

Hillary Clinton and the Ethics of Unpaid Political Internships

Apoorva Verghese
Tulane University, New Orleans, Louisiana, USA



Abstract: In 2016, Hillary Clinton's second campaign for president became the face of controversy as news broke that her internship program was unpaid. Internships have long replaced the idea of entry level work in the United States. In the political world, prestigious, highly sought-after internships are frequently unpaid. Though the practice of unpaid internships is common in politics, across party lines and political organizations, Clinton faced intense backlash for her decision to not pay her interns. This paper investigates Hillary Clinton's unpaid internship program and advances that Clinton faced more scrutiny due to her position as a high-powered female politician. Was the intense media backlash brought on by Clinton's unpaid internship program justified or was it the result of an industry biased against women? Though there is an established pattern of misogyny in the media industry, Clinton's decision to host an unpaid internship program despite her advocacy for equality raised significant questions about the morals of her campaign and unpaid internships at large.

Hillary Clinton's 2016 Presidential Run

When Hillary Clinton first ran for president in 2008, she lost the Democratic party's nomination to then Senator Barack Obama. Despite winning several battleground states, Clinton's campaign fell just short of clinching the nomination (Klein 2008). Obama's triumph to become the first Black president was a historic victory, but for many feminists who hoped that Clinton would become the first female president, it was still somewhat of a political disappointment (Associated Press 2008). As a powerful female politician, Clinton was a representation of equality and a beacon of hope for many young women in the United States. Clinton was one of the most qualified presidential candidates to date, having experience as a senator, secretary of state, and the first lady (Bump 2016). It is therefore no surprise that when she announced her second run for presidency, people were more than ready to sign on as workers in her campaign.

In a matter of months, however, Clinton had become the face of several different controversies. One of them was her decision to establish an internship program but include no paid opportunities for her hires (Jacobs 2015b). One former applicant for Clinton's internship program described their experience in an article for *USA Today*, explaining that while they were ecstatic at the prospect of working for Clinton, they were shocked that they would be working unpaid:

When Hillary announced her second run for the White House, I felt my passion for politics reignite. I quickly applied for and was offered a position as a Hillary for America

fellow to work on the campaign. I couldn't have been more excited — until I was told I'd have to move to Nevada and work full time on my own dime (Osario 2015, n.p.).

In general, Democratic politicians have a complicated relationship with unpaid internships. The Democratic Party is frequently seen as defenders of worker's rights, as seen through the generally positive stance on labor unions, raising the minimum wage and ensuring equal pay (Coleman 1988). That view, however, is not necessarily reflected in their internship practices (Coleman 1988). While Democrats, like many politicians, have unpaid interns work for them, many of them are simultaneously advocates for the rights of unpaid interns and the abolition of unpaid internships at large (Marcos 2019).

As Clinton's campaign grew, she faced more and more backlash against the unpaid internships and the lack of paid positions within her campaign in general from both intern advocates and other politicians. With mounting criticisms against her and a serious media focus on the state of her campaign's workers, Clinton was forced to re-examine her hiring practices.

The Evolution and State of Modern-day Internships

It could be argued that the establishment of internships in present day is a modern manifestation of older apprenticeship programs (Waxman 2018). Importantly, however, most of these apprenticeship programs, which existed in various professional fields, provided apprentices with food, shelter and any other living essentials (Waxman 2018). The defining distinction between intern and employee, which arguably opened the door to the creation of internships across all professional fields, was made in the 1940s after the Fair Labor Standards Act¹ (FLSA) was established in 1938 (Waxman 2018). Soon after, the Supreme Court ruled in *Walling v. Portland Terminal Co.* that a company did not have to pay their employees for a week-long training program in which they were required to participate (Waxman 2018). This ruling in turn led to the formation of a six standard test intended to appropriately differentiate between interns and employees that must be paid (Waxman 2018). Based on the ruling of *Walling v. Portland Terminal Co.*, the Wage and Hour Division of the Department of Labor derived the following six standard test for unpaid work:

- i. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school;
2. The training is for the benefit of the trainee;
3. The trainees do not displace regular employees, but work under [their] close observation;
4. The employer that provides the training derives no immediate advantage from the activities of the trainees and on occasion the employer's operations may actually be impeded;
5. The trainees are not necessarily entitled to a job at the completion of the training period; and
6. The employer and the trainee understand that the trainees are not entitled to wages for the time spent in training (Curiale 2010, 1541).

The Supreme Court ruling as well as the establishment of the six standard test created a loophole of sorts that made it much easier for employers to hire workers and justify not paying them for their labor. This alone did not automatically increase the amount of people accepting internship positions, but rather it was the boom in college attendance that occurred around the 1970s which made students and new graduates far more willing to accept internships as an

¹ The Fair Labor Standards Act is a labor law that established a minimum wage and overtime pay while also prohibiting various oppressive practices such as child labor (United States 2004).

opportunity to break into professional fields (Waxman 2018). Today internships have become largely normalized and have replaced the idea of entry level work (Waxman 2018).

In 2015, the debate over unpaid internships peaked with the legal case *Glatt v. Fox Searchlight Pictures Inc.* (Waxman 2018). In this lawsuit, two unpaid interns claimed that Fox owed them payment for their work on the blockbuster film, *Black Swan* (Waxman 2018). Plaintiffs Eric Glatt and Alexander Footman argued that their work was essential to the success of the production, meaning that Fox was violating the FLSA by denying them money, due to standards such as mandatory minimum wage (United States 2004). Though the court initially ruled that the interns were due restitution, Fox successfully appealed the case (Waxman 2018). *Glatt v. Fox Searchlight Pictures Inc* established what is colloquially known as the “primary beneficiary test” that states if interns are the ones benefiting more from an internship, they are not entitled to payment (Waxman 2018). Conversely, if the employers are the ones benefiting, then the intern is in fact entitled to financial compensation per the standards set forth by the government (Waxman 2018).

