President Theodore Roosevelt to cancel a local irrigation system and seek water from the Owens Valley, more than 200 miles away. Los Angeles city officials claimed that this water would be used for domestic consumption. The plan was to the water rights form local farmers in Owens Valley. By 1905, Los Angeles purchased enough local water rights to secure an aqueduct project. Local farmers did not understand the overall impact of selling their water rights (Reisner, 1993). The chicanery was that the appropriated water was not designated to the city of Los Angeles. Instead it was diverted twenty miles north of the city to the vast orange groves located in the San Fernando Valley. The San Fernando Valley irrigation demanded three times more water than the city of Los Angeles (Reisner).

The Aqueduct took six years to build and stretched 223 miles and traversed unforgiving terrain (Reisner, 1993). The aqueduct worked. By 1915, the Los Angeles Department of Water and Power extended the Owens Valley Aqueduct and further sponsored the Boulder Dam Act to secure additional water supplies from the Colorado River. That project required the construction of an additional 400 mile aqueduct. In 1928, Los Angeles created the Metropolitan Water District (MWD) of Southern California to finance the Colorado River project. Currently MWD's service extends from Ventura County to the Mexican border and MWD remains the largest urban water supplier in the nation (Reisner, 1993). By the 1970's, the southland was connected by a vast network of federal, state, and local dams and aqueducts from Northern California and the Colorado River (Davis, 1998). These appropriated water supplies enabled Los

Angles to become a major city at the expense of local farmers hundreds of miles away.

The Bureau of Reclamation did not use its regulatory capacity to evaluate the effects on how Owens Valley water transfer would impact the local farmers. In all fairness, much of the problem was few regulations existed at the time. There were no environmental laws. There was no Environmental Protection Agency. Further, the country was shifting towards an eco-conservation policy approach. This meant that land and water resources needed to be used in best applicable way to promote economic development. However, the Bureau of Reclamation did not review or apparently question the nature and scope of how Los Angeles would appropriate water. The parallel with the ACF conflict is that loose regulatory guidelines also enabled Atlanta to obtain vast water resources, which contributed to its development.

The ACF Story

The Apalachicola, Chattahoochee, Flint water shed is vast. It stretches more than 385 miles from the headwaters north of Atlanta before ending in Apalachicola Bay in Florida. The primary source of conflict is the Chattahoochee River. Chattahoochee, which means color of the rocks in Creek, serves as the main river artery in western Georgia and serves as the border between Georgia and Alabama. A good starting point towards understanding the conflict is linked to the Rivers and Harbors Act. There have been several acts dating back to 1885. They were created to ensure river transportation and promote healthy navigable water ways. The Rivers and Harbors Acts were a function of conservation ideology which fostered the belief that environmental stewardship was linked to vibrant industrial activity. This conservation ideology developed during the Progressive period and continues through much of the twentieth century. More than five thousand dams were built between the United States between 1920 and 1970.

The Rivers and Harbors Act (RHA) of 1946 supported this approach. The RHA was part of an overall conservation plan that designated authority to the Army Corps of Engineers (ACE) to manage eastern waters and river ways. The Act stated that “the ACE shall govern

with respect to projects herein authorized; and the procedures therein set forth with respect to projects herein authorized; and the procedures therein set forth with respect to plans, proposals for the improvement for navigation or flood control and for irrigation and purposes incidental thereto." The document further stated that Apalachicola, Chattahoochee, and Flint Rivers of Georgia and Florida in accordance with the report of the Chief of Engineers be able to create the Jim Woodruff Dam (Public Law, CHS-594). However, water supply was never mentioned in the act.

However, the Rivers and Harbors Act of 1946 authorized the 1952 Apalachicola-Chattahoochee-Flint Project. This allowed the Chattahoochee River to be dammed at several locations. It also called for dredging the Chattahoochee River, which would provide all vessels a direct connection between Apalachicola Bay and the Gulf of Mexico. This plan was part of a national inter-coastal waterway system (Willoughby, 1999).

Four key dams were constructed. The Jim Woodruff Dam was located in Chattahoochee, Florida where the waters of the Chattahoochee and Flint Rivers converged. This goal was twofold: It was used for electrical power generation and it would serve as a lock to allow boats to travel upstream. Lake Seminole was also created which offered recreational activities for residents.

