

“WE ARE PIMPING OFF THE PEOPLE”: DESIGNING OKLAHOMA LOTTERY LEGISLATION

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While research studies have focused on lottery policy, little attention has been paid to how legislators discuss citizens in the design of lottery policy. In this qualitative case study, interviews with 11 former state senators examined how decision makers socially constructed Oklahoma citizens while forming lottery policy. Ingram and Schneider's (1993) social construction of target populations provides a theoretical framework for better understanding how social constructions become embedded into political discourse. Furthermore, the subfield of political communication has focused on comprehending the connection between rhetoric and politics (Gronbeck 2004). Participants discussed how the policy designated education as the advantaged, lottery players as dependents, and gambling addicts as deviants. Additionally, there was an interactive effect between the social construction of target populations in policy design and the political rhetoric used within the political discourse to discuss the policy with the public. The findings suggest that the policy process may shape political rhetoric.

INTRODUCTION

In her 2003 book, *How Policies Make Citizens*, MIT Associate Professor Andrea Louise Campbell argued that senior citizens participate in the political process at high rates due to public policies that have favorably targeted and provided them with advantages. Political mobilization for senior citizens has been enhanced by public policy that has granted Social Security privileges, allowing both financial resources and time to actively participate. Likewise, Campbell (2003) discusses that there is a lack of participation from welfare recipients, who receive benefits from public policy at the discretion of caseworkers who make decisions based on interviews and demeaning means tests. Campbell (2003) argues that the message is clear: policy design has a powerful influence on sending messages of who is “deserving” and “undeserving” of policy, which in turn impacts the participatory action of a group.

Senior citizens are not unique to such favorable policies. Many groups are targeted by policy design to receive benefits, while others receive burdens or sanctions. One such policy providing benefits is state lottery legislation.¹ Many state policies direct benefits not only to institutions of higher education, but they also provide access to higher education for students (Duffourc 2006).²

While lottery scholarships are not without their controversies, they continue to provide alternative funding for higher education (Arnone 2003). Bowden and Elrod (2004) stated that state policies should extend opportunities to support public goals, such as providing equal access to institutions of higher education. For many states, lottery policies have been designed as a means to enhance public goals.

Much of the focus of the literature on state lotteries pertains to providing equal access to higher education, which provides insight into who is awarded the scholarship, the players of the lottery, and scholarship eligibility requirements (see Bowden and Elrod 2004; Campbell and Finney 2005; Heller and Marin 2002; 2004; Ness and

¹ As of 2015, 43 states have lotteries.

² As of 2015, lottery earmarks for higher education scholarships are designated by 10 states, which include Arkansas, Florida, Georgia, Kentucky, New Mexico, North Carolina, Oklahoma, Tennessee, South Carolina, and West Virginia.

Tucker 2008). Little attention, however, has been paid to the policy formation of lottery scholarships and how citizens are discussed in the formation of the policy. More specifically, there is a gap in the research regarding how legislators socially construct citizens during policy formation, with regards to their constituency base and the policy itself.

The purpose of this study was to examine how decision makers discussed and designed lottery legislation. Political discourse is used to communicate lottery policies to the public, thus creating public awareness of lottery legislation. It is important to understand how the policy process shapes this political discourse. Lottery legislation is crafted to benefit a target population, or groups of people, while at the same time placing a burden on a different target population. Target populations are socially constructed through the policy design process. Understanding how a target population for lottery scholarships is defined will provide a better understanding of how recipients are labeled in the policy process. The goal of this paper was to link group labels to the political discourse used by Oklahoma State Senators when communicating the lottery policy to the public. Additionally, state lottery policies continue to diffuse to others states.³ For future states considering the adoption of a lottery policy, the findings from this study provide insight and understanding into the policy discussion and design process.

LITERATURE REVIEW

STATE LOTTERY SCHOLARSHIPS

State lotteries have been created by states to fund various public initiatives, such as providing additional revenue for the general fund, pre-kindergarten programs, K-12 education, senior citizen programs, and higher education scholarships (North American Association of State and Provincial Lotteries 2012). Many researchers have explored lotteries for research, but particular interest has been focused on higher education scholarships and public policy (Bowden and Elrod 2004; Campbell and Finney 2005; Dynarski 2000; Duffourc 2006; Heller and

³ Arkansas is the most recent state to adopt a lottery in 2009. This lottery policy was a ballot initiative championed by Lieutenant Governor Bill Halter.

