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FOREWORD

This collection of research papers written by Rutgers University undergraduates is an exemplary representation of the rigorous intellectual project of critical reading and thinking, careful interpretation, and thoughtful analysis. All the student authors whose work was selected for publication completed their papers in the Rutgers Writing Program course Research in the Disciplines. Their topics range widely in scope and include the censorship threat inherent in limiting net neutrality; the economics of non-profit hospitals; the importance of soccer to the Latinx identity in the United States; and the transformation of graffiti from vandalism to political expression. Importantly, each paper makes an independent argument based on a conceptual analysis developed through the lens of a discipline-based theory. Congratulations to the thoughtful and intelligent writers whose work makes up this volume, and to all the wonderful Rutgers undergraduates who complete exceptional projects each and every semester.

Such fine work would not be possible without the dedication and diligence of our Writing Program faculty. Our instructors coach students through every phase of the research writing project, teaching them the fundamentals of information literacy while helping them grow the acorn of an idea into a full-fledged exploration of a scholarly debate. Faculty members work tirelessly to help each student bring an individual project to fruition, from research proposal through three drafts and an oral presentation, culminating with the final paper. I cannot express how grateful I am to the talented, devoted professionals with whom I am privileged to work.

Dialogues@RU is a student-centered endeavor. The Editorial Board members you see listed on the masthead are all undergraduate students who participated in a semester-long Editing Internship. In the internship, students learn the basics of the editorial process by selecting manuscripts for publication (from among nearly 250 submissions) and working with student writers through the substantive and technical editing process. My experience with interns over the years has been inspiring. They bring to the table intelligence and a willingness to learn and work hard as well as creative insights and quick wit. I am so thankful to be part of their career preparation as internship coordinator along with my

brilliant and good-humored colleague, Tracy Budd, who co-edited this volume with me.

I must recognize the many faculty members of the Writing Program who volunteer their time to proofread the final papers before they head off to the printer. This service to the *Dialogues@RU* project is an invaluable part of the process, and the last set of eyes on the text always helps us catch a few errors before press time. I also would like to thank Writing Program Director Kurt Spellmeyer for his continuing support of this project. *Dialogues* could not happen without it! Thanks also to the Department of English for its support, with a particular thanks to Sabrina Del Piano who publicizes the internship every semester and helps us recruit Editorial Board interns from among many talented students.

I appreciate everyone whose hard work has gone into Volume 13, and I hope you enjoy this fine read!

Lynda Dexheimer
Co-Editor
Associate Director
Rutgers Writing Program

FACEBOOK: A MODERN DAY DIGITAL PANOPTICON

—
Namita Abraham

ABSTRACT

This paper analyzes Facebook's structure and function, and the parallels between that of the eighteenth-century prison model, the Panopticon. In his seminal work, Discipline and Punish, Michael Foucault expanded on Jeremy Bentham's Panopticon and stressed the architectural significance of such a structure. Arguably, a similar framework is used by Facebook. The current paper addresses the larger implications behind such similarities using Erving Goffman's Presentation of Self Theory in order to explain the overall effects a panoptic structure has on its users. The following series of issues will be examined: why our digital interactions are a significant piece of our identity, factors that influence us to adjust or change our identities online, and how Facebook molds our identity in a similar manner as the Panopticon. It is argued that as a digital Panopticon, Facebook limits a user's right to privacy, and alters the behavior and identity of its users.

In the Internet age, it is feasible to think that our digital footprint adds to our very being and identity whether we like it or not. We constantly collect data about ourselves and leave little breadcrumbs that give clues about who we are through our interactions on the internet. Because of this aspect of new technology and innovation, privacy has emerged as a fundamental human right. While it was always universally cherished, technology has begun to erode our privacy much faster than it can be protected. Social media has emerged as a dominant force through which our privacy is lost: this comes as a surprise to many, as social media is generally viewed simply as a means of self-expression. Facebook, in particular, which boasts over 2 billion active users monthly, has come under severe scrutiny regarding the level of privacy it affords its users. But what kind of privacy is being breached by this service? Is it simply one that would allow us to conceal information from others? Or is it something that has a much more significant impact on our very being and identity? In my research, I will evaluate Facebook and compare its structural similarities, and its overall effects on its users, to a Panopticon. First, I

will explain why our digital interactions contribute to the creation of our identity and why we should be afforded a level of privacy as a result. I will then address the idea of identity through the lens of Erving Goffman's theory of the Presentation of the Self. More specifically, I will touch on specific factors that cause us to adjust our identities online, as well as ways in which Facebook facilitates this. Finally, in my concluding section, I will focus on Facebook itself, using Michael Foucault's analysis of Bentham's Panopticon. Exploring the similarities between the two structures, one physical and one virtual, will present a distinct correlation between a decades-old prison structure and a current social media site. I argue that Facebook is a digital Panopticon, not only limiting our right to privacy, but also leaving us constantly visible, and thereby altering our behavior and our identity.