The George W. Andrews Dam also created. It is situated fifty miles north in Columbia, Alabama. Its main focus is to ensure that the Chattahoochee River had sufficient depth for boats to navigate upstream for twenty-six miles (Willoughby, 1999). The Walter F. George Lock and Dam was important as well. It is situated in Fort Gaines, Georgia and Eufaula Alabama (about 80 miles north of the Jim Woodruff Dam). This structure is the largest electricity producer on the entire river. Its 45,200 acre reservoir is a major fishing area. The most contested dam is the Buford Dam located 350 miles from the Jim Woodruff Dam and fifty miles north of Atlanta. The Buford Dam was designed to regulate water stream flow and ensure that water depth of nine feet would be maintained from Gulf of Mexico to Columbus, Georgia. Lake Sidney Lanier was the result of the Buford Dam (Willoughby).

Lake Lanier and the Buford Dam were created in 1957. Congress authorized the use of the lake for flood control, power generation, navigation, and recreation. Atlanta's Mayor Hartsfield refused to donate money for the Buford Dam stating "Atlanta had enough drinking water for centuries" (Willoughby, 1999).

There were problems with ACF management from its inception. The first issue related to river depth. When the last of the four dams on the Chattahoochee was dedicated in 1963, Alabamians and Georgians celebrated the reopening of commerce on the Chattahoochee. However, by 1971, members of a local Tri-Rivers Development Association who represented the bargaining interests of the lower Chattahoochee were complaining over the lack of the river depth and the inability for them to progress (Willoughby, 1999).

Second, environmental claims developed. The Chattahoochee River system empties into the Apalachicola Bay. It is also home to one of the largest oyster nurseries. Shellfish live in salt water but need the freshwater that the river brings them to curb the water's salinity. This discourages conches and other predators from invading their territory and brings nutrients downstream from the river swamps. Further, domestic and industrial pollutants and heavy loads of silt from upriver dredging operations inhibit oyster growth and are health risk to people. (Willoughby, 1999).

Florida essentially wanted the Corps to modify river flow to the Apalachicola Bay. However, Georgia and Alabama tried to prevent this from occurring. In 1979, the controversy heated when Florida decided to take matters into its own hands by applying for federal protection for the Apalachicola estuary by having it declared a national estuarine sanctuary. Floridians saw this as a defensive strategy by saving their economy and protecting their ecosystem from northern developers. Georgians and Alabamians feared that the Floridians were deliberately trying to ruin them economically.

In retaliation of Florida's move, the Georgia legislature created a Tri Rivers Waterway Compact. The resolution stated that "any two states bordering on the river system and with the concurrence of Congress could join in the compact and bind the third state." The resolution was never

passed because it gave too much power to the states. Only Congress can regulate interstate commerce.

Atlanta contributed to the water flow problem. It is the largest city in the Southeast and drew 70% of its drinking water from the Chattahoochee River. As planners looked ahead to the next century, they found the only factor inhibiting growth was water. In 1989 Atlanta consumed 35 million gallons of the Chattahoochee River daily, and planners realized that this demand would only increase (Willoughby, 1999).

In 1998, Congress enacted another water compact between Georgia and Alabama. It addressed the Alabama, Coosa, and Tallapoosa rivers. According to the Alabama-Coosa-Tallapoosa River Basin Compact of 1997 and allocation formula was developed. This meant there was an equitable apportionment of surface waters within the ACT Basin for both Georgia and Alabama. This formula could be represented by "a table, chart, mathematical calculation or any other expression of the Commission's apportionment of water pursuant to this compact." (Text of Alabama-Coosa-Tallapoosa River Basin Compact, 1997). In other words, scientific testing was needed to determine effective water flows.

However, regulators could not find an effective solution towards solving the ACF conflict. Instead, the Army Corps of Engineers (ACE) loosely interpreted the Rivers and Harbors Act and proceed to allow Metro Atlanta to draw water from Lake Lanier (Martin, 2011). Intense drought conditions in 2006-07 placed the ACE in a precarious position. Should the ACE continue safeguard reasonable flows throughout the ACF system or placate the growing water needs of Atlanta? In 2007, the state of Georgia sued the ACE to reduce water flows from Lake Lanier. Water restrictions were declared in 61 north Georgia counties which included a total ban on outdoor water use. By December 2007, Lake Lanier reached an all-time low of 21 feet below full pool level (Martin).

In 2008 Georgia approved funding for a statewide water management plan which consisted of 10 regional water councils. The ACE also increased the water supply to Metro Atlanta. However, the Courts ruled that Congressional approval was necessary for further water allocation to

Georgia. In 2009 Federal Judge Paul Magnuson declared that water supply was not an authorized use for Lake Lanier. (Martin, 2011).