The ethics of unpaid internships are a heavily debated topic. While some argue that internships provide students and recent graduates with necessary experience and exposure to professional fields, others argue that the practice exploits the labor of unpaid interns while giving them little in return (Thompson 2012). Nevertheless, unpaid internships remain a legal practice in the United States under certain standards and restrictions that dictate whether not an intern must be paid. If an organization does not pay a worker who does not qualify as an intern by the standards set forth, they are entitled to financial compensation. Beyond the legal gray area of paying interns, unpaid internships are also heavily debated because interns are not afforded the same legal protections as paid employees (Cano, Pierson-Scheinberg, Bloom, and Rosen 2019). This makes it easier to explain away any form of discrimination or exploitation that unpaid interns face (Cano, Pierson-Scheinberg, Bloom, and Rosen 2019).

During the time of Clinton’s campaign, internships were dictated by the standards set forth by the Obama administration. The standards of Obama’s policy, which were largely the same as the standards derived from *Walling v Portland Terminal Co.*, were unique due to their incredibly rigid implementation and the fact that they provided employers little leeway when it came to hiring interns (Najjar 2018). The six standards of Obama’s policy were:

- (1) whether the internship was similar to training that would be offered in an education environment;
- (2) whether the internship experience was for the benefit of the intern;
- (3) that the intern did not displace a regular employee, but worked under close supervision of existing staff;
- (4) that the employer providing the training derived no immediate advantage from the activities of the intern, and on occasion its operations were actually impeded;
- (5) that the intern was not necessarily entitled to a permanent position at the conclusion of the internship; and
- (6) that both the employer and the intern understood that the intern was not entitled to wages for time spent in the internship (Najjar 2018, n.p.).

If even one of the six standards was not met, the employer would be obligated to pay their intern (Najjar 2018). This standard made it far more difficult for organizations, especially for-profit corporations, to hire unpaid interns. The Obama administration’s decision to make it more difficult for people to hire unpaid interns aligns with the general perspective of the Democratic party, which centers on economic equality and opportunity (Democratic National Committee 2019).

Despite the legal and financial intricacies, unpaid internships have survived thus far and will likely continue to thrive (Waxman 2018). The argument in favor of unpaid internships holds that interns are still compensated for their work, just not in the form of financial restitution, specifically in the form of professional experience (Hodgson 2019). This argument is particularly pertinent for college students or new graduates attempting to break into fields in which they have little experience. Of course, university students can often find funding through their schools, but this is not an option for people independent of any institutions.

Beyond offering a learning experience, however, internships are shown to reflect positively on people applying for jobs. Applicants with internship experience are 14% more likely than those without internships to receive interview requests (Nunley, Pugh, Romero and Seals 2016). Internship opportunities are also associated with more job opportunities across all professional fields (Nunley, Pugh, Romero and Seals 2016). Research also shows that over 90% of employers expect graduates to have held at least one internship position (Hodgson 2019). Ultimately internships provide people with valuable learning experiences that, in the long run, could be worth more than any monetary payment the internship itself could offer.

Any advantages that unpaid internships may offer, however, are not accessible to everyone. Research shows that there are clear distinctions in the racial demographics of college students in intern positions. While white students are overrepresented in paid internships, students of color are overrepresented in unpaid internships (NACE 2020). In general, white students are more likely than students of color to hold an internship at all, whether it be paid or unpaid (NACE 2020).

There is also a clear gender distinction within unpaid internships with women accepting about 77% of unpaid internships while men are more likely to take paid internships (Imhoff 2017). Unpaid internships are also more frequently found in women-dominated fields such as the social sciences and humanities (Guarise and Kostenblatt 2018). While those in social sciences and humanities are likely to accept positions as unpaid interns, people working STEM fields are far more likely to walk away from an internship with financial compensation (Venator and Reeves 2015).

Unpaid internships in general are closely linked to class discrimination. Simply, unpaid internships are only accessible to students who can afford to take positions without being paid. This largely advantages students from privileged, wealthy backgrounds and makes it difficult for lower-income students to accept these positions (NACE 2020). Given that internship experience has several long-term impacts for their interns, the class, gender, and race divides are crucial to note. While internships may be exceptionally useful, they are only useful to a select few and when such opportunities are unpaid, there are far too many marginalized people unable to access the benefits. As a consequence, unpaid internships may work to only reinforce existing inequalities across a variety of professional fields.

A History of Political Internships in the United States

Behind non-profit organizations, of which 57% of internships are unpaid, political internships have the highest percentage of unpaid internships with 48% (Imhoff 2017). Political internships in Washington D.C. are far from easy and frequently require large commitments from their interns (Shah 2016). Most political interns work Monday to Friday from at least 9 A.M to 6 P.M. (Shah 2016). Additionally, the cost of living in D.C, where most of these internships take place, can cost over 6,000 dollars for a summer (Shah 2016). Essentially, most political interns actually pay to work in their internships.

Though the topic is becoming increasingly controversial, it is common for political internships to be unpaid. For example, prestigious White House internships have historically been unpaid, a norm that current interns are fighting against (Kaplan 2020). Recently, several politicians including Bernie Sanders and Alexandria Ocasio-Cortez have supported the idea of unpaid political internships as exploitative and have emphasized the importance of paying interns (Marcos 2019).

Within the Democratic party, unpaid internships are very common. While many advocates for paid internships, such as Sanders and Ocasio-Cortez, are Democrats, Democratic politicians on average are less likely to pay their interns than their Republican counterparts (Vera and Jenab 2017). Recent research shows that in the House, 8 percent of Republicans pay their interns compared to 3.6 percent of Democrats (Vera and Jenab 2017). In the Senate, about 51 percent of Republican politicians pay their interns as opposed to 31 percent of Democratic politicians (Vera and Jenab 2017). Whereas Democrats have no programs in place to fund internships, Republicans do have programs to benefit their interns. The Eisenhower Program, established by the Republican National Committee, offers students the opportunity to have paid internships on working with Republican politicians (McGrath 2017). Funding does not seem to be the problem with establishing these programs within the Democratic party: the Democratic National Committee brought in over 300 million dollars in 2016 alone while the offices of individual politicians receive millions of dollars as well (McGrath 2017). In 2019, the Democratic presidential field and the DNC brought in over 500 million dollars (Karson and Soo 2016).