The formation of our identity is a dynamic and personal process in which our digital interactions play an integral part shaping and molding that identity. But we can also think of ourselves as having a separate identity existing in the digital world. The "digital persona," developed by Roger Clarke, is defined as "a model of an individual's public personality based on data and maintained by transactions, and intended for use as a proxy for the individual" (3). In other words, it encompasses the aspects of an individual established through the collection and analysis of that person's data. In theory, this persona could be used as a "proxy" for the physical being. Jeroen Van den Hoven and Pieter E. Vermaas further extend this idea to an argument about transactional identities: "although a market mechanism for trading personal data seems to be kicking in on a global scale, not all individual consumers are aware of this economic opportunity, and if they do, they are not always trading their data in a transparent and fair market environment" (182). Our data have become items which can be sold. Some may argue that sharing our data and information about ourselves with web browsers, stores, and websites has benefits that may include carefully targeted discounts and rewards. While this is true, it does not discredit the Van de Hoven and Vermaas' argument that many consumers are still unaware of how they are being commodified, and "do not always know what the implications are of what they are consenting to when they sign a contract," whether that contract is literal or implicit (Van de Hoven 286). It stands to reason, therefore, that our data must be properly protected, or the likelihood of misuse and harm significantly increases.

Our digital interactions are not only an essential part of our

identity, but also contribute to how we portray ourselves to others. Zach Waggoner, author of *My Avatar, Myself: Identity in Video Role-Playing Games*, argues that “virtual identities, created and maintained by users’ non-virtual identities, may be just as ‘real’ to users as their non-virtual identities” (1). Put simply, individuals do not perceive their online identities as distanced from reality, but rather as a “real” aspect of their own identities. In light of this, protecting the information that contributes to this online persona would be just as important as protecting any other information in other aspects of our life. For this reason, privacy in the context of this paper will be defined as freedom from unreasonable constraints on the construction of one’s identity. As D. J. Solove describes it, “the ability to ensure that the information about them will be used only for the purposes they desire” (43). The data that make up our digital persona also contribute to an aspect of our identity that we project to the world, and for that reason we are owed a reasonable amount of privacy to construct this part of ourselves without constraint.

The manifestation of our identities online is dependent upon our audience and the reaction we expect to receive from them. We are constantly trying to manage the impressions that we make on the people around us. Concerned with self-presentation, we attempt to reconcile the impression that we are making on others with what is expected of us in that situation. This concept of impression management and self-presentation is even more applicable to online media, particularly Facebook. Facebook centers on a user’s profile, a part of their digital persona, and therefore a “model” or “proxy” of their physical being. Profile owners can express their online persona through the use of pictures, personal expressions, as well as data fields that share information such as favorite books, movies, and hobbies. As argued by Z. Tufekci, a profile is “not a static entity; rather, it is a locus of social interaction that evolves and changes to reflect various dynamics within social networks and communities” (546). Similar to the ways in which the formation of our identity is a dynamic and personal process, our profile is not a stagnant entity; rather, it mirrors and augments that lively process of identity-formation. Tufekci argues that our profile reflects the “dynamics within social networks and communities,” and this causal nature of social networks is in line with Erving Goffman’s dramaturgical approach. Goffman’s method compares our everyday self-presentation to that of stage acting, but he similarly argues that our performance is dynamic, constructed in conversation with our audience. He suggests that “the self, as a performed character, is not an

organic thing that has a specific location, whose fundamental fate is to be born, to mature, to die; it is a dramatic effect arising diffusely from a scene that is presented” (252). Not only does this reinforce the dynamic nature behind the construction of one’s online persona, but it also associates our online self to that of a “performed character” that arises “from [the] scene that is presented.” This statement also implies the significance of the scene itself, or the setting in which it is taking place. The character or performer that emerges as a result would be created specifically for that audience and situation, further implying that we have multiple characters for the many different scenarios in which we take part.