In 2012, the 11th Circuit Court overturned the Magnuson decision and expanded the River Harbors Act intent by stating it also was meant to include water supply. The Army Corps of Engineers would continue to be the arbiter of determining effective water flows. The Court did not inform the Corps of any specific formula of what constituted equitable flow. They stated the Corps has "some authority under the RHA to balance as among the authorized uses and increase water supply purpose at the expense of the power purpose and to reallocate storage" (Georgia, Ruling 2011, *New York Times*).

In 2015, The U.S. Army Corps of Engineers applied a simulated computer program called RES SIM. It is a computer system used to simulate reservoir facilities, operations, releases and reservoir levels. This program was developed by the Georgia Water Resources Institute (GWRI) at the Georgia Institute of Technology also known as the ACF-Decision Support System model. (Sustainable Water Management Plan, May 2015)

This program was designed to simulate the river and reservoir response under different hydrologic, development and management scenarios. The Basin flow was tailored to provide the outputs to enable results to be compared to the stakeholder developed performance metrics for the main stem flows. GWRI also conducted hydrodynamic modeling of the Apalachicola Bay to investigate the effects of river discharge on bay salinity. Atkins Global (an Atlanta engineering firm) then utilized the outputs of the hydrodynamic model to help ACFS compare different water management alternatives on the Eastern oyster. (SWMP, 2015).

The plan had five key themes: achieve sustainable use and return, improve water storage and control operations, target dry and drought years, advance scientific and technical knowledge for future decisions, and strengthen basin coordination.

The key is that ensuring reliable and sustainable water resources requires a combination of actions that, taken together, achieve greater benefits for the amount of water used. ACFS recommends that all water users contribute to this by identifying and implementing conservation measures and more efficient use of water. Recognizing that "what gets

measured gets done," tracking and reporting progress over time also must be a priority (SWMP, 2015).

Given the complexity of water resources management under changing conditions, it is important to make adaptive management or learning about what actions achieve desired results and why, and making adjustments based on lessons learned a priority. Adaptive management does not mean creating additional conditions of uncertainty for stakeholders who depend on the results of management decisions. Rather, adaptive management by definition is a structured iterative process of robust decision making in the face of uncertainty, with the aim of reducing uncertainty over time via system monitoring. Water managers in the ACF Basin are urged to track the results of their efforts, assess whether those results accomplish what Basin stakeholders are seeking to achieve, and consult stakeholders when considering changes in management decisions based on new information.

Ultimately actions that result in increased water returns generally benefit all users of the system. While quantitative conservation and efficiency targets will require more analysis, in part because circumstances vary, this plan identifies numerous opportunities for more sustainable use and return, and ACFS urges water users and managers of water users to take action.

Modeling done for this plan also demonstrates how changes in the storage and operations of the current federal reservoirs, in combination with water efficiency and conservation measures could simultaneously improve the instream flows that sustain aquatic habitats in the Basin, Apalachicola Bay and other instream uses, while providing for both current and future consumptive uses. These operational changes also result in improvements to instream uses in the Basin and the Bay at current consumptive uses.

Thus, based on the modeling conducted for this Plan, ACFS recommended that USACE adopt a policy of adaptive management to improve operations of the federal reservoirs on the Chattahoochee River (SWMP, 2015). This includes raising the winter and pool curve at West Point Lake from 628 feet to 632.5 feet, defining new zones to coincide with the USACE reservoir recreational impact zones and then only release water from an upstream reservoir when the downstream reservoir is in a

lower zone, adjusting hydropower requirements to achieve more flexibility, and providing two pulsed water releases to achieve 9,000 cfs (cubic feet per second) at Chattahoochee, Florida for two weeks each, one in May and one in July (SWMP). Legal measures and creative interstate compacts offer a valuable procedural approach to address the ACF claims.

Ongoing Concerns

Currently, the ACF is an entrenched issue. There are four key stakeholders: Atlanta, Middle and South Georgia, Alabama and Florida. A traditional approach links the conflict to the original Georgia – Alabama border of 1821. The Alabama border began when the high waters of the Chattahoochee receded. This meant that one would have to cross the river to reach Alabama. Under that term, the Chattahoochee River would belong to Georgia. However, the federal government recognized this potential problem and has used the interstate compacts to address complex interstate economic arrangements. In other words, neither the state of Georgia nor the City of Atlanta could ban Alabama from using the Chattahoochee River (Willoughby, 1999).

