

# REVISIONS

Best Student Essays of The University of North Carolina at Pembroke

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*ReVisions: Best Student Essays* is a publication designed to celebrate the finest nonfiction work composed by undergraduate students at The University of North Carolina at Pembroke. This issue was copyedited, designed, and produced by the students in PRE 3450: Computer-Assisted Editing and Publication Design.

Ruoyu Chen  
Andrew Cole  
Jacob Lewis  
Kaitlin Meares  
Natavia Morris  
Jael Pembrick  
Ashley Peterson  
Jack Pevyhouse  
Ashley Wood  
Sara Oswald, Instructor



Front: Ashley Wood, Ruoyu Chen, Sara Oswald, Ashley Peterson, Jael Pembrick; Back: Kaitlin Meares, Andrew Cole, Natavia Morris, Jack Pevyhouse, Jacob Lewis

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Dept. of English, Theatre, and Foreign Languages

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Essays may cover any topic within any field of study at UNCP. We encourage submissions from all fields and majors, but we do not publish fiction or poetry. All submissions must be nominated by a UNCP faculty member. Students who believe that they have a strong essay for submission are encouraged to ask a faculty member to sponsor that essay. Nomination forms are available at <http://www.uncp.edu/academics/colleges-schools-departments/departments/english-theatre-and-foreign-languages/revisions>.

Manuscript requirements: Do not include any names or identifying information on the essay itself; use the nomination form as a cover sheet, making sure to fill out all parts of the form. Please submit electronically the nomination form and the nominated essay in one Word or RTF file to [teagan.decker@uncp.edu](mailto:teagan.decker@uncp.edu).

All essays will be read and judged in a blind selection process. If a submission is chosen for publication, the author will be notified and asked to submit a brief biography, and a photograph of the author will be taken to be included in the publication.


Nominations to be considered for publication in the Spring 2017 issue will be accepted until December 2016. For further information, contact Dr. Teagan Decker, Hickory Hall, (910) 521-6437, [teagan.decker@uncp.edu](mailto:teagan.decker@uncp.edu).

The cover photo shows the banners decorating the front of the Givens Performing Arts Center (GPAC) in April 2016 for the installation of Dr. Robin Gary Cummings as the University's new Chancellor. Chancellor Cummings has encouraged us to embrace "Changing Lives Through Education" as the University's mission.

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# RAPE CULTURE AND VICTIM BLAMING ON THE UNCP CAMPUS

By Haley Bean



Haley Bean will graduate in May with a Bachelor's of Social Work. For the past three years she has worked as a writing center tutor. Also, she has been an active member in the Honors College, which allowed her to conduct her study on rape culture and victim blaming. Haley plans to attend graduate school in the fall at NC State University in order to receive her Master's of Social Work.

“Rape Culture” is a term that has developed over the last few decades to describe a phenomenon plaguing society. It is used as an umbrella term to cover the way rape is viewed and talked about throughout the media and popular culture, and also the way rape is framed and discussed by the people in a particular culture (Buchwald, Fletcher, & Roth, 2005). Rape culture can be seen in a society when men are taught they should be sexually aggressive and violence towards women becomes normalized (as cited in Maxwell, 2014). In the United States, there has been increasing awareness of rape culture, but the process has been slow. According to Kitzinger (2009), in the 1970s second-wave feminists identified rape as part of a bigger, cultural problem in which violence and contempt for women was the accepted norm. Over forty years later, society still harbors this view, but with many more types of media outlets to express it. Another problem that comes with rape culture is blaming the victim. In cases of rape, people look for a reason as to why it happened, which leads to people assuming that the victim did something that provoked or attracted their attacker. Rape culture and victim blaming go hand in hand, and through present research it can be seen in context as it applies to the overall culture and more specifically college campuses.

## Literature Review

### Origins of Current Rape Culture

Rape is a crime that has been around for a

long time, and, although the views surrounding it have changed throughout the years, it is important to understand its past in order to understand how it is viewed today. Until the suffragist movements in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, women were often viewed as less than men or as property (Freedman, 2013). Under this view, women were not the owner of their own bodies, which made it harder for them to report rape. In colonial times, there were initially harsh punishments towards men who committed rape; however, rape was often defined as carnal knowledge, or sexual intercourse, and had to involve force (Freedman, 2013). With such a thin definition, whether or not a person was raped would be dependent on the level of force, and the woman would have to prove she did everything in her power to resist. Freedman (2013) also stated that the rape of a man committed by another man was considered sodomy, and often was discredited. Through the culture of the time, most people framed rape as one man violating the property of another man, and thus women were subjected to abuse and their claims of rape were validated or dismissed by the men in their families and communities.

The more women were allowed to join society, the more pressure was placed on them to avoid rape (Freedman, 2013). Due to the industrial revolution, people were transitioning from small towns to cities, thus allowing for a heightened sense of danger as women were now faced with the responsibility of protecting themselves (Freedman, 2013). It was highly publicized that if women wanted to be good wives and mothers, then they needed to be pure upon entering into marriage. Freedman (2013) continued to say that with the emphasis on purity, women were expected to hold higher moral standards and protect their chastity. Towards the end of the 1800s, laws were passed that created high penalties for men who committed rape, but men against the laws stated “the criminalization of seduction would limit the sexual privileges enjoyed by white men” (Freedman, 2013, p. 44). Regardless of the backlash, there were great strides made with the new laws, but by the mid-twentieth century they were becoming obsolete and in desperate need of updating.

### Rape Culture Today

**In the News.** While more recent history has seen a rise in awareness of rape culture, there are also many more media outlets where rape culture is re-

flected. In the 1960s and 70s, journalists were not talking about rape; however, after feminists began pushing for more protection through law, the media coverage of rape cases rose greatly (Kitzinger, 2009). Kitzinger (2009) stated that journalists usually covered cases of stranger rape in high-risk scenarios because these cases may appear to be more interesting and feature a heightened sense of danger. The practice is still around today. Clark (2013), an advocate for victims of rape, stated in a letter to journalists that when approaching victims of rape and sexual assault, journalists should use sensitive language and not push for intimate details to make the story sound more interesting. She felt the need to publish the letter because many journalists were not being considerate to victims, therefore causing them more distress and feelings of blame. Kitzinger (2009) also discussed the desensitization of the journalists and news broadcasters when it comes to the seriousness of rape. The issue the article mentions is that news reports often do not feature stories of rape where the victim knows their attacker. Since 80% of rape victims know their attackers, news sources should be using their platform to raise awareness of this area of rape (U.S. Department of Justice, 2014). However, people have become tired of stories that feature the same details, and reporters are continuously searching for something to put viewers on the edge of their seats (Kitzinger, 2009).

**In Popular Culture.** Rape culture is not only seen in news reporting, but it is also a large part of popular culture. In the last few years, there have been numerous songs released that reflect rape culture. One example is “Blurred Lines” by Robin Thicke. The lyrics feature phrases such as “I know you want it” and “the way you grab me/must wanna get nasty” (RobinThickeVevo, 2013). The lyrics reflect a common misconception among men that women do not know what they want, and that when they say no they actually mean yes. Also, some men assume that if a woman is being friendly or flirting, then she is also interested in sex. Fletcher (2005) gives an example of these behaviors when she describes a man who, on repeatedly being told no, picked her up and carried her to the dance floor. Another issue of popular culture is the desensitization of the public to rape through TV and video games (Kingston, 2013). On television today there are numerous shows that feature rape as key plot elements, such as *Game of Thrones* and *CSI*. The problem is that viewers are shown cases of rape so often that they become desensitized to it, and oftentimes female characters are given backstories that involve rape (Kingston, 2007). Kingston (2013) men-

tions how in *Family Guy* characters make jokes about rape, and the game *Grand Theft Auto V* features a woman being raped. Although both the show and the game are meant to be viewed and played by older audiences, there is still a high risk that kids will come into contact with these images and not understand the severity of the issue and learn to associate rape with comedy instead of as a social problem. With society continuously being facing representations of rape, the idea that rape is normal or cannot be prevented may become a common thought.