Marin 2002; 2004; McCrary and Condrey 2003; Ness and Tucker 2008; Rubenstein and Scafidi 2002). Most institutions of higher education have depended heavily on state support for a majority of operational funds (McGuinness 2005). The financial structure for institutions of higher education has been stressed as state monetary support has declined. However, state lotteries have provided an additional revenue source of funding, particularly for higher education (Arnone 2003). Although lottery proceeds are not distributed directly into an institution's operational budget, the funds are provided to students in the form of scholarships, which cover tuition. State lottery policies have targeted students of higher education in 10 states, which includes Arkansas, Florida, Georgia, Kentucky, New Mexico, North Carolina, Oklahoma, Tennessee, South Carolina, and West Virginia.

Traditionally, state lottery scholarships have been categorized two-fold: merit aid and need-based aid. Merit aid provides funds to students based on a relatively high grade point average and standardized test scores (Dynarski 2000). This tradition can be traced back to the 1993 Georgia-based Helping Outstanding Pupils Educationally (HOPE) scholarship. Merit aid is the most replicated lottery policy for states providing higher education scholarships with lottery proceeds (Heller and Marin 2002). In contrast, need-based aid typically requires a lower grade point average or standardized test score and includes eligibility based on income. Currently, Oklahoma and North Carolina are the only states that provide a lottery scholarship based only on need (North American Association of State and Provincial Lotteries 2012). However, Tennessee is unique because it provides three levels of eligibility, which includes a merit, need-based, and a combination of both merit and need-based scholarships (Ness and Noland 2004).

One may advocate for state lottery scholarship funding because it not only provides access to higher education, but it also keeps students attending institutions in their home state. Duffourc (2006) argues that these programs are championed because they reduce "brain drain," which is the idea that the exceptional students leave a state to pursue degrees and never return.⁴

⁴ For example, Georgia increased in-state student retention nearly fifty percent after the inception of the HOPE scholarship by retaining nearly three-fourth of students who attained a 1500 on the SAT (Duffourc 2006).

In stark contrast, Stanley and French (2005) state that enrollment of postsecondary education has not increased due to lottery policy adoptions, but instead increased unemployment levels accounted for record attendance. Likewise, many studies have shown that lottery scholarships do not facilitate equal access to higher education (Bowden and Elrod 2004; Campbell and Finney 2005; Ness and Tucker 2008). These state lottery scholarship studies have one identifiable link: merit aid funding. Merit aid does not account for low income, but instead focuses on academic discipline. Unfortunately, this disproportionately limits access to mostly students who would otherwise find alternative ways to pay for education. This begs to provide a deeper meaning to why such policies are designed and implemented by state governments.

In the focus of this study, the Oklahoma State Senate passed legislation to authorize a state lottery in 2005 after a legislative-referred statute was approved by a majority of Oklahoma voters (McNutt 2005). Past attempts of lottery legislation were unsuccessful. For instance, when lottery legislation was brought to the floor in the mid-1980s, religious interests groups successfully pressured the state senate to silence the bill (Gilmore 1985). In 1986, the Oklahoma State Supreme Court found that provisions within a proposed state lottery bill were unconstitutional (Casteel 1987). Greiner (1992) reports that policymakers frowned on the idea of a lottery in the early '90s because the profits focused on government support, with senators stating that the government should not rely on lottery funds for operation. Lottery legislation, however, gained momentum in the new millennium due in part to re-focusing the use of profits on education (Greiner 2001). The legislative-referred state statute for the development of the Oklahoma Lottery Commission Act and the constitutional amendment to create an Oklahoma Education Lottery Trust Fund were successfully approved by a majority of Oklahoma voters on November 2, 2004 (Snyder 2004a).⁵ The Oklahoma lottery was similarly crafted by other southern states that had created a lottery to benefit public education goals. Oklahoma officially began selling tickets on Wednesday, October 12, 2005 (Thornton, 2005). While former Governor Brad Henry estimated that the lottery would bring in around \$300 million annually,

⁵ Voters approved State Question 705 (Oklahoma Lottery Commission) at 65.68% and State Question 706 (Oklahoma Education Lottery Trust Fund) was approved by 67.94%.

Fleming (2015) reports that the Oklahoma lottery earns around \$70 million each year for education.