Political internships, such as Clinton's, also pose a unique barrier in that most universities will not provide funding to students pursuing this work, as a stipend for political work could count as a political contribution (Dockterman 2015). Though the landmark Supreme Court case *Citizens United v. FEC*² makes it easier for corporations to have political influence through super PACs³, direct contributions are still regulated (Rathz 2017). This restriction makes it difficult for students to find funding for political internship from their universities. Many students cannot get college credit for political internships for this same reason, meaning political internships tend to offer no tangible compensation for students.

Hillary Clinton and Media Representations of Women in Politics

Clinton, the first woman to be the nominee for president from a major party, was the frequent subject of intense backlash. It is impossible to separate the backlash that Clinton faced, on any front, from her gender (Lau, Bligh, and Kohles 2019). Research has shown that for many voters, previously held gender stereotypes and sexist beliefs, such as whether women should hold powerful political positions, were influential in their decision to not vote for Clinton (Lau, Bligh, and Kohles 2019). This was especially true of Trump voters, including white women who voted for him (Lau, Bligh, and Kohles 2019).

Since her first run for president in 2008, Clinton has faced intense criticism and negative portrayals in popular media (Ritchie 2013). During Clinton's time as First Lady, she was frequently criticized in the media for not conforming to the standard role of supportive wife. For example, Clinton drew backlash when she seemingly demeaned the role of stay-at-home mothers, with some remarking that she was not acting like a lady (Topic and Gilmer 2017).

² *Citizens United v. FEC* is a Supreme Court case where the Court held that corporate political contributions could not be limited under the First Amendment (Lau 2019).

³ Political Action Committees, or PACs, are organizations dedicated to raising money for political campaigns (Lau 2019).

When she ran for president in 2008, she was more likely to be called by her first name rather than last and media representations of her frequently mentioned her clothing, laugh, menstrual cycle and her husband's controversial affair (Topic and Gilmer 2017).

This trend of negative media portrayals continued when Clinton ran again against Donald Trump. Though gaps in the knowledge regarding gender and the presidency exist as few women have run formidable campaigns for president, there is evidence that media coverage of political figures is impacted by gender stereotypes. Media coverage of female candidates was far more likely to focus on their appearance and personality traits instead of giving attention to their policies and platforms (Ryan 2013). Research shows that when it comes to female politicians, especially those who are just starting their career, media coverage of them tends to focus largely on their appearance and other social factors rather than their work (Ryan 2013). Female politicians are expected to disguise or hide their femininity in attempts to fit in with the hyper-masculine environment of politics (Topic and Gilmer 2017). Opposed to their male counterparts, women have far less control over the way media represents them (Topic and Gilmer 2017). As female politicians gain more experience, this gendered focus decreases, but it is still a persistent factor of media coverage that male politicians rarely and probably never will face (Ryan 2013).

This representation was entirely applicable for Clinton in 2008. Due to her being the first woman to be a major party's candidate for president and her unique legacy as a first lady, including Bill Clinton's affair and impeachment she was also the subject of many negative depictions in the media. Specifically, popular media sources including outlets such as *The Washington Post*, explicitly painted Clinton as a monster (Ritchie 2013). Various articles would satirically compare Clinton to a cyborg and jokingly claimed that she was not even human (Ritchie 2013). This inhuman representation of Clinton speaks volumes about social perceptions of women in politics. Research studying this depiction of Clinton highlights that people not only hold highly negative perceptions of women in politics, but they also harbor certain anxieties and fears about having women hold powerful positions (Ritchie 2013).

When Clinton ran again in 2016, the negative coverage began again. In the 2016 elections, these negative representations spread through both traditional media and social media. In 2016, Republican frontrunner Donald Trump played a large role in perpetuating such negative images of Clinton. For example, he claimed Clinton was playing the woman card, that she didn't have a presidential look, and that he wasn't impressed with her (Keith 2016). Media plays a large role in the way that voters perceive politicians, especially female politicians (Lau, Bligh, and Kohles 2019). Research shows that media portrayals of female politicians intensify party polarization and that most voters actively seek out media that fits their pre-existing political and social ideologies (Lau, Bligh, and Kohles 2019). Given derogatory ideas that make women in leadership seem incompetent, especially women in powerful political positions, voters are often exposed to and accept media that reaffirms their gender biases. This puts female politicians at a huge disadvantage in their careers and makes it unlikely that the United States will see a female president in office anytime soon (Lau, Bligh, and Kohles 2019).

Examining the Clinton Campaign's Unpaid Internship Program

In 2015, when Clinton's campaign established their fellowship program hiring political interns to work full-time, they were in the middle of a hiring freeze (Jacobs 2015a). There were few, if any, paid positions available. The reasons for implementing this hiring freeze are unclear, though it is well-known that Clinton was making an effort to appeal to the average American voter and consequently, was cutting costs across all parts of her campaign (Gearan 2015).

Considering Clinton was the front runner of the presidential election in 2016, anyone working on her campaign would likely gain valuable experience and connections that would ultimately benefit them in the future, even if they already had prior experience. The broad argument for unpaid internships such as these is that the position creates a mutually beneficial relationship between the intern and their employer. In the case of Clinton's fellowship program, that relationship can be defined by the terms that Clinton's campaign received immense support in their work while interns gained political experience and valuable networks through a prominent campaign.

Importantly, these fellows did not apply through any routine volunteer program, but a specific fellowship program that required an extensive application process (Osario 2015). Though political internships tend to be competitive, those applying for Clinton's program recalled the process being far more intense than they were used to (Osario 2015). Clinton's political interns, or fellows, were not simply college students or people attempting to get footing in a new field. While many of the interns working on the Clinton campaign were students, many others were highly experienced political organizers who were quite familiar with working high-profile figures and campaigns. According to *The Guardian*, at least five of the people in Clinton's fellowship had previously held paid political positions during the 2014 midterm elections (Jacobs 2015a).