**In Dress Codes.** An outlet of rape culture that has more direct contact with younger generations is the sexist nature schools often take toward female students. There are numerous ways sexism can be seen, but one that has been under debate in recent years is school dress codes. Dockterman (2014a) and Dockterman (2014b) discussed the matter by stating that schools are labeling dress code violations as distracting to a female’s male classmates and teachers. In some situations, girls cannot wear leggings because they fit too tightly (Dockterman, 2014b). Recently, at a school in Kentucky, a female student was sent home because her collar bones were showing (Tribune Media Wire & Ott, 2015). When schools are too strict in their dress codes and tell female students it is because their bodies are distractions, it promotes the idea that women must prevent unwanted attention. Women were told in the 19<sup>th</sup> century to cover up to avert the male gaze, and the same thing is happening in schools all across the country (Freeman, 2013; Dockterman, 2014b). Although schools may think they are teaching girls to be modest, they are actually teaching male students to objectify their female classmates. When a person is reduced to an outfit, they are seen as something to look at and judge. It is possible these girls will be ridiculed after teachers recognize the violation (Dockterman, 2014a; Dockterman 2014b; Valenti, 2013). The rules are different in college, allowing students to dress how they please, but strict dress codes have already ingrained the idea that certain clothing choices are considered deviant.

**In Prevention Tips.** In an effort to provide advice to the public, colleges and organizations will post tips on how to avoid and prevent rape. These ads are usually targeted to women (Kitzinger, 2009; Freedman, 2013; Bedera & Nordmeyer, 2015). They have been around for over a hundred years, but they have not changed much since they were first introduced (Freedman, 2013). Bedera and Nordmeyer (2015) conducted a survey of college campuses to see what kinds of tips are given to women in modern times.

I had the honor to mentor Haley’s Honor’s College research project and essay. I was very impressed at Haley’s initiative in every phase of her research project, from design and implementation to analysis and publication. Haley worked independently to create a very well written and worthwhile research project that examines and raises awareness of an important social issue on college campuses today.

—Dr. Summer Gainey

## RAPE CULTURE AND VICTIM BLAMING

The authors reviewed 40 different college websites, and found that at 15 of the schools a total of 494 different tips were given. Most of them included tips directed solely towards women: communicate limits, beware of surroundings, never go out at night alone, don't meet first dates alone, and say no. For the men, one of the only reoccurring tips was that no means no. The tips continuously served to remind women that they are never safe and are always vulnerable. In the 1970s, a list entitled "How to Avoid Rape" was released to highlight how ridiculous the tips are and how they do more to create fear and shame than to prevent rape (as cited in Kitzinger, 2009). The list included sayings like don't go out with or without clothes, don't go out alone or with a friend, avoid childhood and old age, and avoid male family members and friends. The list concluded by telling women it is easier to not exist (as cited in Kitzinger, 2009). It is apparent that the tips that are given to students now are not different from the ones given 40 and 50 years ago, showing that not much progress has been made.

**In Child Socialization.** The emphasis on men to be dominant and sexually aggressive is another contributing factor to rape culture. Burnett et al. (2009) cited how college men's involvement in more physically aggressive sports can lead to a tendency to believe rape myths. The rationale behind the information is that the students playing the sports are continuously in situations where they are praised for asserting dominance over the other team and behaving in more hostile manners. Also, Page (2008) discussed that, in order to be truly masculine, men are socialized to be more aggressive and to hold patriarchal and sometimes misogynistic views of society and women. Although men are being taught one set of characteristics, women are being taught the opposite. Roth (2005) discussed her own internal rape culture. She stated that throughout her life she had been confronted with the idea that she should find men's aggressive and violent nature as being romantic and often found herself fantasizing about the behavior. The idea to romanticize these acts is taught at an early age. One belief that has circulated for many years throughout elementary and middle school is that if a boy is mean to a girl, then he actually likes her (Quo, 2013; Tryhane, 2014; Blimey Cow, 2014). By teaching boys to bully and girls to view it as a sign of affection, society is teaching the fundamentals of rape culture at a young age.

### **Magnitude of the Problem**

Although rape is a problem affecting men and

women of all ages, college students are one group that is especially affected. Whether it is walking back from a night class or spending time with new people, college students are continuously faced with potential risky situations. The U.S. Department of Justice (2014) found that females between the ages of 18 and 24 have the highest rate of rape and sexual assault out of any other age group. Also, they discovered that between the years 1995 and 2013 33% of female students who were victimized experienced completed rape, while others experienced attempted rape (25%), sexual assault (31%), and threats (11%). Within the 18-24 age group, 80% of female students and non-students knew their attacker and 67% stated that the rape occurred either at their own home or at a friend or relative's home (U.S. Department of Justice, 2014). The U.S. Department of Justice (2014) found that 17% of rape and sexual assault victims on college campuses were men, which is significantly higher than the average rate reported by the Rape, Abuse and Incest National Network (RAINN) (n.d.) that 3% of all men experience rape in their lifetime. However, RAINN does state that male college students are 78% more likely to be raped than other male groups. These statistics are important, because they showcase the severity of rape on college campuses.

When discussing rape, it is also very important to discuss diversity and reporting. The victims of rape have many different ethnic origins. RAINN reported that 17.6% of all women will experience rape in their lifetime, with 17.7% of White women, 18.8% of Black women, and 24.4% of mixed race women facing rape. The group with the most significant percentage was American Indian/Alaskan Native, which had a percent rate of 34.1%. When totaled, it was found that one in every six women will experience rape in their lifetime, as compared to one in every thirty-three of men (RAINN, n.d.). When it comes to reporting, 20% of college females went to the police after being raped (RAINN, n.d.; U.S. Department of Justice, 2014). Although 82% of rapes committed against females on a college campus did not involve a weapon, 57% of the total rapes committed involved an injury (U.S. Department of Justice, 2014). Finally, even though there is diversity among rape victims, there is not much diversity among perpetrators of rape. The U.S. Department of Justice Statistics (n.d.) found that 97% of rapists were men, and 63% of these men were White. Although these demographics are significant, they only make up a portion of rape victims, because we can never fully understand the scope of the problem (Kingston, 2013).



Rape culture is an issue that affects how police view victims and how victims view themselves. Page (2008) discussed the way that police officers perceive victims of rape. In the case study, the views of police officers living in the Southeast were assessed through a series of questions and surveys. The researcher found that initially, a majority of police officers were more likely to reject typical rape myths and victim blaming, with 93% believing any woman could be a victim of rape and 66% believing that any man could be a victim of rape. However, these attitudes started to change when compared to specific circumstances (Page, 2008). In one case, 89% of officers said they were likely or very likely to believe a virgin who claimed rape, but only 42.5% of police officers surveyed were likely or very likely to believe a prostitute. The shift in opinion continues as different types of women are presented; however, in most of the cases upwards of 20% of the officers stated they were neither likely nor unlikely to believe each of the different women victimized (Page, 2008).

### Legal Provisions

There are three different federal laws that can be applied to rape cases. The first is Title IX protection against sexual discrimination and harassment ("Title IX," n.d.). Through this law, any public institution that has had a case of or dismissed cases of rape and sexual assault can be taken to court for the incident if the victim believes they were discriminated against based on gender ("Title IX," n.d.). Also under Title IX, victims can file suit against college campuses that do not punish rapists by claiming the university is contributing to a hostile environment. Another provision against rape and sexual assault can be found in Title II of The Americans with Disabilities Act ("Title II," n.d.). Through the act, institutions cannot discriminate or discredit students based on physical and mental disabilities ("Title II," n.d.). The final act that is currently available to file under is The Clery Act, which requires universities to report when and where a crime has occurred in a timely manner ("The Clery Act," n.d.). Although each state has its own definition of rape and how to prosecute and categorize it, all states must follow and adhere to the three laws discussed above.