We carefully plan and present our performances in order to determine and control the way that others perceive us. Goffman defines performance as “all the activity of a given participant on a given occasion which serves to influence in any way any of the other participants” (8). According to this definition, performances are those actions that have some type of influence or effect on their audience. Fundamental to Goffman’s theory is the division between the “front” and “back” regions of interaction, more colloquially known as the front stage and back stage. Our front stage performance would consist of our behavior while we are in the presence of an audience, most likely “an idealized version of the self, according to a specific role,” as described by B. Hogan. According to L. Bullingham and A. C. Vasconcelos, while on the front stage, “an actor is conscious of being observed by an audience and will perform to those watching by observing certain rules and social conventions, as failing to do so means losing face and failing to project the image/persona they wish to create” (101). Therefore, our performance is based on the expectations of our audience. As we are “conscious of being observed,” we not only internalize their expectations and observe “rules and social conventions,” but also act accordingly. The consequences of not doing so would mean failing to accurately portray ourselves, or the persona that we wish to create, in front of that particular audience. Social media offers a mobile platform, or a stage, to present ourselves and perform online. Using Goffman’s definition, our activity on Facebook would be classified as a performance, as it is a front we put on in order to project a certain image of ourselves. Our audience, or friends, would have access to the front stage of the performance, which is all the information we would like to have displayed. On Facebook, the page that captures this ability the best would be a user’s profile page, which displays personal information we would like to have accessible and visible. While sharing content is often seen

simply as a neutral exchange of information, it is actually a very conscious and visible act. The content that we choose to share with others becomes a performance in itself and we tailor it to our audience.

Similar to Jeremy Bentham's Panopticon, Facebook is a digital panopticon in which we self-regulate or self-censor in order to control which aspects of our identity are visible online. Designed in the late eighteenth-century, Bentham argued that the Panopticon the ideal prison or reformatory institution. It was designed to modify or alter prisoners' behavior through constant surveillance and to produce morally corrected individuals through its penitentiary process. Michel Foucault argued that Bentham's Panopticon is relevant to modern-day society. While Foucault's primary interest is in the panopticon as a metaphor for modern, self-censoring societies, he is also interested in how the architecture itself acts as a means by which surveillance can be established. In the case of the Panopticon designed by Bentham, the ordering of the cells around the guard tower guarantees that all cells can potentially be observed at once. The architecture is in place to "make it possible to see constantly and recognize immediately" (Foucault 3). In other words, for a panopticon to operate effectively, visibility is key. Within the context of modern-day society, Facebook can be seen to have a similar architectural framework. In order to even join the network, users must create their online persona, consisting of their profile picture, page, and any other relevant information they would like shared. By creating this online persona, Facebook has given a specific identity to each user that joins its network. The profile page, as well as the activity log, has a complete recording of every operation a user performs on Facebook's network – every "like", comment, and shared link originates within the profile page. In this way, a Facebook user's profile is akin to the user's cell, as it is the only place that an individual's entire performance or activity can be seen by anyone at any time. Furthermore, individuals operating on Facebook's interface are just as open and vulnerable as occupants within the cells of a physical panopticon. Just as the guard who monitors the panopticon is invisible and anonymous to the prisoner, so is our audience, or watcher, on the internet. But despite the fact that we might be alone when using social media, we nonetheless feel the presence of the audience we anticipate viewing our posts and profiles. It is noteworthy that the guard of the panopticon is both a "visible and unverifiable" entity (Foucault 4). The literal constant presence of an actual guard was not necessary, according to Foucault; what was more important is what the tower and guard represented – that of a power exerted over

individuals as a result of surveillance in an attempt to control behavior overall. While our digital audiences may not be driven by power or a desire for control, their presence nonetheless makes us, as metaphorical “prisoners,” feel the need to control ourselves. Foucault even goes on to compare individual cells to “so many cages, so many small theatres, in which each actor is alone, perfectly individualized and constantly visible” (5).

While the panopticon disciplines physical behavior, there are also clear effects on the emotional state of its prisoners. L. Gorzeman and P. Korenhof argue that it “works not solely on the realm of disciplining physical behavior as the spatial panopticon does, but also disciplines the exteriorized behavior of the psyche – the expression of our feelings and opinions” (87). Because online behavior mostly consists of “expressions of feelings or opinions,” this claim by Gorzeman and Korenhof becomes a powerful one when applied to Facebook. In effect, they say the surveillance tactics implemented by a panopticon regulate our behavior in such a way that we no longer wish to express ourselves freely. Just as prisoners in a panopticon behave as if they are being watched, Facebook users similarly act as though they have an audience. T. Rayner, who also compares Facebook to Bentham’s prison design, claims that users of the social media site are being “judged on the basis of the content they share.” This causes individuals to regulate themselves, their expressions, and therefore their identity in light of their visibility. Facebook acts as a “front stage” in Goffman’s terms: a post is equivalent to a performance of our life, and therefore it is one that we tailor to our audience. In line with the concept of visibility, B. Gilchrist argues that the panoptic structure inherent in Facebook is that of “a single gaze with unlimited vision” (52). In the world of Facebook, this “gaze” extends to the sharing mechanism inherent in its platform. Sharing content is not simply a neutral exchange of information: rather, it takes place very visibly in the presence of an “invisible” crowd. In this way, Facebook functions as a means of surveillance. When users post about their personal experiences, interactions, and activities, they allow instantaneous access to all of that information with a simple click of a button. Its “newsfeed,” presenting this real-time information, acts as a central hub for all the activity of a user’s network of friends. In this way, Facebook acts as the Panopticon’s guard tower, surveying and assessing the activity of multiple people while remaining invisible. This presence leads each of us to craft an identity that we think will impress our audience, or followers, and to present it as our authentic self. Some