POLITICAL RHETORIC

Researchers have focused political communication research on the language used by policy actors when crafting policies (see Bitzer 1981; McGee 1985). The subfield of political communication has focused on comprehending the connection between rhetoric and politics (Gronbeck 2004). “Political rhetoric can denote both the oratory that politicians might use and the study of such oratory” (Billing 2003, 222). Moreover, Bitzer (1981) adds, “We regard rhetoric as a method of inquiry and communication which functions to establish judgments, primarily in areas of practical and humane affairs, for ourselves and for the audience addressed” (3). Furthermore, politics is centered on the broad concept of politicalization, which is the development of political consciousness by the public (Gronbeck 2004). Thus, political communication is positioned as a function of the rhetoric used by decision makers to connect to the public in which they represent. Crozier (2007) asserts that political communication becomes the medium of information exchange that constructs meaning, alliances, and consent. Information flows are key to political communication (Crozier 2007).

According to Bitzer (1981), legislators are classified under deliberative political discourse because they address policy issues for an audience and debate among themselves when formulating new policy. This discourse provides a frame of reference to connect the discussion of ideas within the policy formation to a general understanding of the policy by the public.

McGee (1985) asserts that storytelling aids the political experience because it could easily frame a complex public problem in a simplified manner. “Politicians and other opinion leaders promote the tendency of people in general to narrativize their values, creating a series of ‘fantasies,’ which structure and assign priority to goals of the community” (McGee 1985, 157). Thus, political storytelling establishes a common understanding for the public to either accept or reject interpretations.

Additionally, political communication focuses on issue conflict. Burke (1962) states that division is apparent in politics. This division creates conflict to opposing sides of an issue because of a variety of motives, meanings, or political interests (Bitzer 1981). Rhetoric allows these competing sides a way to cooperate in finding common ground on issues (Bitzer 1981). Billing (2003) claims that a politician's use of "us" and "them" language is often used to communicate the sides of a political conflict. This can also indicate to the public the side on which the politician advocates and opposes.

In regards to lottery policy, legislators address policy issues for a very specific audience, while debating the best way to expend generated lottery revenue on citizens of the state. Since legislators connect the ideas within policy to the public for general understanding, a study of the construction of lottery policy adds value to the political communication field because there is a gap in the literature regarding this phenomenon (see Bitzer 1981; Crozier 2007; McGee 1985). The information exchange within this policy is key to understanding how legislators constructed meaning with their constituency base.

THEORETICAL FOUNDATION: SOCIAL CONSTRUCTION OF TARGET POPULATIONS

The social construction of reality was introduced in the work of Berger and Luckmann (1966), which was grounded in sociology research. Berger and Luckmann (1966) assert that reality is socially constructed based on personal experience. Since this introduction, the social construction of reality has been used and expanded by various disciplines including communication studies, public policy, and psychology (see Holstein and Gubrium 2007). One expansion of the social construction of reality is the theoretical framework that guides this study, which is the social construction of target populations theory. This theory focuses on the positive and negative social constructions used by policymakers to distribute benefits and burdens to target populations, or groups of people, reflective of such constructions within policy formation (Ingram, Schneider, and DeLeon 1995). This theory is significant to this study because social constructions of target populations become embedded into political discourse and elements of

policy design (Ingram and Schneider 1993). Since political communication is positioned as a function of the rhetoric used by decision makers to connect to the public in which they represent, the social construction of target populations theory provides a way to examine the language, labels, and metaphors used by legislators in the political discourse of the policies designed for the citizens that they represent.

Moreover, policymakers build their political base by responding to and manipulating social constructions (Ingram *et al.* 1995). Therefore, policies represent social constructions. The policy designs not only shape the experience for the target population, but it also sends implicit messages about their problem and the level of importance it is to the government and whether participation is to be effective. Ingram and Schneider (1993) claim that these constructions send messages to citizens by telling them who is “deserving” and “undeserving” and these messages could encourage passivity of participation if negatively constructed.

Stein (2004) notes that more time is paid to the characteristics of individuals rather than societal structures that contribute to unequal and inequitable life circumstances. In order to push for policies, decision makers often rely heavily on stereotypes and labels, which evoke strong imagery in representation of individuals and groups. Thus, policy design perpetuates the social constructions embedded in our culture and embodied in policies so as to be accepted as fact. Schneider and Ingram (2005) assert that social constructions are embedded in our institutional culture and this makes change difficult. There are many policies adopted. However, if change occurs, it is typically incremental.