### Interventions Attempted

Across the country there have been many different attempts at rape culture intervention. For example, poster campaigns, blue-phone police safety systems, and encouragement for bystander involvement have been used in attempts to shift rape culture

(Kingston, 2013). Although these methods have had some success, the author states that for the most part psychologists note that there is little improvement in behavior achieved through these efforts. Katz, Olin, and DuBois (2013) discussed bystander interventions through poster campaigns. In these posters, students were urged to step in and help whenever they thought someone may be in a risky situation. Also, the same article discussed freshmen students receiving bystander training on how to recognize warning signs of rape and what to do if danger and possible rape is suspected. Overall, the authors could not determine whether or not the posters or class had changed the behavior and opinions of the students. Kingston (2013) mentioned how oftentimes students will turn poster campaigns into parody versions of the originals. The article cited cases where fraternities handed out flyers asking members who they would rape, and sports teams encouraging players to spike the drinks of girls at a party. Poster and class campaigns are nice in theory, but it is hard to ensure the message is coming across positively and accurately.

Another approach people have taken is raising awareness of rape and rape culture through Slut Walks. The idea was initially developed after a Canadian police officer told female students they should not dress like sluts if they did not want to get raped (Kingston, 2013; Dow & Wood, 2014; Penny, 2011). Additional Slut Walks have started to occur all across the United States and the world since the first Slut Walks in 2011 (Dow & Wood, 2014). Many women have found the walks to be empowering, and often the walks are described as women taking back their own sexuality and reclaiming the word "slut" (Dow & Wood, 2014; Tuerkheimer, 2015; Penny, 2011). Tuerkheimer (2015) discussed how there are diverse groups of women who show up, and the events usually include a speaker and awareness information about rape before the walk ever begins. Although the walks have good intentions, some people feel that they are not beneficial to preventing rape or representing feminism (Dow & Wood, 2014; Tuerkheimer, 2015). Tuerkheimer (2015) discussed the topic in detail, stating that although some women find the experience to be empowering, others do not. One group mentioned was African American women, who are often oversexualized and sometimes believed to be unrapeable because of their oversexualization. Due to this issue, these women may not find the walks as empowering because they may feel the walks are focusing less on the issue of rape and more on expressing sexuality. Also, the article mentioned that some be-

lieve the walks further the objectification of women, stating that women are simply furthering stereotypes and ideas, while not seriously affecting the issue. Even given the controversial nature of Slut Walks, they have become a recent trend to raise awareness of rape culture.

A final intervention and support system that has developed are rape crisis centers. At these centers, workers and volunteers work in direct services, by visiting the ER when a victim is admitted, providing follow-up care, and visiting locations to conduct trainings on rape (Danielle Pernell, personal communication, Nov. 20, 2015). Pernell stated that her clients usually are looking for someone to listen to them, believe them, and remain neutral on the situation. When working with the police, she informs the clients the purpose of the police and what they are looking for when interviewing them. A rape crisis center's main goal is to build a relationship with the client and help them through this rough time. She confirmed the findings of the U.S. Department of Justice (2014), stating most of her clients are females in the 18-24-age range. When asked about victim blaming, Pernell said that most of the clients blame themselves for what happened and that when working with victims it is always important to remember the circumstances of the rape are not what is most important (Danielle Pernell, personal communication, Nov. 20, 2015). The U.S. Department of Justice (2014) found that only 16% of victims received some form of assistance after their attack. Perpetrators are often excused of their behavior, and Pernell says that until the attitude is changed then progress cannot really be made.

### **Why is it still a Problem?**

Although there have been great strides towards ending rape culture and preventing rape, there is still a long way to go before society develops a new outlook and perspective on the issue. One of the most striking statistics regarding rape is that 97% of rapists go unpunished for their crime (RAINN, n.d.). With the lack of punishment, the assumption develops among attackers that their behavior is acceptable because there are no consequences. Valenti (2013) provides a good example of this problem by discussing a case where a young girl was gang raped by members of her high school's football team. When she spoke out against the boys, she was ridiculed, and the community mourned the loss of the boys' football career. The author continued her discussion by stating rapists may start to target victims who have been drinking or are in compromising situations, so the

blame is transferred onto the victim and what they could have done to prevent the rape. Finally, there is a problem with people rejecting consent classes. One college student in England was in the media recently holding a picture that said "I don't look like a rapist" in response to his school requiring a class on sex and consent (Warren, 2015). In situations like this, it becomes harder for advocates to provide successful intervention because students are not being receptive and accepting the information presented.

In other areas, there are still many problems revolving around rape culture. A main area that needs changing is the way rape is presented in the law, specifically North Carolina law. In North Carolina, first degree rape of an adult is defined as vaginal rape through the use of a weapon or serious injury (Rape and Other Sex Offenses, n.d.). Also, the law states that second degree rape is vaginal intercourse of someone by force. Included here as well is the rape of a person with a serious mental or physical disability (Rape and Other Sex Offenses, n.d.). Finally, any other sexual act is only considered sexual assault either in the first or second degree (Rape and Other Sex Offenses, n.d.). Each degree of sexual assault is categorized just as rape is, with the exception being that rape only includes vaginal intercourse. Under these laws, men are automatically granted less provisions because if a man is raped it is only considered sexual assault. Although there is a distinction between whether or not a weapon was present or an injury occurred, this does not include the emotional trauma a victim might face. The laws have become outdated, and they do not take into account all of the realities of rape.

### **Research Conducted on the UNCP Campus**

#### **Description of Research**

This paper examines rape culture and victim blaming, specifically to what extent each are evident on the researcher's college campus. The study was designed in the spring of 2015 and conducted in the fall of 2015. The goal of the research was to measure victim blaming based on numerous victim characteristics. After the surveys were completed, the researcher compiled them, analyzed the data, and determined the significance of the data.

#### **Research Questions**

This research examines the following questions: (1) Will people judge the victims of rape differently depending on the characteristics of the situation, such as clothing choice, being alone, being out at night, etc.? (2) Are the judgments different based on gender,



academic standing, race, and age? (3) And, what do the comments reveal about students' perceptions of rape victims and victim blaming?

### Methodology

In order to complete the research, there were many factors to take into consideration. One of the main concerns was finding an objective method of collecting data. Page (2008) conducted a survey among police officers that required them to rate how likely they were to believe different types of women, such as a virgin, a wife, or a prostitute. However, the author did not survey the officers on other factors that are important to understanding victim blaming. Some of the things the researcher also wanted to know was if participants would have higher rates of victim blaming if the victim was alone, wore revealing clothing, knew their attacker, or was associated with other factors that are often used to blame victims. The researcher began developing the survey while in a class on social research, and consulted with her professor about the survey. Also, the researcher met with a tutor in the University Writing Center to make sure everything was objective and did not include leading questions or scenarios that would affect the data. Finally, after the researcher had developed the full completed survey, she consulted with her research mentor to ensure that the survey was complete and ready to be sent for IRB approval. In the end, the researcher and mentor agreed on a survey that would include different types of victims and would include the other factors of victim blaming discussed above.

### Sample and Setting

The research was conducted at The University of North Carolina at Pembroke (UNCP). The researcher spent between two and three weeks going to various locations on campus and collecting data. The majority of the surveys were given to students eating in the university's cafeteria. Here, the researcher was able to get the most diverse participants and randomly chose who participated in the research. Also, the researcher surveyed students who visited the University Writing Center and Starbucks. Finally, there were many social work students surveyed. This occurred because the researcher surveyed students in her Human Behavior class, as well as her mentor's Intro to Social Work and Writing for the Social Sciences classes. When the surveys were given, the researcher initially told participants she was working on a project for the honors college and asked if the student would be interested in participating in a survey. Instead of the researcher describing the study, there was an at-

tached cover letter given to the participant stating the purpose of the research and how it would be used. Other information was given only when the participant asked questions, in an effort to ensure that the researcher did not affect the participants' responses.