The interns hired were mostly working as field organizers within the campaign (Jacobs 2015b). Field organizers do fundamental work that, though often basic, can require large time commitments on behalf of the intern. Field work typically involves phone banking, door to door campaigning, recruiting volunteers, and much more (Jacobs 2015b). This work is arguably crucial to the success of any political campaign. It is not typical for field staffers to be unpaid. In Clinton's 2008 campaign, field organizers could expect to make around two thousand dollars a month (Jacobs 2015b).

The experience and background of several of Clinton's interns raise concerns about their unpaid status. By the standards set forth by the Department of Labor, even if interns are unpaid, they must stand to benefit from the internship in some way. The potential benefit for interns raised questions about Clinton's fellowship program. Clinton ran her campaign when the rules regarding unpaid internships were determined by the rigid standard established by the Obama administration. If the interns working for Clinton were already highly experienced, how much of an education experience did her campaign pose? Even if they were benefitting in other ways, the purpose of internships, especially unpaid ones, is to provide interns with the necessary experience to break into professional fields (Hodgson 2019).

However, many of the people who worked with Clinton as unpaid interns were not without choice. On the contrary, many of the interns turned down paid positions for a spot on the Clinton campaign (Jacobs 2015b). In an interview with *The Guardian*, Kevin Geiken, an experienced Democratic operative, said that many of the interns he attempted to hire for paid political consulting positions turned down his offer in favor of an unpaid internship with the Clinton campaign (Jacobs 2015b). Geiken said that while he understood why Clinton was taking advantage of the experience that these interns brought, he "can't understand why any of [the interns] would accept it" (Jacobs 2015b, n.p.).

If anything, the fact that so many experienced organizers were willing to take unpaid positions as interns speaks to the high prestige associated with the Clinton campaign. At the same time, however, there were complexities that influenced the interns' decision to choose to work with Clinton instead of other political campaigns. Many of the interns, especially those

who had already graduated or were about to graduate, hoped that working as an unpaid intern in the campaign would eventually land them a paid position within the team (Jacobs 2015a). This also raises concerns about the legality of the program, as one of the standards set forth by the Obama administration was that interns clearly understood that they were not guaranteed any sort of permanent position following their internship period (Najjar 2018).

It is difficult to properly understand the role of finances in the campaign's decision to not pay their interns. On the surface, Clinton's finances in the campaign were not an issue. By the end of her campaign, Clinton had raised over one billion dollars from a combination of money raised from Super PACs and individual donors (Allison et. al 2016). Her Republican opponent during the race, Donald Trump, raised far less than she did throughout the campaign process (Allison et. al 2016). If Clinton had decided to pay her interns throughout the entirety of her campaign, her finances most likely would not have suffered.

At the same time, however, the Clinton campaign was quickly developing a reputation of being cheap and frugal in their spending decisions. For example, people working with Clinton on the campaign trail frequently wore casual clothing, used their personal cell phones for work, and bought the cheapest travel tickets available (Gearan 2015). This move was a strategic decision on behalf of Clinton's campaign manager, Robby Mook, that was intended to make both Clinton and her campaign more appealing to the average, middle-class voter (Gearan 2015). The decision to run a frugal campaign was most likely independent of the financial situation of the campaign and instead was solely meant to enhance Clinton's reputation with voters. Given that Clinton was frequently criticized in 2008 for her seemingly frivolous practices, the decision to maintain a frugal image while campaigning makes sense (Fahrenthold 2015). The biggest example of her unnecessary spending was when her campaign bought thousands of snow shovels for voters in Iowa (Fahrenthold 2015). It is likely that the decision to run a cheap campaign was to directly challenge the criticize she faced from her initial 2008 run.

Clinton's decision to hire unpaid interns was, interestingly, a stark contrast to the platform of equality that was central in her campaign. Clinton has long been an emblem of gender equality. As the first woman to become the presidential nominee for a major political party, Clinton's campaign was always tightly linked to ideals of equality (Walsh 2015). By the time of her 2016 presidential run, Clinton had become far more than a symbol of gender equality but was perceived as an ardent advocate of it. This is largely due to the feminist framework of her first campaign as well her subversive behavior as First Lady (Topic and Gilmer 2017). Clinton's campaign team strategically highlighted her work in equality, reaffirming her reputation as a politician genuinely dedicated to creating change and paving the way to equal opportunities for everyone (Walsh 2015). Central points of her campaign, for example, included increasing the minimum wage, making childcare affordable and accessible, and institutionalizing family leave (Walsh 2015).

Beyond her work in gender equality, various aspects of Clinton's campaign possessed an equalizing framework. Included in this framework was an advocacy for the rights of unpaid interns and ensuring that they were receiving fair compensation for their work (Gluek 2014). Clinton's apparent dedication to the rights of unpaid interns was seen when her campaign advocated for students to receive support from their universities for working political internships (Dockterman 2015). In addition to advocating specifically for unpaid interns, Clinton also spoke openly about economic equality in general, such as proposing a solution for the student loan crisis (Greer and Grenell 2015). In her first speech after she announced her intention to run, Clinton directly addressed economic inequality, specifically calling out traditional Republican

economic policy: "These Republicans trip over themselves promising lower taxes for the wealthy and fewer rules for the biggest corporations without regard for how that will make income inequality even worse" (Ball 2015, n.p.). Despite her advocacy for economic equality, people saw her decision to implement an unpaid internship program as controversial (Jacobs 2015a). Mikey Franklin of the Fair Pay Campaign, a national movement dedicated to ending unpaid internships, insinuated that the Clinton campaign's hiring practices were hypocritical considering her economic platform, saying, "If Secretary Clinton wants to show she's serious about economic opportunity for young people, that has to start with her campaign" (Jacobs 2015a, n.p.).

Even if Clinton had not explicitly taken a stance advocating for the rights of unpaid interns, her decision to hire them would still be contradictory within her platform, as unpaid internships are an innately feminist issue. With women more represented in unpaid internships than men, it is impossible to ignore the gendered consequences of such programs (Imhoff 2017). For example, people who take unpaid internships are more likely to take lower paying jobs in the future (Imhoff 2017). In fact, research shows that students who take unpaid internships are less likely than paid interns to find a job upon graduation (Guarise and Kostenblatt 2018). Since women make up a higher percentage of unpaid interns, it becomes clear that the prevalence of unpaid internships is contributing to gender inequities in pay and representation in various work sectors (Imhoff 2017).