Ingram and Schneider (1993) identified four target populations of social construction: a) advantaged, b) contenders, c) dependents, and d) deviants. Policymakers can gain public approval by providing benefits to members of the advantaged group who have positive image construction and power. Jensen (2005) provides an example of a public policy message that depicts a group as deserving in the discussion of pension benefits for veterans. In comparison, contenders, who have negative image construction but high power, such as CEOs and big business, still receive benefits from public policy, but often are hidden in details of legislation. Moreover, dependents are positively constructed but have low power, such as mothers and children, and

receive fewer benefits in the adoption of policy (Ingram *et al.* 1995). Deviants have both negative power and negative images and receive mostly burdens from public policy. Therefore, policymakers positively benefit when providing sanctions to this group. Ingram and Schneider (1993) discuss terrorists as an example of the deviant group.

Social constructions are heavily reinforced and embedded in our political culture. This only perpetuates an endless cycle of rewarding the advantaged and burdening the deviants. Once labels are proclaimed by policy, it becomes hard to change. Viewing policy through social constructions allows one to examine how policies develop support and ultimately become implemented (Ingram *et al.* 1995). Knowing that policies are designed with target populations in mind, the following research questions guided this study:

RQ1: How did Oklahoma State Senators socially construct target populations while developing lottery legislation?

RQ2: How did Oklahoma State Senators use the socially constructed labels to discuss lottery legislation with the public?

METHODS

Merriam (1998) states that a qualitative case study explores a bounded system. Additionally, Yin (2009) notes the case study method is helpful to understand a real-life phenomenon in depth. Therefore, this research focused on a qualitative case study approach to examine the policy design of a state lottery in Oklahoma. A qualitative case study approach provides insight, discovery, and interpretation of the policy process in Oklahoma. A case study approach was helpful because the research was limited to a specific group of people that were involved in a specific policy design process.

PARTICIPANTS

After Institutional Review Board approval, I used a purposeful sampling technique, which allows a researcher to identify a sample that

has certain characteristics that allows for in-depth, detailed information about specific cases to select participants (Patton 1980). By employing a purposeful sample technique, former state senate members were chosen to narrow down to a very concise participant pool. I interviewed former state senators from both Democratic and Republican parties ($n = 11$, 10 males and 1 female). Moreover, since Oklahoma has term limits for legislative members, all senators involved in the policy design process of the Oklahoma lottery were no longer in office when recruited as participants for this study. The political affiliations of the final sample consisted of seven Democrats and three Republicans. Since the purpose of this study was not to generalize the findings to other settings but to provide insight, discovery, and interpretation of the policy design process in the context of a specific state, the 11 participants provided adequate information to gain an in-depth understanding of the Oklahoma lottery policy design process and reached saturation, or the repetition of answers that developed thematic findings (Creswell 2008).

The sample was found either through a snowballing technique ($n=7$) or by cold telephone call ($n=4$). Warren and Karner (2010) assert that the snowball effect is useful to find interviewees that are socially networked to the researchers' initial contact. This method connected the researcher to a local contact that lead to another contact, all of which were senators that dealt with this legislation, but were no longer in office at the time of data collection. This technique is helpful because it can allow for an interviewee to personally connect someone from his or her own social context to the researcher (Warren and Karner 2010). The state senators called by telephone were selected because they represented regions of the state beyond those that were being compiled through the snowball technique. Interviews were continued until saturation was reached. Throughout the participant selection and interview process, I kept the identities of all participants confidential. I referred to all participants with a pseudonym and labeled their policy role within the transcription process.

INTERVIEW PROCEDURE

The interview period lasted a little over six months, from August 30, 2011 to February 23, 2012. Interviews were conducted in person or

over the phone with each participant. Individual interviews took between twenty-five and forty-five minutes and a digital audio recorder was used to capture the data. All participants provided informed consent before beginning the interview. Using the theory of the social construction of target populations as a guide, I designed interview questions aimed at exposing how citizens had been framed in the policy design of the Oklahoma lottery. I used a semi-structured protocol consisting of nine questions that asked the same questions of each participant (see Appendix), though the conversation between each former state senator did allow for additional questions and conversation regarding the lottery policy.