### Study Design

The survey (Appendix A) included a variety of questions. The first section of information was to gather the demographics of the participants. Each participant was asked his or her gender, age, race, and academic standing. In this case, demographics such as sexual orientation and socioeconomic status were not considered to be notable in analyzing the data. If the study were done on a larger scale, then other demographic characteristics could be included. The second portion of the survey consisted of eight different scenarios. In each scenario, the participant was given a different victim they were to assume had been raped. Each scenario included characteristics that are common in rape myths and stereotypes that are used to blame victims of rape. Some examples that have not already been given are taking the same path every day and alcohol consumption. With each scenario, the participant was instructed to rate whether the characteristics of the victim had no influence, mild influence, moderate influence, or strong influence on his or her attack. The final portion of the survey asked whether the participant had ever pressured someone into having sex and if rape was ever okay. These two questions were given to determine if there were any inconsistencies between the scenario responses and the person's overall view of rape (Appendix A).

### Data Analysis

There were 300 students surveyed by the researcher. The participants varied in gender, with 110 males surveyed and 177 females. Also, three of the participants chose "other" as their gender, and ten chose not to answer the question. Although 268 of the participants were between the ages of 17 and 22, there were 18 participants 23-28 and 18 participants 29 or older. Most of the students surveyed were either Caucasian (31%) or African American (43%). Although other races such as Native Americans (22), Hispanics (25), and Asians (4) were surveyed, their respective percentages were all less than 10%. The same was true for people who stated their race as other (27), which included either races not present or biracial participants. Most of the participants were freshmen (40%), followed by juniors (22%), seniors (19%), sophomores (17%), and graduate students (1%). All of these statistics and numbers can be seen

in Table 1.

In order to determine how many people showed a greater tendency to victim blame, each participant was given a numerical score by adding the numbers that corresponded to the level of influence. To begin, if people showed no tendency, they received a score between eight and thirteen, which included 115 participants. The next set was between fourteen and nineteen, which showed mild influence and included 105 participants. These scores are good, because it means that a little over two-thirds of the participants were either not likely or only mildly likely to victim blame. However, the other participants showed moderate (66) to severe (14) victim blaming. Although the researcher thought that aspects such as age, race, and academic standing would produce significant data, these demographics did not appear to greatly influence the type of responses people gave. Gender did have some effect on the scores. Of the women, 44% had scores that fell in the no victim blaming set of scores, while only 29% of men scored here. When it came to mild victim blaming men scored 38% while women scored 32%, 29% of men and 19% of women scored moderate, and 4% of men and 5% of women scored severe (Table 2).

The next section to be analyzed is where participants were asked if they had ever pressured someone into sex and if rape is ever okay (Table 3). For the first question, nine participants reported they had pressured someone into having sex after the other person initially said no. Most people (286) reported no for this question, but 23 participants chose not to answer. When asked if rape was ever okay, 281 participants responded with no and 4 said yes. The other 15 participants chose not to answer. Overall, these numbers indicated that almost all of the participants should have scored in the no victim blaming category, since they appeared to be highly against rape.

The data collected regarding each response to the victims provides insight into how participants viewed and stereotyped each situation (Figure 1). For the first two cases, the numbers were virtually the same, with 143 and 145 saying no influence, 84 and 81 saying mildly influenced, 39 and 40 saying moderately influenced, and 34 and 33 saying strongly influenced. Both of these cases featured similar characteristics, with both of the girls assumed to be conservative—through either visiting church or through her clothing—and walking alone at night (Appendix A). In comparison to other cases, these two cases can be found as the median value for each case under all response categories. Some of the par-

ticipants left comments on the survey stating that they chose their answer because the victim was alone, and the word “alone” was underlined on a couple of the surveys, indicating the participants deliberated their response before choosing. The responses given may have received the responses they did because the girls exhibited both positive and negative behaviors of preventing rape. Although a little over a fifth of the participants chose one of the two higher influence options, the majority of the participants did not attribute blame to these two victims.

There were a few cases that had even higher reports of no influence. The case that had the highest level of no influence was case six, the one involving a man (Appendix A). Out of all of the participants, 69% responded saying he had no influence, with another 19% reporting only mild influence. This finding is surprising, because there is often a stigma around men who are raped, and, as was reflected in North Carolina law, some do not hold the belief that men can be raped. Since there is such disbelief around male rape, the findings may indicate that the participants marked the levels of influence lower because they did not believe he was raped. The next victim with the most no influence responses is in case four, the woman who was married (Appendix A). Of participants, 67% stated the woman did not influence her attack, and 16% felt there was only mild influence. These results may signify that participants also did not believe she was raped. Marital rape was not recognized until recent decades, so the stigma and belief that spouses cannot be raped and that marriage automatically guarantees consent could have contributed to how some participants responded to the question. The final case to discuss here is the seventh one, where two friends were working on a project (Appendix A). Although only 53% of participants felt there was no influence and 22% felt there was only mild influence, the numbers still reflect a positive direction, with lesser percentages of participants blaming the victim as compared to the other cases. The lower scores may be because the victim already had a friendship with the attacker, leading to the presumption she could not have predicted or prevented her attack.

The final group to be discussed is the victims that participants rated at lower rates of no influence. The first case was the one of the girl who takes the same path every day (Appendix A). Only 37% of students said she did not influence her situation, while 29% reported mild influence, 20% reported moderate influence, and 13% reported strong influence. In this case, a few students commented that the reason they

marked higher levels of influence was because the girl took the same path. Along with taking the same path the girl also was wearing revealing clothing. Both of these characteristics are often portrayed as controllable factors that girls should consider when out in order to prevent rape. The next case involved alcohol (Appendix A). This group had the lowest percentage of no influence with only 22% of participants believing there was no influence on the rape. Continuing on, 23% felt that there was mild influence, 26% felt there was moderate influence, and 28% felt there was strong influence. The level of influence increasingly elevated. Possible reasons why responses varied may be because the case features alcohol, which is often considered a means of raping women, and women are told to avoid alcohol in order to avoid rape. Also, consent was initially given, so respondents may have the belief that once consent is given then it cannot be taken away, which could have influenced their choice. The final case presented is the one of the stripper who wears revealing clothes (Appendix A). As stated in the literature review, women who are assumed to have more sexual knowledge are scrutinized more in cases of rape, and are less likely to be believed. The statistics for this case were 24% no influence, 18% mild influence, 20% moderate influence, and finally 38% strongly influenced. The results strongly reflected the findings in the literature, with one participant even checking the strongly influenced box three times.

### Discussion

Overall, the data provided mixed results. When looking at overall victim blaming scores, the outlook was positive. More people were not likely or only mildly likely to blame victims of rape, which was the desired response. Also, most of the additional comments provided from survey takers were that rape is never okay, and that women should not be judged on any characteristics when it comes to rape. However, the results are not as positive when looking at the findings for each individual situation. Respondents rated acquaintance rape with higher levels of no influence, but tended to blame the victim more if they were raped by a stranger. Also, when the victim was associated with deviant behavior such as alcohol or stripping, the responses shifted towards strongly blaming the victim, which even became the highest response. The negative views of victims are congruent with rape culture that expects women to be vigilant and avoid high-risk scenarios. In the tips to avoid rape, women were told that they should avoid alcohol, never go out alone, and given many other ideas to prevent rape that were represented in the cases giv-

en to participants. The researcher found that when victims deviated from these typical ideas of what is considered responsible and safe, they were more likely to be blamed for their attack. Out of all the students surveyed, only 42 participants said all of the victims had no influence on their attack. This finding is significant because it means that 86% of participants attributed some blame to at least one victim. It furthers the idea that stereotypes and myths about rape do influence the way people react to cases of rape.

### Advantages and Limitations

Although the survey provided many benefits, it also had some drawbacks. One benefit was the survey was simple and easy to complete. Several students asked how long the survey was and upon seeing the one page agreed to participate. Also, the survey provided a way to scale victim blaming that was not invasive to participants. One drawback, though, was that the researcher could not follow-up and ask participants why they chose the answers they did. There were some students though who left comments on the back of the surveys, but most students did not explain their thought process for choosing higher levels of influence. Also, some of the students initially were confused by the directions for rating the scenarios, but most people seemed comfortable asking the researcher questions. A final benefit of the research was that it started a conversation about rape culture. There were a few participants who talked about the survey with the researcher afterwards, and groups of people who took the survey together would discuss at their table or would talk about the survey after completion. Overall, the survey was more beneficial and elicited more responses than a longer-formed research method would have.