In 2016, Bernie Sanders was the only presidential candidate to pay his interns (Revesz 2016). Sanders, a famous supporter of socialist policies, has long been a vocal supporter of ending unpaid internships. For example, during his most recent presidential run in 2020, he tweeted, "Unpaid internships are fundamentally unfair to the many bright young people who simply cannot afford to work for no wages. We must recognize that work is work and every worker must be paid a decent and living wage" (Sanders 2019, n.p.). On the other hand, several political leaders continue to hire unpaid interns and have had less critical media coverage than Clinton did. Even her opponent in the 2016 presidential race, Donald J. Trump, hired unpaid interns in his campaign. In fact, Trump's daughter, Ivanka, faced far more scrutiny than her father when it came to the issue of unpaid interns. Media outlets mocked Ivanka Trump's claims that she was paying her unpaid interns in experience, though her father faced much less backlash for making similar claims (O'Connor 2016).

Similar to Clinton, several presidential candidates made statements in support of unpaid interns, especially students, while also not paying their interns (Greer and Grenell 2015). Republicans Jeb Bush, Marco Rubio, Donald Trump, and several others frequently discussed the student loan debt as a major problem and also expressed the belief that unpaid internships were a way for organizations to profit from students, but none of these candidates offered paid internships (Greer and Grenell 2015). Republican candidate Ben Carson advertised paid internships in his campaign, but the payment was only a food and travel stipend and not a set wage (Greer and Grenell 2015).

Clinton's unpaid internship program received far more individual media coverage than many of the other candidates who employed similar programs. Unpaid political internships have always been common in the field, including during the 2016 campaigns. Clinton, however, faced much harsher criticism, especially in the public eye, for her decision to have her own unpaid internship program. The internship program was not the only topic drawing disproportionate controversy against Clinton's campaign. Most well-known is Clinton's email scandal, where she

used her personal email server during her time as secretary of state, supposedly putting the security of the country at risk (Johnson 2016).

Though it is true that the Clinton campaign did not pay their interns, they did not entirely ignore their needs either. In 2015, in the midst of the campaign's hiring freeze and as criticism mounted against the unpaid internship program, the Clinton campaign asked the Federal Election Commission (FEC) if an unpaid student intern at DePauw University could receive a stipend or college credit for their work (Dockterman 2015). The campaign lawyers were hoping that the FEC would agree that a student should be able to access university support, specifically funding, without having it count as a contribution towards the political campaign. Clinton's lawyers argued that by denying university support for unpaid political internships, these professional spaces would remain inaccessible for lower-income students, a key argument against unpaid internships. The FEC ultimately decided that tax-exempt universities could give unpaid interns in the Clinton campaign stipends (Rathz 2017).

This decision set a precedent allowing students at tax-exempt universities³ to receive institutional funds for their political internships without having the money count as a campaign contribution. While this decision provides unpaid student interns with some relief, it does nothing to help interns who are not students or those students who do not qualify for this funding. Since many of the interns working with Clinton were experienced graduates, they did not benefit from this decision at all. Additionally, the political makeup of the DePauw student body does not appear to skew one way or another, likely a crucial point in the FEC's decision (Rathz 2017). It is unclear whether this ruling would hold up if the university funding came from a more politically charged institution (Rathz 2017).

While it is unclear exactly how severely Clinton's internship program affected her polling numbers, it is clear that she faced extensive criticism from the media and other politicians (Jacobs 2015a). Following severe backlash at the revelation that Clinton's unpaid interns were actually highly experienced workers, the campaign made the decision to hire eight paid fellows from the established program (Jacobs 2015a). None of the other candidates with unpaid interns in 2016 established paid programs like Clinton's.

Hillary Clinton went on to lose the presidential election once again, this time to Donald Trump, who ran a highly controversial campaign (McCammon 2016). For many, Clinton's loss to a conservative, populist politician with no political experience proved that the political world has a long way to go in terms of achieving true gender equality (Burleigh 2016). Since this loss, Clinton has not announced any plans to run another political campaign, for any office, anytime soon.

In the midst of an election that largely continued the practice of unpaid political internships, the race's female frontrunner, Hillary Clinton, was on the receiving end of far more backlash than her fellow candidates. Female politicians have always had less control over their narratives in the media, and Clinton is a prime example of this issue. Arguing that the criticism of Clinton's program was entirely due to her gender, though, erases the complexities that accompany unpaid political internships, especially within a political party that prioritizes equality and justice. Clinton's decision to not pay her interns and the consequent scrutiny she faced exemplify the relationship between media and gender politics. At the same time, it raises questions about the existence of unpaid internships and their establishment in the political world.

³ Most universities in the United States are tax-exempt, meaning they do not pay income tax, because of their educational missions, which is viewed by the government as fundamental to the capacities of citizens, or due to their status as state government bodies (Association of American Universities 2019). Tax exempt organizations can lose their status by participating in political activity such as lobbying (Rathz 2017).

Epilogue

Recent data shows that 57% of political interns working right now are not paid, though these internships continue to be highly sought after (Imnhoff 2017). Considering the prestige that accompanies an internship position within the government, it is unlikely that these internship programs will ever truly die out.

During his time in office, Trump reversed many of Obama's standards for unpaid internships and established the new, flexible primary beneficiary test. This test, which is very similar to the standards set forth by Obama, is less rigid and makes it easier for organizations to hire unpaid interns without repercussions. In order to assess the legality of unpaid internships, the Department of Labor examined the primary beneficiary test. The purpose of this standard remains to ensure that the internship is a mutually beneficial experience and that any intern is not being exploited for their work. This adjusted standard, however, developed under the Trump Administration, is not as rigid as past tests. Courts have ruled that this is a flexible standard and that no one factor is determinative. The flexible primary beneficiary test includes:

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.
3. The extent to which the internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit.
4. The extent to which the internship accommodates the intern's academic commitments by corresponding to the academic calendar.
5. The extent to which the internship's duration is limited to the period in which the internship provides the intern with beneficial learning.
6. The extent to which the intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship (Department of Labor 2018, n.p.).