DATA MANAGEMENT

Following the suggestions by Sunstein and Chiseri-Strater (2007), interviews were fully transcribed with accuracy by reviewing the audio-recorded interviews multiple times. After each interview, I began transcriptions immediately by reviewing the audio recordings and typing sentence by sentence the responses made by participants.

Glaser and Strauss (1967) notes coding data provides a researcher with the means of categorizing narratives by themes, either by the language or general data from the interviews. This allows a comparison to evolve into an emerging property for each theme (Glaser and Strauss 1967). In this study, the constant comparative method was used to identify themes among the interviewees and, therefore, identified the social constructions created in the policy design of the Oklahoma lottery.

In order to build credibility with data and analysis, I engaged in a triangulation strategy to build trustworthiness that this study's findings and interpretations are worthy of confidence for the reader. Patton (1980) states that triangulation combines different methodologies to study the same phenomenon. Guba and Lincoln (1981) assert that triangulation provides verification on the accuracy of specific data items by comparing a variety of sources. Thus, the triangulation process allows multiple perspectives to emerge on the same case study (Guba and Lincoln 1981). Since the legislation had taken place several years prior to the interviews, I used document analysis to validate the primary qualitative interview data. Patton (2002) states that triangulation allows

for a researcher to either intermix the various types of data in reporting the findings or concentrate more heavily on a specific type of data, such as stressing interviewing as primary data to documents that verify the themes within the interviews. Dising (1972) refers to this strategy as contextual validation, which is a comparison of various sources that all relate to the same point. A total of 55 newspaper stories and editorials were reviewed.⁶ Document analysis was also coded by using the constant comparative method and was used to validate the primary interview data for this study. By employing the triangulation strategy, the findings are trustworthy for the reader.

RESEARCH RESULTS

Individual responses from former state senators were analyzed to assess the social constructions created through the policy design process. These responses provided a foundation for the labels used in the discourse with each senator's constituency base. As a reminder, all participants have been assigned a pseudonym in the results that follow.

SOCIAL CONSTRUCTION OF TARGET POPULATION

The result from this study is that all former senators, regardless of political affiliation, discussed education as the primary beneficiary of the lottery. Bob stated, "It evolved to where it would be education because it would be a better selling point." Likewise, Jack added, "It was clear that we wanted to enhance education in Oklahoma. The idea was we got to get more dollars into education."

As it became clear that the lottery was gaining momentum, mostly from a newly elected governor that promoted bringing a lottery to the state, education became the focus to ensure that the lottery profits could be used in a manner that was helpful to a state that was showing budgetary declines. Kash stated, "I think also at the time education in the state was needing more money. We were facing a terrible budget crisis in Oklahoma." As a corollary, education became the advantaged group in

⁶ Articles and editorials were reviewed from the period of the legislative session.

"WE ARE PIMPING OFF THE PEOPLE"

policy discussions. Schneider and Ingram (2005) asserted that social constructions are embedded in our institutional culture and focusing education as the beneficiaries of the policy garnered support for the lottery that once was deemed unfavorable in Oklahoma.

Oklahoma legislators did not focus only on higher education in the policy design process. Broadening the beneficiaries among different educational entities, including early childhood, common education, vocation, and higher education, was a choice made in the policy design to include more constituents. Jerry noted, "It's better policy to not put all your eggs in one basket. Politically you widen the beneficiary pool of those getting money. You widen the support for it when it comes to the ballot and you widen the support for it when people continue to play it." Additionally, Adam summed it up, "There's only one legitimate reason why higher education is in the mix is it broadens your support base."

The former legislators stated that there were a myriad of disadvantaged people that became targeted as a by-product of passing the lottery legislation. The poor were discussed as one group that would be negatively impacted by the policy. Kate stated, "We fund that with poor peoples' money. People who need to go home with their paychecks instead of stopping off there." Likewise, Gene stated "I viewed it as a tax on the poor." Both Democrat and Republican participants reinforced this sentiment.

Moreover, citizens prone to gambling addiction were also discussed as a group that would be burdened by the policy, which was reported by seven of the participants. Kash stated, "Where you see people who spend their money like they do on gambling... they think it's a way for them to make some quick money to get themselves out of some problems. And really, for many people, it leads them into deeper financial problems." This was reinforced by Jack, who stated, "You will find in that we set aside lottery money for addiction. But in there – there's a recognition that people can get addicted to it. Or that possibility." Jake stated:

Do we as a government create things that we know,
the lottery specifically, we know causes social

problems for people. It hurts children. Not the ones that are getting the education dollars but the ones who aren't getting the dollars that should be going for their stomachs for food. Do we as a government run a program, run the program that does that? Not even authorize it, but we are in charge and we are the beneficiaries. We are pimping off of the people. That's the worst thing the government can do.