### Threats to Validity

When it comes to validity, there were not many factors that posed threats. One concern of the researcher was that the number of social work students would affect the data. However, when inputting the data these students did not differ much from other participants. This assumption cannot be guaranteed, but through observing the survey answers, it is likely. Also, there were some students who were confused with the instructions. This could have affected the way participants took the survey, especially if they did not ask the researcher for a more in-depth explanation. Finally, another issue is students may have felt they were scaling how dangerous they felt situations were when giving a high rating, instead of blaming the victim. For instance, participants may have given



a higher rating of contribution to the individuals who had been drinking, because alcohol and parties are seen as high-risk situations where the likelihood of a crime is elevated.

### Conclusion

Rape culture is a serious problem in society that has been around for many years. The literature points out several examples where rape culture has influence, including the news, television, dress codes, and more. Although there have been several attempts at intervention, there is still a long way to go before rape culture will be removed from our society. Through the research conducted, the researcher found responses that both went against and confirmed aspects of rape culture. The information collected provides insight into where more societal change needs to occur. Overall, more research needs to be conducted and publicized in order to bring more attention to the problem. ■

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Table 1

Variable	Category	N	%
Gender	Total	300	100%
	Male	110	37%
	Female	177	59%
	Other	3	1%
	N/A	10	3%
Age	17-22	263	88%
	23-28	18	6%
	29 and up	18	6%
Race	European American	93	31%
	African American	128	43%
	Native American	22	7%
	Asian	4	1%
	Hispanic	25	8%
	Other	27	9%
Academic Stand	N/A	1	0%
	Freshman	119	40%
	Sophomore	52	17%
	Junior	66	22%
	Senior	57	19%
	Graduate	2	1%
Case Scores	N/A	3	1%
	8 to 13	115	38%
	14 to 19	105	35%
	20 to 25	66	22%
	26 to 32	14	5%

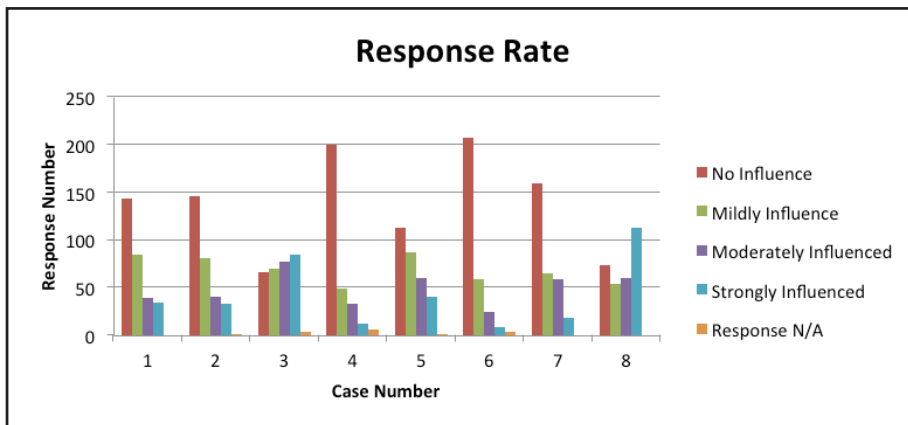
Table 2

Gender and Case Scores				
	8 to 13	14 to 19	20 to 25	26 to 32
Male	32	42	32	4
Female	78	56	34	9
Other	0	3	0	0
N/A	5	4	0	1

Table 3

Pressured into sex	Yes	9	3%
	No	268	89%
	N/A	23	8%
Rape Okay?	Yes	4	1%
	No	281	94%
	N/A	15	5%

Figure 1



## RAPE CULTURE AND VICTIM BLAMING

### Appendix A

#### Survey Questions

What is your gender? 1-Male 2- Female 3-Other

What is your age? \_\_\_\_\_

What is your race?

1-European American/White 2-African American/Black 3-Native American 4-Asian 5-Latino/Latina 6-Other

What is your academic standing?

1-Freshman 2-Sophomore 3-Junior 4-Senior 5-Graduate Student

Below is a list of individuals who were raped. Based on their brief description, scale how much you think their characteristics contributed to their attack.

Potential Situations	No influence	Mildly Influenced	Moderately Influenced	Strongly Influenced
A teenage girl walking back from her church youth group. She lives in a suburban area. She is alone and walking alongside a park.				
A female tutor is walking back from a session at night. Tonight she is walking alone. She is wearing a sweater and scarf.				
Two college students, one male and one female, have consumed a large amount of alcohol. They decided to go home together from a party.				
A married couple has been going through a lot of changes with the wife's new pregnancy. The wife has not been in the mood for sex, and often sleeps on the couch.				
A girl has taken the same path every morning to the grocery store since she was as a child. Today, the girl is wearing cut-off shorts and a tank top.				
A gay man reconnected with an old friend at a local restaurant. They had had good conversation and agreed to meet again.				
She thought they were just friends working on a project. They often met together at one of their apartments.				
She had been stripping for years. She usually wore short, flashy outfits, even off stage.				

Have you personally ever pressured someone who initially said no into having sex? 1-Yes 2-No

Is rape ever okay? 1-Yes 2-No

\*Please feel free to write any additional comments on the back of this form\*



## ON THE INTRINSIC RELIGIOUS POTENTIAL OF ABSTRACT EXPRESSIONISM

By Alex Cole Foster

The ability of spirituality to manifest in different cultural forms is a topic of great interest to many scholars. Many aesthetic devices in particular have been used to express and communicate spiritual attitudes among believers and to disseminate belief and methods of interpreting religious information, among other notable functions. One such aesthetic device, to be included in the present discussion, belongs to the visual arts: painting. Although individual paintings may very well serve as fruitful sources of prolific religious analyses, here we are interested in examining the capacity of an artistic movement – abstract expressionism – to include spiritual meaning among its (Tillichian) style. Therefore, our purposes are directed more toward an exploratory, theoretical scrutiny rather than to the more specific approach of interpreting individual works of art. The primary concern here is a fundamental one; to wit, in what way and to what degree is abstract expressionism capable of comporting itself to spiritual, even religious, matters? The question is focused enough to home in on possible, informative responses, yet it is broad enough to include the motley concerns,<sup>1</sup> conventions, and techniques employed by the abstract expressionists to convey their messages.

A striking feature of abstract expressionism, both to the seasoned maven and to the unfledged, is its obvious lack of familiar form: in some cases, the signature or presence of a recognizable form is preserved or included yet viciously distorted,<sup>2</sup> and in others, inertial form is unequivocally denied.<sup>3</sup> For those unaware of the artists' intentions and the forces behind those intentions, frequently such art is mistaken as entirely aleatory or arbitrary at bottom. Although the exact reason for such misconception might be difficult to indicate with surety, the formlessness or highly abstracted forms of abstract expressionist works are almost always a culprit, as depicted physical form has historically had an integral role in the function of communicating ideas and delineating the subject matter of works of art.