This is in stark contrast to Obama-era policy, where a six-standard test provided a strict, inflexible rule for unpaid internships. Though the standards themselves are fairly similar to those used by the Obama administration, employers are not made to follow these standards as rigidly. Even if not all the conditions are met, the employer is not automatically in the wrong for hiring an unpaid intern.

In 2020, as the race for president started up once again, the role of unpaid internships in the race drastically changed, with all the Democratic presidential candidates making the decision to offer paid internships except for frontrunner Joe Biden (Ulmer and Akin, 2019). Biden offered exclusively unpaid internships to students, though paid opportunities were available for more experienced employees (Ulmer and Akin, 2019). Like Clinton, Biden also made claims advocating for economic equality on various fronts, especially at the intersection of economic and racial equality, though he never made paid positions available for student interns within his

own campaign (Wilkie 2020). Biden went on to ultimately win the presidency in 2020 against Donald Trump, who beat Clinton in 2016.

Since Biden's victory, people have continued to push for reforms to unpaid internships. This is not particularly surprising given Biden served as the vice president of the Obama administration that cracked down on the exploitation of unpaid interns. Pay Our Interns, a bipartisan national intern advocacy group, sent a letter to the Biden administration demanding reforms and specifically asking them to make it harder to classify employees as unpaid interns (LaSusa 2021). Citing the systemic inequalities that unpaid internships support, the organization urged the Biden administration to re-examine the standards set forth by the Department of Labor, establish a data-tracking system to monitor unpaid internships and to have additional measures in place in order to prevent the misclassification of employees as interns (LaSusa 2021). Pay Our Interns also argued that the issues with unpaid internships have only been worsened by the ongoing COVID-19 pandemic, which has left many less privileged workers more vulnerable to exploitation by employers (LaSusa 2021). In July of 2021, bills from the House Appropriation Committee included funding for both White House and State Department internships, a historic first for White House internships (Kaplan 2021).

References

- Allison, Bill, Mira Rojanasakul, Brittany Harris, and Cedric Sam. 2016. "Tracking the 2016 Presidential Money Race," *Bloomberg.com*, <https://www.bloomberg.com/politics/graphics/2016-presidential-campaign-fundraising/> (Accessed April 3, 2021).
- Associated Press. 2008. "Feminists Sharply Divided between Clinton, Obama," *POLITICO*, <https://www.politico.com/story/2008/05/feminists-sharply-divided-between-clinton-obama-010265> (Accessed July 9, 2021).
- Association of American Universities. 2019. "Tax-Exempt Status of Universities and Colleges." <https://www.aau.edu/key-issues/tax-exempt-status-universities-and-colleges> (Accessed August 6, 2021).
- Ball, Molly. 2015. "Hillary Clinton's Fainthearted Populism." *Atlantic*, <https://www.theatlantic.com/politics/archive/2015/06/hillary-clintons-fainthearted-populism/395837/> (Accessed August 6, 2021).
- BernieSanders. 2019. Twitter post. May 8, 2019. 12:30 p.m. <https://twitter.com/berniesanders/status/1126177544372461569?lang=en>.
- Bump, Philip. 2019. "Is Hillary Clinton the 'Most Experienced' Presidential Candidate in History?" *The Washington Post*, <https://www.washingtonpost.com/news/the-fix/wp/2016/06/14/is-hillary-clinton-the-most-experienced-presidential-candidate-in-history/> (Accessed July 9, 2021).
- Burleigh, Nina. 2016. "The Presidential Election Was a Referendum on Gender and Women Lost," *Newsweek*, <https://www.newsweek.com/2016/11/18/hillary-clinton-presidential-election-voter-gender-gap-520579.html> (Accessed May 9, 2021).
- Cano, Catherine A., Laura A. Pierson-Scheinberg, Howard M. Bloom, and Philip B. Rosen. 2019. "Employee Advocacy for Nonemployee, Unpaid Interns Is Not Protected by National Labor Relations Act," *The National Law Review*, [https://www.natlawreview.com/article/employee-advocacy-nonemployee-unpaid-interns-not-protected-national-labor-relations#:~:text=Unpaid%20interns%20are%20not%20%E2%80%9CEmployees,Board%20\(NLRB\)%20has%20ruled](https://www.natlawreview.com/article/employee-advocacy-nonemployee-unpaid-interns-not-protected-national-labor-relations#:~:text=Unpaid%20interns%20are%20not%20%E2%80%9CEmployees,Board%20(NLRB)%20has%20ruled) (Accessed April 3, 2021).
- Coleman, Vernon. 1988. "Labor Power and Social Equality: Union Politics in a Changing Economy." *Political Science Quarterly* 103(4): 687. doi: 10.2307/2150902. (Accessed July 9, 2021).
- Curiale, Jessica. 2010. "America's New Glass Ceiling: Unpaid Internships, the Fair Labor Standards Act, and the Urgent Need for Change." *Hastings Law Journal* 61(6): 1532–60. (Accessed August 7, 2021).