argue that this lends itself to a false presentation of self on social media sites. O. Gil-Or, for example, argues that “people often present themselves in a manner which is inconsistent with who they really are and with their set of real beliefs and values” (2). If this happens on sites that require users identify themselves transparently, it is important to consider the setting in which this is happening rather than blame the individual. Does the atmosphere condemn false presentation of self or welcome it? Sherry Turkle, a professor at M.I.T, argues that

“On Twitter or Facebook you’re trying to express something real about who you are... But because you’re also creating something for others’ consumption, you find yourself imagining and playing to your audience more and more. So those moments in which you’re supposed to be showing your true self become a performance [sic]. Your psychology becomes a performance.”

Turkle’s claim that Facebook is used as a means of self-expression, and a way to “express something real about who you are,” suggests that while our original intent is to present some kind of information about ourselves that expresses something we may be feeling, internally we also realize we are performing for an audience and “creating something for others’ consumption.” Therefore, our digital identity may be separate or different from the physical person that is responsible for creating it. This encourages and allows for false identities even when most users feel as though they have presented authentic versions of themselves. This is the suggestion in Turkle’s final claim that “your psychology becomes a performance.” Our psychology – our identity, our persona itself – becomes a performance. Using this logic, our identity comes to be externally manufactured rather than something that we develop internally.

Visibility adds yet another chilling aspect to the identities we form in Facebook’s panopticon – that of permanence. As it is a product of the internet, “the information that we produce about ourselves gets stored for a long time and may be easily retrievable” (Gorzeman and Korenhof 87). Our digital persona - a facet of our identity and a significant part of our self - is more permanent than one any physical structure could contain. Gorzeman and Korenhof suggest that “the only thing we can do to dodge future consequences is to make sure certain potentially risky information is not encoded in the first place” (87). This strengthens the argument that users often refrain from expressing their true feelings and

opinions, in order to avoid leaving any kind of mark or sign “from which the individual can never dissociate herself” (Gorzeman and Korenhof 84). Our identities are no longer dynamic and ever-changing, but permanently etched in the digital sphere. Because we come to internalize these digital personas, it becomes important that we exercise self-censorship in order to not defile such an important part of ourselves indefinitely. This is a clear indication that Facebook’s panoptic structure not only has a direct effect on the construction of our identity, but also forces us to engage in self-censorship and self-regulation. This conclusion is in line with Foucault’s analysis, as he argues that “he who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection” (4). The panoptic structure of the prison relied on inmates internalizing the tower, and what it represented, in such a way that they would “simultaneously play both roles” and “become the principle of his own subjection.” Effectively, the prisoners would police themselves and take on the roles of both the inmate and the watchman. On Facebook, this regulation is not “explicit, legal, and externally imposed (by government),” but rather it is, as K. Lewis, J. Kaufman, and N. Christakis describe it, “implicit, normative, and internally negotiated.” Self-regulation is not a result of governmental standards or rules, and there is not necessarily a central “tower” to look towards as a disciplinary figure; rather, we battle with our own “internally negotiated” understanding of what is acceptable and safe on such a platform (5). Norms and expectations are largely decided by our audience, or the crowd we are performing before. We would, therefore, negotiate these boundaries in the context of the varying communities and friendships we share with people. By doing this, we give up much of our control in constructing our own identities, and instead leave it in the hands of our audience that mold us.