This limited array of treatments of form in abstract expressionism actually serves as a juncture for the novel incorporation of subject matter as an aesthetic choice. In fact, such an orientation toward form is perfectly suited toward expressing some chiefly religious or otherwise spiritual sentiments. For many artists such as Pollock and Rothko, the identification with specific form is an impediment in the viewer's participation in the piece; indeed, the focal



point of a piece tends to revolve around *participatory* avenues of appreciation: a viewer is not given the luxury of simply examining the piece as a representation, as in most – if not all – preceding artistic movements' products. To truly appreciate Pollock's *Cathedral* (1947) or Rothko's *Blue, Green and Brown* (1951), one cannot simply look.<sup>4</sup> One must become subsumed in the piece and participate in its reality, which is intimately tied to the artist's experienced reality at the time of the work's conception. In Rothko's color fields, or in Pollock's drip and action displays, the viewer is supposed to suspend a sense of self and become incorporated into an experiential odyssey which itself completes the meaning and significance of the piece.<sup>5</sup>

One should not be surprised by the uncanny theoretical resemblance of such an appreciation to that of the typical mystical religious experience, in which the practitioner surrenders the self to a divine, all-encompassing reality. We are inspired to consider how the impression of a reality, external to both artist and observer – namely, the painting itself – becomes a conduit for an experience common, in its incidence, to both artist and observer. Many abstract expressionists (Pollock, Mondrian, &c.), convinced of the depersonalized and objective essence of art, conceive of their paintings as microcosmic embodiments of a "supra-personal object,"<sup>6</sup> which resonates with an underlying, universal order. This subtlety and absolute congruence with existence on such a fundamental

Alex Cole Foster graduated from UNC Pembroke with a B.A. in philosophy and religion, and a B.S. in applied physics. He was a three-time recipient of the Gustafson Memorial Scholarship in Philosophy and Religion, and received the Einstein Achievement Award in Physics during his senior year. He also worked as an undergraduate researcher through the UNCP RISE (Research Initiative for Scientific Enhancement) program, and as an undergraduate theoretical nuclear/particle physics researcher at Vanderbilt University in 2014. Today, he is a first-year Ph.D. student of physics at the University of Cincinnati.

## THE RELIGIOUS POTENTIAL OF ABSTRACT EXPRESSIONISM

order resists the imposition of gross form. Thus the absence of form invites the viewer to resist personal inclinations and therefore trim away certain information in order to reveal new, experiential information derived from the encounter with the piece. The work does not merely historiographically point to an experience delivered by the artist, but rather becomes an arena for exciting timeless experiences in the viewer. Color, contour, and other visual features of a painting might provoke certain responses, but the ultimate goal is to become immersed in the formless and ineffable subject which is dissolved within (or beyond) the canvas.<sup>7</sup>

But, to be convinced of the religious significance of such a surrender, one must be assured that the substance surrendered to – the subject of the piece itself – is, in fact, purportedly mystical, numinous. It might be, after all, entirely supposed that the self becomes transfixed in an emotional, existential state – that is, a self-affirming state. On such a subject, Robert Motherwell has written that the ultimate aim of his art (and that of at least like-minded artists) is to “wed oneself to the universe” and to become whole and unified “through union.”<sup>8</sup> This provides dramatic contrast to a stock existentialist take on creativity and self-definition by creative and personal choice. In the latter case one copes with a basic alienation and *Angst*; in our present case, the artist denies the self any primacy and instead looks toward a sublime reunification with some patently *cosmic* essence, which is identified in the essence of art. This marks a conceptually progressive adaptation of the early aesthetic philosophy that undergirds abstract expressionism. The movement was really given some intellectual impetus when John Dewey’s ideas spread over numerous parts of America and Europe. Buettner asserts that *an* experience, for Dewey, was a continuous “encounter with external phenomena which ran a complete course from beginning to end and was completely integrated into consciousness as an entity distinct from other experiences.”<sup>9</sup> During such an experience, emotions take precedence over intellect as the organizational power in the artistic endeavor, but they can never be disconnected from their bodily vessel, and thus cannot be read directly from the canvas, as they could not possibly be there; emotions only anticipate or guide the expression, they are not the expression itself.<sup>10</sup>

We can therefore see that abstract expressionism can likely be wholly secular at times, but it does not preclude itself as a spiritual catalyst. By and large, many of the more popular artists of the movement

were “intolerant of spiritual argument,” though they were fairly uniform in their rejection of at least traditional materialism.<sup>11</sup> Under the surface, however, resided many theosophical notions that infiltrated abstract expressionism. Part of the success of this covert importing of mystic notions might be attributable to the romantic ideas which American abstract expressionism is said to have likely inherited.<sup>12</sup> Juxtaposed with the backdrop of rapid technological growth and humanity’s withdrawal from nature, the abstract expressionists nevertheless visualized humankind as existing along a continuum, to be included with nature rather than transcend it.<sup>13</sup> They, like the romantics, were preoccupied with the vastness and spontaneity embodied in nature and the universe, and relied on intense emotional cues for artistic direction. In contrast to the romantics, however, the abstract expressionists did not mask the self in projecting forth their artistic efforts; they were, rather, consumed by the performance or act of painting.

More should be said concerning the archetypal abstract expressionist’s relationship with nature. Indeed, their preoccupation with the natural world might not always be totally evident in their individual works, which so often obtain a surface reality on the canvas that seems so *unnatural* or unfamiliar. The easiest case to examine is that of the American abstract expressionist scene,<sup>14</sup> which was preceded by transcendentalism and American romanticism. Dillenberger cites the abiding interest in North American Indian tribal art, in its abstracted depiction of the surrounding world; various eminent abstract expressionists (Pollock, Pousette-Dart, and Adolf Gottlieb) admitted to being directly influenced by the tribal styles.<sup>15</sup> Furthermore, Barnett Newman was inspired by his own knowledge of ornithology, botany, and geology, resorting to the implementation of biomorphic entities and “mythological images.”<sup>16</sup> Theoretically speaking, Newman was engaged in a peculiar act: in a sense, he was to say “Observe how I may transform the scientific depiction of nature into my own creative reality, affirming the original, defining essence of the human being within me.”<sup>17</sup> Indeed, Dillenberger mentions Newman’s deeply spiritual ideas concerning the human’s primitive essence as *creator*, not as solely a sociological, functional being (such as a hunter, craftsman, priest, &c.). Abstract expressionism’s engagement with nature was fundamentally distinct from that of transcendentalism’s or romanticism’s in that it was able to bear a new witness to the modern scientific interpretation and modeling of nature and its objects.<sup>18</sup>

Alex Cole Foster, informed by theologian of culture Paul Tillich, analyzes with no small measure of profundity the artistic movement of Abstract Expressionism, finding spiritual or religious meanings in work by artists who often were avowedly secular in outlook. Alex was a double major in philosophy and religion and physics, always attempting to get to the root of things. An excellent student in every way with a rich vocabulary, Alex is one of the best writers I’ve encountered in 25 years of undergraduate teaching.

—Dr. David Nikkel

Regardless of his more pneumatic intentions, Newman was not unique in his desire to transform his surrounding, visual reality via his creative potential. Numerous examples exist, and I feel a particularly instructive one would be Hans Hoffman's *Magenta and Blue* (1950). This piece is comprised of highly geometric and rigidly angular forms. Even a cloth, suspended from some surface, does not cascade downward elegantly under the influence of gravity, but rather retains what may be an invariant "personal" structure over the external force, despite tending toward the floor. Color is used to communicate shape, but not dictate it; as Paul Tillich says, Hoffman was concerned with showing the viewer the power of being in itself, by abstracting away the incidental way nature "occasioned" to create and uphold things, and presenting us with an alternative.<sup>19</sup> Even light itself is depicted only in terms of how it manifests in the color of material objects. *Magenta and Blue* is thus also an apt illustration of how abstract expressionists became fixated on painting beyond what the physical world discloses in its original form.<sup>20</sup>

Another prime example of abstract expressionism's "going beyond" the surface – going to the depths of aspects or objects of reality – is Kandinsky's *Capricious Forms* (1937). Now, oftentimes this work is described as a type of surrealist biomorphism; this would suggest that Kandinsky was concerned with revealing the powers of the human unconscious in the painting. With the backdrop of geometrical figures, overlaid with elegant, curling forms of high complexity and reminiscent of embryonic cells, this typology is perhaps rather appropriate. In spite of this, it does not, I feel, really expose all of the semantic power of Kandinsky's painting, and I feel that an abstract expressionist lens is necessary to truly release its fuller capacity. If we approach the painting as Kandinsky taking the "invisible" reality of the microscopic domain, and transforming it into a softly-colored arrangement speaking of his experience of the microscopic reality, and pairing this interpretation with the piece's name, we might be led to feel that Kandinsky looked toward a future of renewal. The forms, though, in suspension with inorganic circular and rectangular rudiments, are "capricious" – incidental, not necessary. Beyond these complicated forms we see the progenitors of their emergent complexity: the pervasive, simple, non-living components of a vibrant, evolving world, fully beholden to the array of an immaterial, generalized being and its enabling essence of creativity.