- Democratic National Committee. 2019. "Jobs and the Economy." <https://democrats.org/where-we-stand/the-issues/jobs-and-the-economy/> (Accessed July 9, 2021).
- Department of Labor. 2018. "Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act." <https://www.dol.gov/agencies/whd/fact-sheets/71-flsa-internships> (Accessed April 3, 2021).
- Dockterman, Eliana. 2015. "Clinton Campaign Asks FEC If Unpaid Intern Can Get College Credit," *Time*, <https://time.com/4098966/hillary-clinton-unpaid-intern-fec/> (Accessed April 3, 2021).
- Efstathiou, Zoe. 2016. "It Proves She's A Robot' CLINTON'S 'Seal Clap' SPARKS Twitter THEORY Democrat Is a Cyborg." <https://www.express.co.uk/news/world/716062/hillary-clinton-robot-cyborg-democrat-donald-trump-conspiracy-presidential-race-US-america> (August 7, 2021).
- Fahrenthold, David A. 2015. "In 2008, Clinton Couldn't Buy Iowans' Love. So She Bought Them Snow Shovels," *Washington Post*, https://www.washingtonpost.com/politics/in-2008-clinton-couldnt-buy-iowans-love-so-she-bought-them-snow-shovels/2015/06/06/742be0e0-07a6-11e5-95fd-d580f1c5d44e_story.html?postshare=7761433769712552&itid=lk_inline_manual_14 (Accessed May 9, 2021).
- Gearan, Anne. 2015. "How Cheap Is Hillary Clinton's Campaign? This Cheap," *Washington Post*, <https://www.washingtonpost.com/news/post-politics/wp/2015/06/09/how-cheap-is-hillary-clintons-campaign-this-cheap/> (Accessed April 3, 2021).
- Glueck, Katie. 2014. "Clinton: Nazi Mention about Tactics," *POLITICO*, <https://www.politico.com/story/2014/03/hillary-clinton-nazi-germany-russia-ukraine-crimea-104311#ixzz2vE5d9pq6> (Accessed July 9, 2021).
- Greer, Christina, and Alexis Grenell. 2015. "Presidential Candidates Ignore the Costs of Unpaid Internships," *Washington Post*, https://www.washingtonpost.com/opinions/presidential-candidates-ignore-the-costs-of-unpaid-internships/2015/12/03/07436850-99d6-11e5-94f0-9eeaff906ef3_story.html?postshare=1721455008095630&tid=ss_tw (Accessed April 3, 2021).
- Guarise, Desalina, and James Kostenblatt. 2018. "Unpaid Internships and the Career Success of Liberal Arts Graduates." <https://www.nacweb.org/job-market/internships/unpaid-internships-and-the-career-success-of-liberal-arts-graduates/> (Accessed April 3, 2021).
- Hodgson, Fergus. 2019. "Why Unpaid Internships Make Sense," *American Institute for Economic Research*, <https://www.aier.org/article/why-unpaid-internships-make-sense/> (Accessed May 9, 2021).
- Imhoff, Emily. 2017. "Unpaid Internships Are a Feminist Issue," *Minnesota NOW*, <https://mnnow.org/unpaid-internships-are-a-feminist-issue/> (Accessed March 28, 2021).

- Jacobs, Ben. 2015a. "Hillary Clinton to Hire Some 'Summer Fellows' after Reports of Interns Working for Free," *The Guardian*, <https://www.theguardian.com/us-news/2015/jul/07/hillary-clinton-unpaid-interns-full-time-staff> (Accessed April 3, 2021).
- . 2015b. "Hillary Clinton's Unpaid Intern Limbo: a Grassroots Campaign of 'Free Help'," *The Guardian*, <https://www.theguardian.com/us-news/2015/jun/13/hillary-clinton-unpaid-summer-intern-campaign> (Accessed April 3, 2021).
- Johnson, Carrie. 2016. "Clinton Scandals: A Guide from Whitewater to The Clinton Foundation," *NPR*, <https://www.npr.org/2016/06/12/481718785/clinton-scandals-a-guide-from-whitewater-to-the-clinton-foundation> (Accessed August 5, 2021).
- Kaplan, Juliana. 2020. "White House Interns Don't Get Paid. A Group of More than 200 Former Interns Is Calling on Joe Biden to Fix That," *Business Insider*, <https://www.businessinsider.com/former-white-house-interns-ask-biden-to-make-internships-paid-2020-12> (Accessed April 3, 2021).
- Kaplan, Juliana. 2021. "White House Internships Could Finally Become Paid, Making Them Accessible to Lower-Income Applicants," *Business Insider*, <https://www.businessinsider.com/white-house-state-department-internships-unpaid-first-time-ever-appropriations-2021-6> (Accessed August 7, 2021).
- Karson, Kendall, and Rin Kim Soo. 2019. "2020 Democrats, DNC Outraised Trump and RNC by \$100 Million in 2019, DNC Says," *ABC News*, <https://abcnews.go.com/Politics/2020-democrats-dnc-outraised-trump-rnc-100-million/story?id=68283733> (Accessed July 9, 2021).
- Keith, Tamara. 2016. "Sexism Is out in the Open in the 2016 Campaign. That May Have Been Inevitable," *NPR*, <https://www.npr.org/2016/10/23/498878356/sexism-is-out-in-the-open-in-the-2016-campaign-that-may-have-been-inevitable> (Accessed August 7, 2021).
- Klein, Rick. 2008. "What Went Wrong? How Hillary Lost," *ABC News*, <https://abcnews.go.com/Politics/Vote2008/story?id=4978839&page=1> (Accessed July 9, 2021).
- LaSusa, Mike. 2021. "Intern Advocates Urge Biden To Crack Down On Unpaid Work." <https://payourinterns.org/intern-advocates-urge-biden-to-crack-down-on-unpaid-work> (Accessed May 9, 2021).
- Lau, Vienne W., Michelle C. Bligh, and Jeffrey C. Kohles. 2019. "Leadership as a Reflection of Who We Are: Social Identity, Media Portrayal, and Evaluations of Hillary Clinton in the 2016 U.S. Presidential Election." *Sex Roles* 82(7-8): 422–37. doi: 10.1007/s11199-019-01070-8.
- Lau, Tim. 2019. "Citizens United Explained." *Brennan Center for Justice*. <https://www.brennancenter.org/our-work/research-reports/citizens-united-explained> (Accessed August 7, 2021).

