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Pink Is The New Tax

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Pink Is The New Tax

Historically women in America have made colossal advances that have proven they are just as capable as men. Women had fought and continued to challenge the system since 1919 with the 19th Amendment giving them a right to vote. However, even with this crucial progression, womens' oppression can be found all around us only in much more subtle ways such as "the pink tax". As of 2020 there are currently no federal laws to outlaw companies from charging different prices depending on which gender they are meant to be marketed to. This rhetorical analysis will first address the concept of gendered products, how the tax benefits from these products, and why gendering of products reinforce gender discrimination and stereotypes. A brief explanation as to why the tax is nicknamed "the tampon tax" is included. Next the economic effects of the tax especially in terms of over the course of an average lifetime. Then, analyzing how this tax is an example of systemic sexism and ending with where the United States is at in the process of repealing the tax.

Gendered Products in Relation to the Tax

This tax possesses its power through the gendering of products and objects. The pink tax refers to "...the pricing of consumer products and services that are substantially similar if such products or services are priced differently based on the gender of the individuals for whose use the products are intended or marketed or for whom the services are performed or offered" (Congress.gov). American activist Riki Wilchins concentrates on bringing awareness on the impacts of gender norms socially constructed by the society around us. Specifically in "Four Essays on Gender" a piece from their book, *Genderqueer: Voices from Beyond The Sexual Binary*; Wilchins begins by defining gender as a combination of meanings and symbols which relate to rules, privileges and power; assigning dominance and wekanness (25). She alleges that gender is based off of the specific symbols we have attached to ourselves to help represent our individual personalities. To be gendered you are placed into one of two categories male or female; this gender policing does not strictly apply to humans and animals. Culturally we classify almost everything into the male or female category; from clothing, music,

hairstyles and hygienic products; even ones that are necessary to everyone such as soap and deodorant.

Unfortunately this added tax doesn't just stop at toiletries. In 2015 New York City's Mayor, Bill de Blasio established the *Commission on Gender Equity* which was created to help resolve gender inequality. They started off by conducting a study of gender pricing in their city and published their research. "In all but five of the 35 product categories analyzed, products for female consumers were priced higher than those for male consumers. Across the sample, DCA found that women's products cost more 42% of the time (pg5)." The products ranged from items such as: toys, accessories, both children and adult clothing, personal care and even senior/home health care products. Despite the difference being relatively small over time this cost difference adds up and for those of low income this seemingly slight cost increase can be especially crippling, especially when it appears to be a penalty for being female or by purchasing 'female' aimed products.

Although pink tax is a term used to describe the phenomenon of gender based price discrimination, it also at times is exactly that- an added price to a product simply because it is pink. In June 2019 while looking to purchase a mathematical calculator on Walmart's website, I saw they had a large selection. Specifically I was looking for a *Texas Instruments TI-84 Plus CE Graphing Calculator* which they had in a variety of colors ranging from black, white, red and coral (pink). The black and white shared a price of \$155.88 while the coral cost \$169.88 and red \$170.88. This means that this pesky sexist tax is lurking around inconspicuous commodities ready to take advantage against anyone with pastel preferences .

The Tampon Tax

The pink tax is also referred to as 'the tampon tax'. This is to bring attention to how the taxes are most commonly associated with hygienic products which fall under the extra added tax on feminine hygiene products such as: tampons, sanitary napkins and other unavoidable basic products for women. Although these are necessary products they are not recognized as such therefore do not qualify to be tax exempt like

other supplies such as bandaids. No male products are subject to a 'luxury tax' as feminine hygiene products do, not even condoms. Since only those that menstruate are the ones to buy feminine hygiene products, this tax is directly discriminatory towards that percentage of the population. Attempts to repeal has been an ongoing process and is covered in detail later in this paper.

It Adds Up

What is a company's logistic reasoning for such minor price increases on merchandise, other than knowing they're able to make profit at the expense of a portion of citizens? Not only will a gullible woman purchase any product labeled or directed for them to buy, they will hardly notice the price or at times even size difference compared to one marketed for men. Annually the pink tax adds up and over the course of an entire woman's lifetime that number then becomes far more than just a couple cents or dollars difference than what the average man pays. *Listen Money Matters*, a site dedicated to providing financial information and resources reported, "There has been a lot of research on the pink tax that found overall, women were paying more than men 42% of the time. How much more? About \$1,300 more a year in extra costs". It should also be noted that women tend to live longer on average than men as well.