Privacy is a universally cherished right, but many do not know that privacy is not just freedom to reveal or conceal personal information – it also includes restrictions placed on us while constructing our identity. In the context of Facebook, a digital panopticon, it is clear that numerous aspects of our privacy are severely breached, leaving us to self-censor and self-regulate as a means to retain as much control as possible. While expressing individuality is a strong human need, the urge for conformity is equally as strong. Surveillance causes a strong disconnect between

the two: people are not only afraid of being observed, but also desire to conform in order to not draw attention to themselves. Within a community, the effects of this can be devastating. While self-censorship in itself may not be fundamentally detrimental, it leads to a loss of creativity and diversity within society as we attempt to repress and remold our unique traits, experiences, and ideas in order to present a “flawless,” conforming version of ourselves to our digital audience.. It is often distinct or controversial opinions that enliven a conversation and allow groups to explore ideas or areas that they may not have considered before. Self-censorship works in opposition to this, as it endeavors to choke those who have distinct opinions: the result may be an overall loss of creativity and diversity within a community. Such a loss is problematic for a society, such as that in the United States, that not only strongly values freedom of expression but also understands how internet technologies can facilitate even more productive societal interactions. If we cherish our freedom of speech and expression, the panoptical effect of social media proves to be a very great risk and danger.

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GRAFFITI IN NEW YORK CITY: LAW & POPULAR CULTURE

—
Julia Ambrozy

ABSTRACT

This paper explores graffiti and graffiti culture in New York City from the 1970s to the present day. The purpose of this work is to investigate the legal aspects of graffiti and how the law impacts the perception of graffiti as either a criminal activity or an act of artistic-political expression. Information and ideas about the socioeconomic aspects of graffiti and its legal status are drawn from researchers who have studied graffiti as a global phenomenon, which I then apply to examples of New York City graffiti artists including but not limited to Banksy, Shepard Fairey, and Keith Haring. This paper thus will survey the history of graffiti as a debate about the boundary between vandalism and artistry over five decades, while also emphasizing the impact of social media on graffiti artistry and culture in the 21st-century. My argument is that graffiti has transformed from an inner-city act of vandalism to a respectable urban artform and means of political expression that continues to evolve and which should be protected and encouraged in the future.

I. INTRODUCTION

A. GRAFFITI IN NEW YORK CITY

Since the 1970s, nine types of graffiti have adorned New York City buildings, infrastructure, and public transportation. One can find “tags,” “throw-ups,” “blockbusters,” “wildstyles,” “heavens,” “stencils,” “paste-ups,” “slaps,” and “pieces” on walls and subway cars throughout the city (“Styles of Graffiti”). Since its emergence as a signature act of urban guerilla art, graffiti artists and law enforcement officials in New York City have been at odds as both parties strive to cultivate a city that is more visually appealing via two very contrasting means: the creation of graffiti and its removal. Graffiti, as an art form, has grown to be more acceptable as it has overlapped with advertising as well as art pieces rather than typical vandalism (McAuliffe). Although graffiti has changed dramatically since the 1970s through stylistic change and social impact, the debate of whether it is an art form or vandalism is up to discussion in regard to

the law. The 2006 New York City and State Code 10-117 defines graffiti as “etching, painting, covering, or otherwise placing a mark upon public or private property, with the intent to damage such a property.” The shift in view towards graffiti as an art form rather than vandalism depends heavily on refuting New York Code 10-117, which outlines punishments for defacement of property or possession and intent to sell aerosol spray paint, as well as other acts involved with creating graffiti.

The battle between vandalism and art arises due to social change and emerging ideas about unsanctioned urban art brought on by gentrification. Gentrification has brought about great artists such as Banksy and Shepard Fairey who clearly depict the interpretive conflict in their works. Cameron McAuliffe highlights the struggle that Banksy and Fairey had to endure to become successful graffiti artists: “The commodification of graffiti and street art in advertising, on t-shirts, or through successful cross-over into the contemporary art marketplace, has raised the profile of individual artists and the genres of graffiti and street art more generally” (190). McAuliffe’s analysis of graffiti in Australia, along with Sinan Caya’s psychological explanation for why youths turn to graffiti in Turkey, Margaret Mettler’s expertise in defining graffiti in terms of law and subculture, and Tatjana Kurbatova’s debate about whether graffiti is an art form or a mere act of vandalism research work collaboratively to formulate a new perspective on graffiti in New York City. In synergy, their diverse works can be applied to urban New York City and contribute to the analysis on how law and popular culture cooperate and compete in changing attitudes toward graffiti and by posing new questions about the artistic quality of graffiti in urban areas. Although these researchers have analyzed graffiti in their home cities, their research prompts the question of how social media influences graffiti in New York City in relation to the law since the emergence of graffiti as a cultural phenomenon in the 1970s. This work will explore the history of graffiti in New York City and social media’s enormous impact on the styles and ubiquity of graffiti alongside laws aimed at curbing vandalism by “reclaiming the public spaces of New York” (Blomberg and Kelly).