However, Atlanta has drawn water from the Buford Dam. The city has claimed riparian rights to secure its water use. Riparian rights mean a water user is entitled to reasonable use. The state of Alabama challenged this reasonable rights interpretation. Alabama believes that Atlanta water usage has negatively impacted its economic interests. Alabama seeks to develop the eastern quadrant of its state and reduced water flows can impede future businesses from relocating there. Alabama also holds a comparative advantage in hydroelectric power. This industry is important within the state as well as for intrastate energy transfers. Undoubtedly, reduced flows could limit hydrological development within Alabama.

Middle and lower Georgia also have concerns. Much of the state is agricultural based and reduced water flows has the capacity to impact the farming community. The most strident issue links to Florida which has both economic and environmental concerns. The Apalachicola Bay's fragile oyster industry and overall natural aquatic ecosystem are susceptible to reduced water flows. The case has made it to the federal courts but ultimately, final interpretation of water flows has been left to the Army Corps of Engineers.

Findings

This study postulated that there needed to be a new creative approach towards solving the ACT conflict. It raised a question about federalism and possible seasonable water flow adjustments as possible and even pragmatic solutions to a protracted legal issue. Federalism has been both a bane and benedict towards solving the ACF conflict. Federalism calls for the distribution of power from the national to state and local levels. However, the initial point of controversy stems from how the Army Corps of Engineers interpreted 1946 Rivers and Harbors Act. At the time, city and policy planners did not envision that future dams would be need for domestic water supply even for the state of Atlanta. However, the Army Corps of Engineers loose interpretation of this act during the 1980's set the path for interstate legal arguments regarding equitable water flows. Atlanta is the economic hub of the state and the ACE may have felt political pressure to allow Atlanta increase economic withdrawals from the Buford Dam. This may not have been as glaring the appropriative water rights case of Los Angeles. There, Los Angeles city officials literally hoodwinked local farmers to sell their water rights. The Bureau of Reclamation while admittedly in its infancy did not stop these water transfers. The Army Corps of Engineers held the mandate to interpret the 1946 Rivers and Harbors Act in the most equitable manner possible. However, the Army Corps of Engineers has not found a clear solution to this conflict. This impasse has led to intra and interstate political divisions. Soft federalism (loose regulatory oversight) has not been an effective policy framework towards finding a possible solution. Interstate compacts have been identified as a possible solution for addressing interstate conflict. The Colorado Compact could be a good model to simulate. The Colorado Compact is a complex water sharing arrangement between upper and lower basin states. Even there, reduced water flows have had negative impact particularly for Mexico (Fleck, 2012). ACF water flow equity remains an outstanding concern.

Soft federalism is a byproduct of the 1946 Administrative Procedure Act. This Act enabled Congress to delegate its legislative intent to administrative agencies. The Army Corps of Engineers was the recipient towards interpreting the Rivers and Harbors Act. Yet federalism can be

viewed positively as well. Cooperative federalism calls for the interactive and dynamic approach between policy officials at all levels of government. It often features a bottom up approach which emphasizes the role of local policy officials. This approach is consistent with the "what gets measured gets fixed" approach. Water flow equity and the ACE has struggled towards finding an equitable balance to satisfy all key stakeholders. Yet, there has been scientific modeling which suggests that seasonal flow could maintain both river depth as well critical flow which would not harms Florida's fragile oyster industry and overall aquatic ecosystem. Similarly, it may possible to deepen the Buford Dam and Lake Lanier for future water storage. This approach has the capacity to benefit all three states.

Kingdon (1993) stated that problems, politics, and policies create a window of opportunity to create new policy approaches. In other words, state and local stakeholders need to use scientific, economics and other competing perspectives to have the best chance at addressing the ACF conflict. This means greater attention towards the use of science and computer modeling to understand equitable water flow measurements.

Conclusion

The ACF conflict is like the old canary in the mine analogy. A canary that never returned from a mineshaft and protracted interstate water conflict explicitly suggests that man's nexus to environmental stewardship is misplaced. There are numerous functions of federalism. It has inhibited but at the same time has the potential to address and find an equitable solution. This study applied a corollary case study to illustrate the extent government officials could go to acquire water resources. The ACF case is not as glaring at the Los Angeles case, but both cases reflect cautionary perspectives about water and power. Secondly, federalism is important because it hints the diverse stakeholders have the capacity to solve pressing social, political and environmental concerns. The "what gets measured gets fixed" is a valuable policy approach. It is linked to Ostrom (2003) in terms of defining common pool resources. In other words, what is clearly defined has the best chance of achieving success. And of course, this can only be realized with the support of national, state, and local authorities. Water management is political and this study reveals the extent of this. Yet, there

are political tools are available to move in a forward and positive direction. However, this requires flexibility, adaptability, and vision today and for future generations.

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