Tillich would perhaps say that these two examples I chose were of a specific species of existentialist

art: that with a religious style, but non-religious content.<sup>21</sup> In the specific case of Kandinsky, Tillich might claim that Kandinsky was not willing to stop at the idea of inorganic forms giving rise to life; in fact, he betrayed an ultimate concern in *Capricious Forms*, in which he sought to investigate the depths of being, similar to Hoffman, though beyond the surface reality of life's tiniest, disrupted, atomistic components.<sup>22</sup> He had the courage to look beyond any unity actualized in organics, and seek a deeper *seriousness* to reality. Otherwise, it would have been more fruitful and direct to simply paint a technical picture of the meticulously labeled, smallest, visible cellular components, which Kandinsky arguably has refrained from doing.

In selecting the two previously discussed works, I have chosen two comparatively less popular artists and paintings to discuss in terms of abstract expressionism. Alternative figures exist: Rothko, Pollock, Mondrian, and de Kooning, for instance. In fact, my selection can even be argued to have somewhat representational aspects. This is no accident. In discussing the theoretically spiritual avenues in abstract expressionism, I wished to show that the artistic movement was more than simply fully disposing of inertial mass, violently twisting traditional form, or even speaking of remonstrative or pessimistic qualities of humanity (i.e., de Kooning's *Woman I*, a famous example). Hoffman and Kandinsky, in these two paintings, were evidently partial to some sort of metaphysical speculation, in which they refused to accept being on the terms nature presented them with, and this expands on the theoretical discussion earlier in this paper. These two paintings were not mystical vehicles like Rothko's gargantuan color field paintings; even still, I think they were patently experiential and existentialist, crying out from the artist's experience, and presenting that experience on its own grounds, which went beyond being *as is* toward being *as it is*. This, certainly, seems to be a religious style (as Tillich would call it), and it certainly seems to disclose the religious potential of abstract expressionism as clearly as any. ☞

### Endnotes

1 These concerns vary greatly in their underlying natures. Some might be purely technical (see John Wesley Cook, "Spiritual attitudes in abstract expressionism." *Religion And Intellectual Life* 1, no. 1 (September 1, 1983): 21-2), while others might be primarily philosophical or spiritual; oftentimes, an admixture of both (and other) concerns interact to inform the aesthetic decisions of the artist (see Cook 19-32).

2 See David Jasper, "Theology and American Ab-



## THE RELIGIOUS POTENTIAL OF ABSTRACT EXPRESSIONISM

stract Expressionism.” *Religious Studies And Theology* 13, no. 1 (April 1, 1995): 25-6 for his discussion of Willem de Kooning’s *Woman I*.

3 See Jasper, 21-4 and passim; and esp. Cook 19-32, for his brief discussions of Pollock, Rothko, and Motherwell.

4 Cook, 23.

5 See Edward Levine, “Abstract Expressionism: The Mystical Experience.” *Art Journal* 31, no. 1 (1971): 21-2. and passim; cf. Jasper, 22, 25.

6 Levine, 22.

7 Cook, 23.

8 See Levine, 23.

9 Stewart Buettner, *American Art Theory, 1945-1970*. Ann Arbor, Mich.: UMI Research Press, 1981. 58-9.

10 *Ibid.*, 60-61.

11 *Ibid.*, 73. Note that some abstract expressionists, such as Jackson Pollock, returned to using recognizable forms in their works. See Pollock’s *Portrait and a Dream* (1953).

12 Levine, 25. Indeed, the romanticism movement (fl. c. 1800-1850) was a “cult of the individual”, and one in which a personally ordained anonymity was ideal.

13 Buettner, 73-4.

14 See John Dillenberger, “Visual Arts and Religion: Modern and Contemporary Contours.” *Journal of the American Academy of Religion* 56, no. 2 (1988): 202-3.

15 *Ibid.*, 203. It should be noted, however, that these abstract expressionists were also very concerned with how tribal art ostensibly depicted a “primordial”, interconnected consciousness.

16 *Ibid.*, 204-5.

17 This is my own interpretation of the significance of Newman’s biomorphic forms in his artwork; see, for instance, *Genetic Moment* (1947). It is interesting, as a tangential note, to witness the stark contrast between Newman’s early work and his later pieces. Look to *The Way II* (1969) for an astonishing example of his color field work.

18 It is highly recommended that one also refer to Kandinsky’s late work. *Capricious Forms* (1937) is a good example.

19 See Paul Tillich and Jane Dillenberger. “Religious Dimensions of Contemporary Art.” In *On Art and Architecture*. New York: Crossroad, 1987.

20 John Dillenberger, 205. This practice was, according to Tillich, an attempt to avoid “beautifying naturalism”, and thus was a concession to personal creative faculties.

21 Tillich, “Existentialist Aspects of Modern Art.” *Existentialist Aspects of Modern Art*. <http://www.religion-online.org/showarticle.asp?title=1568>. This is an online copy of Chapter 7 of Tillich’s *Christianity and the Existentialists*.

22 *Ibid.*

# PRIVACY IN THE DIGITAL AGE

By Manuel Mejía

Privacy has been one of the most controversial and highly debated issues in the early twenty-first century. However, the aspect of privacy that has garnered mass media and societal attention is not the direct intrusion of physical property such as a home. The type of privacy that has been the theme of various heated arguments is online privacy. In other words, protecting personal information from governments, businesses, or other unwanted actors on the World Wide Web or other electronic devices (O'Connor and Lange 2015, 531). While privacy may indeed be the main focus of the argument, debates on the topic are far more complicated than they seem. Intrusion of online privacy (like intrusion of physical privacy) disturbs the balance of security and freedom in societies that are generally believed to be free. Some may argue that further expansion of information-gathering governmental activities violates American (or Western) principles of freedom that are deeply rooted in our legal systems. For example, critics of the USA Freedom Act argue that the intrusion into the personal lives of individuals damages their constitutional rights. Others see it as a necessary evil that must be in place in order to protect the innocent from deadly attacks from the new global enemy of the twenty-first century. Although the latter make some informative (although empirically lacking) arguments, public opinion on the issue of online privacy has turned towards the preference of freedom. This shift has put significant pressure on governments worldwide to change their information-gathering policies. In this new era of technological globalization, public opinion of online surveillance has turned negative without significantly changing governmental action.

First and foremost, it is essential to understand what privacy is in the modern age. With the drastic change in technology, privacy problems predominantly concern digital privacy. In other words, individuals are concerned about third parties collecting personal information online. Nuala O'Connor and Alethea Lange argue that "digital privacy is about the ability to shape one's own online identity and decide when, how, and where to share parts of that identity with people, companies, or other selected entities (2015, 562). While the right of privacy is not directly stated in the constitution, it is implied. According to the Legal Information Institute, an institution created by the Cornell University Law School, the 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 14<sup>th</sup> amendments imply a protection of



privacy ("Right of Privacy"). Furthermore, "The Constitutional right of privacy has developed alongside a statutory right of privacy which limits access to personal information" ("Right of Privacy"). In terms of digital privacy, "the right of privacy has evolved to protect the ability of individuals to determine what sort of information about themselves is collected, and how that information is used" ("Right of Privacy"). To say that those four amendments cannot protect digital privacy is completely erroneous. The Constitution was written 228 years ago and cannot be frozen in time. It is a living document and the U.S. government must understand the purpose behind constitutional provisions (Neubaver and Meinhold 2013, 37).