POLITICAL RHETORIC

There is an interactive effect between the social construction of target populations in policy design and political rhetoric. The beneficiaries were positively labeled through policy design, which also focused the political discourse with the constituency base. Education was the focus of the lottery, which took some of the edge off of what had been a politically controversial policy in the past. As Bitzer (1981) states, legislators deliberate and address policy issues to connect the discussion of ideas within the policy formation to a general understanding of the policy by the public. With the focus of lottery profits benefiting education, this shaped the political discourse with state legislators. Jake noted, "It seemed like that it was just the lottery. But then it became the lottery for education. They recognized that that's how you sell anything." Likewise, Jack stated, "I'm thinking that education is a compelling asset. It was the education lottery. It wasn't the corrections lottery or highway lottery. It was the education lottery. And it was that way. It was structured that way for that reason." Adam stated, "Well, of course that was one of the selling points, they clearly stated and it was earmarked for education." Thus, the social construction of the target population, in this case the educational beneficiaries, positively shapes the discussion for the general public regarding the policy. As pointed out by McGee (1985), storytelling aids the political experience to provide a frame of reference for complex public problems. Therefore, focusing the political rhetoric on education presented the problems associated with educational funding in a simplified manner.

It should be noted that the policy image regarding education that was created in the policy was not communicated well to the public, with seven participants reporting a misconception of how the legislation was

“WE ARE PIMPING OFF THE PEOPLE”

discussed with the public. Even though education was used as a selling point, it was not communicated how many educational entities would receive lottery profits. Kash said, “There was a misconception about ‘public,’ which I don’t think there ever was among policymakers that that money was going to public schools. What it eventually became was money was split between public schools and higher education.” This was reinforced when Kate stated, “I believe most people believed who voted for it that it was going for common ed. I believed that was what the message was. However, we knew it wasn’t just common ed.” Seymour stated, “It surprised a lot of us. Most people that I knew, the constituents who voted for it, what they thought was K-12. Then when it came out that higher ed. was going to get half of the education money, it didn’t sit very good.”

DISCUSSION

Using the social construction of target populations theory (Ingram & Schneider 1993) as a guide, the purpose of this study was to examine how senators formulate lottery legislation with target audiences in mind. There is academic value in this current study because it is clear that the Oklahoma lottery was designed with specific target populations. Therefore, this interdisciplinary theory can be utilized to understand how former senators discussed citizens in regards to lottery policy. While lottery policies continue to diffuse to other states, the findings from this study provide insight and understanding into the policy discussion and design process.

As Bitzer (1981) asserts, legislators are classified under deliberative political discourse since they address policy issues for an audience while debating among themselves during policy formulation. In regards to lottery policy, legislators address policy issues for a very specific audience, while debating the best way to expend generated lottery revenue on citizens of the state. Since legislators connect the ideas within policy to the public for general understanding, this study regarding the social construction of target populations in relation to lottery policy adds value to the political communication field because it provides insight and understanding into this phenomenon. For instance, the information exchange used by legislators to craft the

Oklahoma lottery policy is key to understanding how legislators constructed citizens within the policy and conveyed this to their constituency base. This discourse provides a frame of reference to connect the discussion of ideas within the policy formation to a general understanding of the policy by the public.

With the focus on education in many other state lotteries, it was no surprise the Oklahoma lottery policy design once again focused on education. The results of this study are consistent with Ingram and Schneider's (1993) social construction theory, which asserts that these social constructions send positive and negative messages to citizens and such messages often become embedded into the political discourse and the elements of policy design. Specifically, education became the advantaged group as education had a broad appeal and the policy design process targeted students. Support for the lottery was built as people positively associated education with the profits of the lottery. The policy was communicated to the general public in the form of education. However, it should be noted that higher education is not as clearly targeted in Oklahoma's policy as it is with other states that have implemented lottery legislation.