Women have been regularly working jobs since the 1960's and yet continue to face issues with the 'glass ceiling effect', a metaphor to the hurdles that prevent women and minorities from moving up to high positions at work, and equal pay. "Analyzing the most recent Census Bureau data from 2018, women of all races earned, on average, just 82 cents for every \$1 earned by men of all races."(American Progress Organization) .So not only do women continue to get paid less than their fellow male associates but they are expected to pay more for near identical products. This system is designed to set women at a disadvantage and reinforce the false notion that males are somehow more elite.

The Tax is a Form of Structural Sexism

The patriarchy undeniably plays favoritism towards one particular sex. This tax acts as a punishment for women getting their menstrual cycles resulting in the need for sanitary products. Wilchikins discussed how even our bodily fluids are considered degrading in comparison to a man. That female bodily fluid, specifically menstrual blood, is the loser of the two, representing waste, weakness, loss and passivity. Greatly associating the menstruation with an overall bleak disposition. While for men as a bodily fluid, ejaculation holds a far different representation "... semen is the Man. It symbolizes there's no unkind way to say this dominance, strength, activity, vitality, potency all the general benefits associated with a masculine disposition" (35). This makes it seem as though the male reproductive organs are substantially more important than the females. Women of all intersectional backgrounds face the burden of a luxury tax every month due to something as out of their hands as a normal bodily function. Meanwhile products such as Viarga are classified for most insurances to cover as a basic necessity for men. For anyone with a basic understanding of human anatomy and biology even this has to be seen as questionable.

Ending the Tax

The road to ending this superfluous tax has been dragged out and daunting but all progress has been paramount regardless. In 2016 the Pink Tax Repeal act was introduced which intended to prohibit pricing for consumer products or services based on gender it is aimed for (Congress.gov). At the time 40 states had the Pink Tax in place. This was the beginning and framework for feminists and activists to finally have their voices heard all the way up to the government about their detest for being continually overtaxed for their genders.

Unfortunately even when the majority votes for the repeal it does not always mean that it will actually then go into effect. For example during that year when the bill was voted on and passed in the state of California it was vetoed by Governor Brown, "Brown said that the bills would cost the state too much money. It's the second year in a row Brown has vetoed tax exemption bills due to budget constraints" (Time). The

motivation to continue the tax in order to make profit for the state is not isolated to California but likely the reason why the tax is still implemented in more than half the country. At least they are no longer trying to hide the fact that they are intentionally stealing millions of dollars in taxes from anyone who purchases products aimed for women or need and use sanitary products.

By 2019 CNN reports that ten states across the US had successfully eliminated the pink tax with New York and Illinois being some of the first ones to make the change. Including that the states which already do not have general sales tax also do not have the tax added onto women aimed or menstrual products. Frustratingly enough even when a state does finally pass this bill to veto the tax it doesn't necessarily mean it's a call for celebration. For instance in 2019 when California seemingly removed the tax, it did so but only for during the years of 2020 and 2021. However, a temporary fix is not the solution and people are rising up to let this be known. Campaigns such as *Tax Free. Period.* have launched and are putting the pressure on state lawmakers and government officials and giving them a deadline of Tax Day 2021 to remove the tax threatening lawsuits. Citizens are coming together to lead public discourse, form legal arguments with attorneys and partnering with local advocates in an effort to engage others in pledges and protests.

Conclusion

More often than not since before we are even born we have been assigned colors and products; said products are usually colored to help consumers understand which ones to buy to enforce their masculinity or femininity. I can't help but wonder if we were to teach males it was acceptable to enjoy and utilize traditional feminized colors, clothing, etc would a pink tax still be upheld? The *Four Essays on Gender*, provides a dimensional potential explanation for such a socially and economically oppressive system; that throughout our lives we are constantly gender policed into our 'correct role'. This is because people who are radical enough to break social norms are considered a threat to the patriarchy. If genders were not painted as black and white or in this case as blue and pink from each other the lines of gender have the ability to become blurred. It

is as if they worry that without a 'gender cheat sheet' people will not be able to identify men and women apart as easily, therefore could accidentally result in treating them both equally which would threaten the current male hierarchy that is ingrained into our society.

Today the movement against the pink tax is bigger and more resilient than ever before. Not only has more attention been brought to this issue but with the aid of online organizations and social media the ability to unify has never been easier. A quick Google search of #tampontaxprotest and users are instantly connected to sources such as: information on the tax, the progression of the movement, how to protest it and ways to donate or participate in one of these impacting organizations.

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