Graffiti-covered 1970s New York City subway cars (Stewart).

B. HISTORY OF GRAFFITI

1. 1970S

The 1970s mark the beginning of the graffiti writing movement, whose roots are found in ancient Greek and Roman culture (Mettler 254). The decoration of walls and buildings became ubiquitous in modern U.S. society, especially created and promoted by those who identify with street-art subculture. According to Dmitri and Gregor Ehrlich, modern urban graffiti style did not start in New York City: “Modern graffiti actually began in Philadelphia in the early sixties, when Cornbread and Cool Earl scrawled their names all over the city.” By 1971, however, the New York Times took notice of graffiti’s popularity in New York with the rise of artists such as Cornbread, Cool Earl, and Taki 183 (“Cyber Bench”). These new artists began to scrawl their names repeatedly in unique colors, other than the typical black and white, with characterized lettering. This style of graffiti is now known as “tagging.” Tagging is a stylized signature that is repeated by hand which allows the act of graffiti to be recognizable as the work of a unique individual (“Styles of Graffiti”). To this day, tagging is still the most prevalent form of graffiti. New York City’s bankruptcy and crime rate in the 1970s made subway cars a popular canvas for many of these early graffiti artists to tag. These socioeconomic factors shaped the beginning forms of graffiti as part of gang-related activities, which caused a great scare in the city and ultimately led to actions of its removal (Beaty). Subway cars were a popular medium since they would take the art throughout the boroughs as they travelled, much like social media spreads art in the present day (Grazian 14). Social media goes beyond the reach of people in different boroughs and connects people with art from around the world. Economic despair as well as social turmoil of

the decade allowed graffiti in the Big Apple to become a popular means of self-expression. Although tagging was considered vandalism, there were no laws passed to curb this activity during this time period. Police raids were commonplace due to overall high crime rates, and artists were stopped by police officers or competing artists on the grounds that they were at the wrong place at the wrong time (“Styles of Graffiti”).

2. 1980S

Graffiti artist Friendly Freddie entered the scene at the beginning of the 1980s. Graffiti had been evolving from tagging to more elaborate pieces known as *bombing*, or covering a whole subway car in an artist’s work in unison with his tag which was comprised of a name as well as his street number. Friendly Freddie had much influence over graffiti. As a Brooklyn artist, he is known for spreading graffiti outside of its emergence in the Bronx; soon, all five boroughs began to have their own styles and inter-borough competition arose (“Cyber Bench”). Subway cars still remained a popular medium during this time period; the cars provided a sense of interconnectedness between the boroughs and artists as they travelled between them sharing different artists’ work. Despite the subway car’s popularity, artists began to spread their work by using yard fences and other similar flat vertical space. As graffiti began to gain popularity so did the city’s efforts to protect itself from the rampant vandalism, although it did not have the allocated economic means to do so (Hall). This lack of effort against vandalism and graffiti ultimately changed and set the stage for future reforms in the 1990s when Rudy Giuliani became mayor of New York City.

3. 1990S

The layer of graffiti that lined New York City’s surfaces was ever-changing. The 1990s styles reflected social changes as well as changes to the law. Mayor Rudy Giuliani had changed the scope of graffiti in the city from 1994 to 2001. Giuliani believed that his city was being tarnished by the proliferation of graffiti vandalism; thus, he began what was known as the Mayor’s Anti-Graffiti Task Force which became one of the largest anti-graffiti campaigns in U.S. history (Hall). Violations during this time period were approximately \$350 per incident of graffiti, which in comparison to the 1980s was much higher than the \$100 typically charged. Despite this, graffiti was rapidly changing from tags to more elaborate works. Print media publications such as the *Mass Appeal* magazine were taking

notice. Artists like Jest, SP, Arse, PER, CES, Bio, Clark Fly I.D., Slash, Greed, and Gaze began to focus on murals and larger, more detailed works that would span walls and sides of buildings (Turco). Often they would paint and redo their claimed walls because there was limited space for them to express themselves. Before this period, the New York Police Department was not focused on vandalism, and often times artists would be given a “slap on the wrist” in comparison to the punishments set by Giuliani’s Anti-Graffiti Task Force. The law cracked down on vandalism and punishments grew increasingly harsh, yet artists continued to

[break] the rules- because most of the times graffiti is seen in forbidden places- [and is] an attempt to give a colorful and a playful touch that [contrasts] the serious and rigorous appearance of the institutions/public buildings and they are questioning the norms that they represent. (Salcudean 49)

Despite Giuliani’s stricter laws against vandalism, graffiti continued to gain momentum as artists not only got more recognition from each other, but from the media who publicized their works. Graffiti prevailed by growing in regards to techniques, sizes, shapes, as well as working against adversity. Even with all this new growth in the art form, it had not quite finished developing.