Moreover, the media established a positive image for education, reinforcing the social constructions created in the policy design process by legislators. For instance, one major newspaper in Oklahoma wrote the headline "A Responsibility to Education" as a lead story the Sunday before the Tuesday election (Henry 2004). Likewise, Price (2004) states that over four million dollars was spent in advertising sales in support of the lottery legislation, with the main message discussing the benefit to education. There were many advertisements created in this effort. For example, one advertisement read: "One thing is clear, we can't move forward as a state if we fail to invest in our children" (Snyder 2004b).

Also consistent with Ingram and Schneider's theory is the disadvantaged. While the poor were discussed in policy deliberation, messages from the lottery policy design dismissed academic research regarding the ramifications of a lottery on the poor (see Bowden & Elrod 2004; Duffourc 2006; Heller and Marin 2002; 2004; McCrary and Condrey 2003; Rubenstein and Scafidi 2002). Therefore, the poor can be identified as a dependent group. As Ingram and Schneider (1993) point out, organizational support is limited for the dependent group.

During the policy process, the dependent group, or the poor, had a limited voice. For instance, Snyder (2004a) reports that Oklahomans for Good Government, led by State Representative Forrest Claunch, was one of the lone opponents during the lottery policy design process. The argument made was that the lottery would benefit lottery gaming companies over the benefits to education. This reflects the fact that low-income citizens, identified in this study as the dependent group, had very limited resources and organizational support that worked on their behalf.

Finally, participants identified gambling addicts as a third targeted population included in the policy discussion. In relation to Ingram and Schneider's theory, this targeted population can be identified as the deviants. Ingram *et al.* (1995) assert deviants are labeled with heavy negative rhetoric, which essentially blames the group for societal ills. There was an implied message that gambling addiction was a result of one's personal choice to play the lottery. While money was set aside within the legislation to counsel gambling addicts, there were not any preventative measures to protect the deviant group from falling prey to gambling addiction. Specifically, the lottery campaign message reinforces the positive construction that students have within society over the implications on the poor and gambling addicts.

The strength of Ingram and Schneider's theory is demonstrated in the fact that the legislation still passed knowing how it could burden citizens within the state. It is very clear from this study that there was a targeted beneficiary pool and a group who was burdened by the policy. Moreover, it would seem that the timing was right for this piece of legislation to move forward to the people since this period of time was characterized with budget shortfalls and was being championed by a newly elected governor that ran on a lottery platform.

There are important policy implications that can be derived from this study. Legislators shape the experience for the target population. Schneider and Ingram (1993) asserted that social constructions of policy designs send messages that tell citizens who is deserving and undeserving of policy, which become internalized by citizens and could encourage passivity of participation if negatively constructed. Since it is clear how state senators discussed constituents while designing lottery policy, the poor and working class are victimized by the burden of this

policy. Therefore, this demographic continues to receive messages that state the problems of the group are not important, which reinforces this group's lack of power and ability to protect its privileges at the policy level. More specifically, those deriving from the poor have very little political capital. Since the legislature had knowledge of the financial implications of a state lottery on the poor, there is no excuse to not care about the ramifications on the poor when crafting the Oklahoma lottery. Low-income citizens are conveyed a message that the burden placed on them as a result of lottery play was not of importance to the state legislature. These types of messages continue to diffuse to this demographic of citizen within Oklahoma. For instance, recent Oklahoma state legislation has victimized the poor, such as legislation that allows capping property tax increases, making English the official language of the state, and drug testing welfare recipients (see Chase 2012; Murphy 2011; The Oklahoman 2012).

Second, Ingram and Schneider (1993) state that social constructions from policy design often become embedded into political discourse. Likewise, Bitzer (1981) reinforces this point by stating that legislators are classified under deliberative political discourse because they address policy issues for an audience and debate among themselves when formulating new policy, which then provides a point of reference from policy formation to a general understanding of the policy by the public. When examining the proposed lottery legislation during the 1980s, the discourse focused on generating revenue for the general state budget, which would subsequently be voted down by the people (Gilmore 1985). The political rhetoric changed when the social construction of policy design was focused on education and, consequently, the legislation passed. The symbolic use of education provided a broader constituency base since it included common education, vo-tech, and higher education. Therefore, the constituency base approved the legislation, which was not approved by voters with previous lottery legislation. The symbolic nature of education, therefore, becomes the catalyst for communicating the policy to the public. Although the public consciousness may have taken the symbolic language of education and focused that term on common education (K-12), state senators focused on a wider range of educational beneficiaries. Education was the selling point for this piece of legislation and education was broad so that the constituency base would be wider. However, it was not communicated well to the general public that there

would be so many educational stakeholders receiving a percentage of lottery profits. This demonstrates the power of symbolic language when communicating policies to the general public who may not be attentive to details.