Before explaining the shift of public opinion and governmental actions, it is essential to understand that such intrusive measures were once supported and even expected from governments. According to Nuala O'Connor and Alethea Lange in their article "Privacy in the Digital Age," "following the attacks of Sept. 11, 2001, the U.S. government implemented extreme surveillance systems in response to continued national security threats" (2015, 546). Such measures included fast record searches from third parties, secret searches of property, intelligence searches, and the collection of digitalized information (American Civil Liberties Union). Despite the current controversy over such measures, American attitudes towards these policies were positive but barely (Moore 2003).

Manuel Mejía was born in El Salvador and immigrated to the United States in 2005. He is a political science major with a concentration in international relations. He would like to pursue a career in a non-governmental organization that focuses on research for development and conflict prevention/resolution.

A significant number of individuals, according to O'Connor and Lange, heavily supported more intrusive policies as long as they guaranteed protection from another major terrorist attack (2015, 546). However, as time passed and fear began to disperse among the general American population, support for such measures slowly began to decrease.

The decrease of support for intrusive governmental action came from overall support of personal freedom and privacy. According to a Gallup Poll conducted in June 2002, Americans were in favor of civil liberties over aggressive “policing” with fifty-six and forty percent respectively (Moore 2003). However, it is essential to know that the number of Americans supporting civil liberties dropped from 2002 by six percent (Moore 2003). Despite the minor drop, the numbers between the two variables have remained consistent in the post-9/11 years. For example, another poll conducted by the Pew Research Center in 2011 showed that fifty-four percent of Americans believed that civil liberties must be left intact while combating terrorism while forty percent thought otherwise (Doherty). Some may argue that these numbers do not necessarily show the exact emotions of Americans, and that they are willing to give up some liberties in order to improve security. This particular argument, however, is erroneous and quantitative data shows otherwise. When Americans were asked if they were concerned with the actions of the National Security Agency (in 2011), sixty-four percent stated that they were indeed concerned and saw the actions as a violation of their civil liberties (Doherty). Despite these numbers, support for civil liberties alone cannot by themselves explain a shift of public support for privacy.

Another variable that explains this particular shift in public opinion is the recent revelations made by Edward Snowden. According to Nuala O'Connor and Alethea Lange, “the Snowden documents . . . showed . . . that the NSA was collecting Verizon’s customers’ phone records by the millions” and worked together with the Government Communications Headquarters (British equivalent to the NSA) to collect vast amounts of personal data from everyday individuals (2015, 554). With these revelations, according to recent poll by Newsweek, fifty-five percent of individuals supported Snowden while only twenty-nine did not and sixteen percent did not hold either view (Schondfeld 2014). Furthermore, of the supporters of Snowden, eighty percent believed that government actions violated the American Constitution. Edward Snowden is essential in this shift of public

opinion simply because of the media attention surrounding him. Previously unaware Americans from both sexes and different age groups were seeing governmental actions first hand. They now understood what these policies were actually doing and that newfound knowledge resulted in the overall negative perception of governmental action.

Despite such revelations and pressure from some members of congress and the general public, the U.S. government has done very little to stop surveillance programs. This past June, the USA Freedom Act came into effect after the Patriot Act had expired (Vinton 2015). The name of the legislation is very deceitful as it does not respect and uphold American citizens’ constitutional right to privacy. According to Kate Vinton, “the USA Freedom Act . . . gave the government more . . . surveillance powers (2015). Furthermore, if the NSA wants to retrieve data from phone companies, they first have to obtain the permission from Foreign Intelligence Surveillance Act (Vinton 2015). This move in particular makes it seem as if the government is attempting to regulate itself, but it is not. It is a mere illusion that will only annoy the individuals working inside the NSA. As a reporter for *Forbes Magazine* stated, “In passing the USA FREEDOM Act [sic], Congress clearly intended to end bulk data collection of business records and other tangible things. But what it took away with one hand, it gave back – for a limited time – with the other.” Any support for the Freedom Act is completely erroneous as it does not fix anything at all.

Through the passage of this particular form of legislation, every court case, or proposed attempt of regulation, has become symbolic. The Freedom Act merely continued NSA practices but with modifications that ignored the outrage of the American public, companies, and members of congress (Watkins and Schulberg 2015). There are some clear loopholes in the legislation that make it undermine itself. It forces the secret Foreign Intelligence Surveillance Court to become more transparent; however, it does not necessarily specify how much information it is allowed to release without it being a “security concern” (Watkins and Schulberg 2015). Furthermore, it requires a speed-up of the process of explaining why the court refused the federal government access to information, if it even does (Watkins and Schulberg 2015). It would be completely irrational to ignore how this could be highly problematic. If the court cannot meet the required deadline, it will simply grant access to such information in order to keep up with requests, or the institution will create such a poor argument

This paper is a clear, concise, and well written essay on questions related to maintaining individual privacy when so much information is available digitally. Manny has an incredibly clean writing style, is an excellent researcher, and effectively uses sources and data to justify and strengthen his arguments. Manny is one of the best student writers I have had the privilege of working with since I have been at UNCP.

—Dr. Kevin Freeman

that would more than likely cause their denial to be nulled.

Despite recent inability of the U.S. government to properly stop privacy intrusion, policy can indeed be created to stop mass surveillance. However, such policy must be implemented, led, and passed by individuals who truly see how privacy intrusion is detrimental to American political society. Individuals must certainly believe that policy such the Patriot Act and Freedom Act undermines civil liberties. Until that is achieved, appropriate policy will not be implemented or even presented. Hypothetically speaking that the government is filled with this kind of individual, the best possible path to end mass privacy intrusion is to follow the seven-point plan presented by two international non-governmental organizations, Amnesty International and Privacy International. The seven-point plan is: 1) for national laws to follow international set standards on mass surveillance as a violation of public liberties (improving transparency, equally applied for nationals and non-nationals), 2) governments should not make anonymity software illegal, 3) whistleblowers must be strongly protected by national law, 4) telecommunication corporations should only release personal information as long as it follows international laws, 5) telecommunications corporations should implement privacy measures as much as possible 6) telecommunication corporations must clearly inform users of about legal requirements, and 7) to “further explore and develop means and measures needed to ensure better implementation” of security policies that do not ignore or undermine civil liberties (“Two Years After”).

Besides formal governmental policies that seek to end mass surveillance, this issue can also be tackled by applying bottom-up pressure. In other words, mass surveillance can be undermined if the general public applied enough pressure on the U.S. government. Measures such as rallies or petitions would not be necessary, although they would not hurt. The way to start applying pressure is to simply be better educated on technology. While it may seem an extremely difficult topic to master, it is quite simple to block various forms of “block spying.” With proper knowledge, the general public could use end-to-end encryption (proven to be highly effective) on as many forms of communication as possible, encrypt a hard drive using Tor-like software to improve anonymity, and keep updated software and effective spyware (O’Brien 2013). While the NSA has indeed attempted to undermine all of these features, they massively slow down the “block spying” process, creating frustra-

tion. According to encryption expert Bruce Schneier, all of these measures are an effective way to protect personal information and make it extremely difficult for third-parties to obtain it (O’Brien 2013). However, there are significant problems with this method. For instance, is highly difficult to properly encrypt cell phones. Furthermore, governmental agencies can still access critical information by simply “obtaining” a warrant and taking it from a cell phone provider. Nevertheless, this method can indeed create pressure.

Privacy in the modern age has been a topic of intense debate. While advocates for mass surveillance exist, they are simply undermining constitutionally given rights. While not mentioned in the constitution, privacy is implied in various amendments. While it is easy to understand why individuals would support such policies (fear and security), policy makers simply cannot undermine the deeply rooted support for civil liberties in American society. With that massive support and the recent revelations made by Edward Snowden, public opinion on surveillance has further decreased since September 11, 2001. Despite the outrage, the U.S. government has done very little to change the current balance between security and freedom. The powers they have obtained through the use of intrusive policies are violations of fundamental rights. All action that seems to regulate is simply an illusion to satisfy the mass outcry. However, change can occur as long as strong civil liberties supporters enter the political arena and the masses begin to put pressure on governmental institutions. ■

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