Keith Haring’s “Crack is Wack” mural, a famous example of his socially-conscious graffiti (Kwartang).

II. BANKSY & FAIREY



A famous stencil graffiti by Banksy on a wall in London (“Keep Your Coins”).

A. KEEP YOUR COINS, I WANT CHANGE

The late 90s were an iconic time period for graffiti as works were no longer associated with gang scrawls on sides of buildings. Rather, each graffiti was viewed as a work of art by followers of graffiti artists as well as spectators passing by (Turco). A key change in perspective towards graffiti is noted by Keith Haring’s mural “Crack is Wack.” Haring finished his mural in the summer of 1986 and was caught by police officers the same year he created the work. Due to the cocaine epidemic that took storm in the 1980s, the public responded with positive publicity for the mural. Haring got away without any jail time and a \$100 fine as a result of people’s support (Kwarteng). The public began to advocate for pieces that dealt with social issues and topics that resonated with New Yorkers as a whole. Artists like Banksy and Frank Shepard Fairey benefited from the public’s continued support regarding graffiti that focused on social issues.

In the late 1990s a prominent street artist known as Banksy rose to fame. He is renowned for his use of stencils which allowed for detailed graffiti to be repeated on multiple buildings, walls, and other mediums. Although his work originated in Bristol, England, there is a collection of work that he completed in New York City. Banksy is known for changing the game in the graffiti subculture as his works feature themes of politics, war, capitalism, greed, and hypocrisy. His art was created as a result of his environment in England and as such certain themes appear consistently in his graffiti. His works in New York City focus on American society

in response to urbanization specifically by voicing calls to action and demands for social change. Both spectators and other graffiti artists alike have viewed Banksy's work as street art rather than vandalism, as they found it thought-provoking while demonstrating a cleaner, minimalistic aesthetic than previous graffiti. However, "the differentiation of graffiti and street art is often arbitrary. Street art, like graffiti, is more often than not done without permission (i.e., illegal) and often practiced by people who are or have been involved in the graffiti subculture" (McAuliffe 190). Banksy's work has continued to be very influential into the 2000s, and has often been cited in debates about what is street art and what is vandalism.

Although Banksy's work originated in Bristol, it has had a global reach. Banksy started off by creating stunning work that had a political focus, which drew attention of mainstream press, however, his partnership with photographer Steve Lazarides brought him global recognition. In the late 1990s and early 2000s, Lazarides helped popularize Banksy's work in books such as *Brandalism, Existencilism, and Cut Out and Collect* (Dickens). Lazarides and Banksy's books successfully cultivated Banksy's image as an anonymous artist who uses social media platforms such as YouTube and Twitter to showcase his work. As Shelley Elk writes, "Social media has become a perfect playground for Banksy as he spreads his political message and vision across the world while protecting his identity" (Elk). It is evident that mainstream media such as newspapers and news shows and social media such as Twitter and Instagram have provided the platform for Banksy's art to be disseminated and stimulated the curiosity about the artist's identity, which remains unknown to this day. The combination of politically-fueled images as well as a secret identity have worked in synergy to create a social media craze around an anonymous artist whose work is now found globally throughout physical art mediums, digital media, and online social media platforms.

B. OBEY

Frank Shepard Fairey first changed the graffiti community in 1989 by starting a graffiti sticker campaign while attending Rhode Island School of Design (Zittoun 168). As an American contemporary street artist, he is also known for the Obey clothing line he started in 2001. According to the Institute of Contemporary Art in Boston, Fairey is one of the most popular and influential street artists ("Shepard Fairey"). His original graffiti sticker derived from his experience instructing a friend on the technique of stenciling. Out of this experience arose the "Andre

the Giant Has a Posse” sticker which first made Fairey known on New York City streets. In 2008, he created an iconic poster of Barack Obama entitled “Hope.” This un-commissioned work was meant to inspire both social and political change, as well as contribute to Obama’s campaign by spreading a positive image. As Fairey grew in popularity, he was asked to do commissioned design work for Pepsi, Hasbro, and Netscape, proving that graffiti as an art had grown more acceptable as it began to crossover with commercials and advertising (“Artworks by Shepard Fairey”).