CONCLUSION

This study provides unique insight into how former senators socially constructed their target populations while designing Oklahoma lottery legislation, which provides a reference point demonstrating how lottery labels were created and communicated to the general public. The social construction of target population’s theory in application to lottery policy provides a deeper understanding for the discourse created when former senators discussed the policy with the general public. This theory provides insight into how the policy design process attaches labels that become embedded into the political discourse.

There are several limitations of this research project. First, the researcher limited the sample to former senators to keep the sample narrow. This choice, however, limits the policy design process of the legislation to only senators and excludes the leadership, including the governor, and members of the state house of representatives.

The second limitation regards time and information recall because there was an eight year time span between the original discussion by the interviewees regarding the legislation and the data collection process. A few interviewees were unable to answer a question from the protocol because they simply could not recall that information. Additionally, these interviews relied on reflections of the past. While interviews were the primary data used in this qualitative study, document analysis provided verification that there were social constructions of target populations created within the policy design process. The rationalizations of actions noted by the former senators suggest that broad support of education could be realized as a past reflection of the

policy design process rather than directly linking the groups within the design process.

Additionally, only one female was recruited for the study. While attempts were made to recruit other female voices, I was not successful. Accordingly, it is possible that this study omits a larger female legislative voice that may have had a different connection to the policy design process. However, it is worth stating that all of the participants recruited were heavily involved in the policy design of the Oklahoma lottery regardless of sex and the purpose of the study was to describe and explain the lottery policy design process in the context of a specific state rather than examine policy design differences in the state senate based on sex.

With these limitations in mind, future researchers could expand on these limitations by including a more representative sample including senators, house members, and the governor. Additionally, recruiting more female participants would be encouraged along with more voices from each political party. This would expand the study by incorporating perspectives and triangulating themes from the different decision makers in the state government, not just from one area. Additionally, a researcher could circumvent reflections of the past by examining a state in the process of designing lottery legislation.

Future research could also compare the policy design of the Oklahoma lottery with other states. One could add to the body of literature by comparing the lottery policy design of Oklahoma with other states that formed lottery policies for higher education scholarships to compare how each state labeled the beneficiaries and those who would become burdened by the policy. Future researchers could compare how other states use social constructions differently or the same to convey messages about the policy to the general public.

Finally, lottery policies are met with conflict among decision-making members. Future research could explore how legislative conflict impacts the social construction of policy design. It would be appealing

to examine if conflict is resolved in any way while constructing positive images of beneficiaries and negative images of those who become burdened. For instance, the lottery policy from Oklahoma has a provision for a portion of lottery profits to be used to help those who become addicted to gambling. A study could explore how conflict, possibly from those that opposed the lottery, helped socially construct such provisions.

This study provides a reminder that lottery policies have to be framed and sold to the public. It is clear from this study, like many others, that the design of lottery policies is not simple. Additionally, there is a great amount of time and effort needed by decision makers to craft such policies for constituents. With lotteries generating additional funding mechanisms for states, it is no surprise that states continue to adopt such policies.

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APPENDIX

Interview Protocol

Introductory Questions:

1. Tell me about yourself.
2. Where did you grow up?
3. How'd you end up in public office?

Lottery Legislation History:

1. Can you tell me about the first time the lottery legislation came up while you were in office?
 - a. What were your initial thoughts about the piece of legislation?
 - b. Did those thoughts change?
2. Can you tell me about other times this legislation was brought up?

Passage of Lottery Legislation:

1. Why did the lottery legislation finally pass?
 - a. How was this time different?
2. Can you tell me how you talked about this with colleagues?
 - a. Constituents?
 - b. The Governor?
3. What was discussed when negotiating how to use the profits of the lottery?
 - a. Tell me about resistance that occurred during the negotiation process of the legislation.
4. What best describes the primary reason to focus the profits on education?

Higher Education Scholarship:

I want to create a profile about the type of students discussed during this process.

1. Tell me about that student.
2. How did you discuss the type of students that would become eligible for this type of financial aid?
3. What are some of the characteristics that you perceived would be served by this financial aid?
 - a. By passing this legislation, what type of student population did you perceive would be served?

Closing:

1. Do you have anything else you'd like to add about your experience?