- Marcos, Cristina. 2019. "House Democrats Push to Raise Intern Pay to \$15 per Hour," *The Hill*, <https://thehill.com/homenews/house/447775-dems-push-to-raise-intern-pay-to-15-per-hour> (Accessed April 3, 2021).
- McCammon, Sarah. 2016. "Donald Trump Has Brought On Countless Controversies In An Unlikely Campaign," *NPR*, <https://www.npr.org/2016/11/05/500782887/donald-trumps-road-to-election-day> (Accessed May 9, 2021).
- McGrath, Conor. 2017. "Why Don't Democrats Pay Their Interns?" *RISE NEWS*, <https://risenews.net/2017/02/why-dont-democrats-pay-their-interns/> (Accessed May 9, 2021).
- NACE. 2020. "Racial Disproportionalities Exist in Terms of Intern Representation." <http://www.naceweb.org/diversity-equity-and-inclusion/trends-and-predictions/racial-disproportionalities-exist-in-terms-of-intern-representation/>. (Accessed April 3, 2021).
- Najjar. 2018. "Employer Policies Unlawful Under Obama May Be Lawful Again." <https://nelgpc.com/employer-policies/#:~:text=The%20six%20factors%20of%20the,worked%20under%20close%20supervision%20of> (Accessed March 27, 2021).
- Nunley, John M., Adam Pugh, Nicholas Romero, and R. Alan Seals. 2016. "College Major, Internship Experience, and Employment Opportunities: Estimates from a Résumé Audit." *Labour Economics* 38: 37–46. doi: 10.1016/j.labeco.2015.11.002.
- O'Connor, Clare. 2016. "Ivanka Trump Pays Interns In 'Experiences' Rather Than Money," *Forbes*, <https://www.forbes.com/sites/clareoconnor/2016/08/23/ivanka-trump-pays-interns-in-experiences-rather-than-money/?sh=3a59757c577d> (Accessed April 3, 2021).
- Osorio, Carolyn. 2015. "Hillary, Pay Your Interns: Column," *USA Today*, <https://www.usatoday.com/story/opinion/2015/06/23/hillary-clinton-unpaid-intern-millennials-column/28936259/> (Accessed April 3, 2021).
- Rathz, James. 2017. "Federal Government Allows College to Pay Clinton Campaign Intern," *The Regulatory Review*, <https://www.theregreview.org/2016/05/18/rathz-federal-government-allows-college-to-pay-clinton-campaign-intern/> (Accessed April 3, 2021).
- Relman, Eliza. 2018. "'This Is a Disgrace': Alexandria Ocasio-Cortez Slams Her Future Colleagues in Congress for Employing Unpaid Interns and Failing to Pay Staffers a 'Living Wage'," *Business Insider*, <https://www.businessinsider.com/alexandria-ocasio-cortez-slams-future-colleagues-congress-for-employing-unpaid-interns-living-wage-2018-12> (Accessed May 9, 2021).
- Revesz, Rachel. 2016. "Only One Presidential Candidate Pays Their Interns," *The Independent*, <https://www.independent.co.uk/news/world/americas/us-politics/only-one-presidential-candidate-pays-their-interns-a6863016.html> (Accessed May 9, 2021).

- Ritchie, Jessica. 2013. "Creating a Monster." *Feminist Media Studies* 13(1): 102–19. doi: 10.1080/14680777.2011.647973.
- Ryan, Kaitlyn. 2013. "The Media's War on Women: Gendered Coverage of Female Candidates." Master's thesis. Xavier University.
- Shah, Parth. 2016. "Challenging D.C.'s Tradition Of Unpaid Government Internships," *NPR*, <https://www.npr.org/2016/12/07/502018797/challenging-d-c-s-tradition-of-unpaid-government-internships> (Accessed May 9, 2021).
- Thompson, Derek. 2012. "In Defense of Unpaid Internships," *The Atlantic*, <https://www.theatlantic.com/business/archive/2012/05/in-defense-of-unpaid-internships/257000/> (Accessed July 9, 2021).
- Topic, Martina, and Etajha Gilmer. 2017. "Hillary Clinton and the Media: From Expected Roles to the Critique of Feminism." *The Qualitative Report* 22. doi: 10.46743/2160-3715/2017.3055.
- Ulmer, Clare, and Katie Akin. 2019. "Paying Campaign Interns, Once Rare, Is Now the Norm for Presidential Campaigns. Find out Which Iowa Candidates Pay Theirs." *Des Moines Register*, <https://www.desmoinesregister.com/story/news/elections/presidential/caucus/2019/08/26/2020-democratic-campaigns-paying-interns-minimum-wage-biden-unpaid-internships-warren-sanders/1808214001/> (Accessed August 2, 2021).
- U.S. Department of Labor. "Fact Sheet #71: Internship Programs Under the Fair Labor Standards Act." *U.S. Department of Labor Seal*, 2018, www.dol.gov/agencies/whd/fact-sheets/71-flsa-internships.
- United States. 2004. *The Fair Labor Standards Act of 1938, as amended*. S. Dept. of Labor, Employment Standards Administration, Wage and Hour Division.
- Venator, Joanna, and Richard V. Reeves. 2016. "Unpaid Internships: Support Beams for the Glass Floor," *Brookings*, <https://www.brookings.edu/blog/social-mobility-memos/2015/07/07/unpaid-internships-support-beams-for-the-glass-floor/> (Accessed May 9, 2021).
- Vera, Carlos, and Daniel Jenab. 2017. "Experience Doesn't Pay the Bills: Why Paid Internships Are a Must in Congress." <https://payourinterns.org/congressional-report> (Accessed August 7, 2021).
- Walsh, Kenneth T. 2015. "Hillary Clinton Carries Mantle of Gender in 2016," *U.S. News & World Report*, <https://www.usnews.com/news/blogs/ken-walshs-washington/2015/04/13/hillary-clinton-carries-mantle-of-gender-in-2016> (Accessed April 3, 2021).

Waxman, Olivia B. 2018. "Intern History: How Internships Replaced Entry-Level Jobs," *Time*, <https://time.com/5342599/history-of-interns-internships/> (Accessed May 9, 2021).

Wilkie, Christina. 2020. "Joe Biden Unveils Racial Economic Equity Plan That Calls for Investment in Minority Businesses, Workers." <https://www.cnbc.com/2020/07/28/biden-economic-equity-plan-calls-for-investment-in-minority-business-and-workers.html> (Accessed August 8, 2021).