Fairey depicts a key change in graffiti during the early 2000s by making art which calls for social change. His work illustrates that graffiti is not a medium for “an enjoyable illusion of superiority for an oppressed[...]young soul,” but rather a mode of self-expression and call to social evolution (Caya). He built the Obey brand as a means to use the imperative “obey,” an irony, in order to “take heed of the propagandists out to bend the world to their agenda” (“Obey Meaning”). He conveys his opinions about politics and society through propagandistic art. His recurring red and blue posters, purposefully similar to the Obama “Hope” poster, demonstrate his continuous work towards political change. Fairey’s work reveals that graffiti started an art movement that is not only aesthetically pleasing, but urges the audience to social change as well as his overall message of each piece. Fairey states his motto is about “variety and experience, thinking about your surroundings and questioning the purpose. The medium is the message” (“Obey Meaning”). He uses the phrase coined by Marshall McLuhan, which means “the medium that shapes and controls the scale and form of human association and action” (McLuhan 9). For Fairey, graffiti does not just express messages, it *is* the message: by itself, regardless of content, standing as a statement about resisting laws, not obeying them, and calling attention to the need for socioeconomic change in urban areas beset by poverty, racism, police brutality, and other forms of injustice.

Obey has become a worldwide brand and much of Fairey’s success lies in how viral his graffiti and artwork became due to news media and social media such as Facebook and Instagram picking up and spreading his Barack Obama poster. In a recent interview with *Highsnobiety* in June of 2017, Fairey discussed his new mural, propaganda, and how social media has affected his work. Propaganda is a key component to Fairey’s success -- he tells Highsnobiety, “what I try to do with my work is be very transparent and I have used the word propaganda to describe my work as a way of saying don’t let anyone sugar coat it” (McGarrigle). His art pieces

evokes in its viewers a need to be analyzed and understood, as each one is trying to convey a crucial social concept. Fairey’s newest mural in Berlin, Germany highlights racism, sexism, and xenophobia which show how “it seems like the entire western world is moving further to the right” (McGarrigle). Fairey’s mural spans the entire side of a building with special permission obtained to do so; however, he notes how his artwork had begun as graffiti and the news, Facebook, and Instagram have done a lot in order for his form of artwork to be more socially accepted, thus becoming a worldwide phenomenon.



A “paste-up style” graffiti by Shepard Fairey to promote political activism (Arnon).

III. LAW VS. MEDIA

A. EARLY EFFORTS

The late 1980s began the city’s first efforts to remove graffiti and prevent artists from continuing their work. The first major change that allowed New York City to deter graffiti was the Metropolitan Transit Au-

thority's anti-graffiti budget. The New York Times reported that the 1989 budget was \$52 million annually for cleaners, gum removal, and graffiti removal efforts. By the late 1980s most of subway graffiti was removed (Hall). Graffiti surfaces were becoming more difficult to obtain, making artists become more protective of their graffiti locations (Hays). The 1980s were also marked by the crack cocaine epidemic in New York City. The environmental factor of the epidemic brought about gang violence into graffiti communities. These artists had reacted to "the immediate environment of the micro-district space, from which [their] general satisfaction or dissatisfaction [developed]. Graffiti artists, in turn, [changed] the appearance of the city" (Kurbatova). The tension that the crack cocaine epidemic and the Metropolitan Transit Authority brought about began to change graffiti in drastic ways that were evident in the 1990s.

B. NEW YORK CODE 10-117

In 2006, New York City defined graffiti in the terms of law and justice. New York Code 10-117 is defined as, "Defacement of property, possession, sale and display of aerosol spray paint cans, broad tipped markers and etching acid prohibited in certain instances." The Code describes what makes a graffiti as well as the proper punishments for each incident. It delineates that graffiti is legal when there is explicit consent granted by the city or the property owner on which the graffiti is placed. In order to deter "public property destruction," the Code states that anyone under 21 may not be sold supplies and tools typically utilized for creating graffiti. Although one may argue that New York City's war on graffiti has been successful, much of the success cannot be seen past the exterior of subway cars (Mansbach). The war has never truly ended as graffiti is evident throughout the city and it is difficult to see it ever coming to an end. New York City's graffiti is iconic and it is a defining characteristic of the city to many tourists as well as New York natives (Bachor).

C. COHEN V. CALIFORNIA

Cohen v. California is a key Supreme Court case which deals with the First Amendment right to freedom of speech. The court case took place in 1971, when a 19-year-old department store worker, Paul Cohen, wore a jacket with the phrase "FUCK THE DRAFT. STOP THE WAR" in reference to the Vietnam war. Cohen was found guilty and sentenced due to a California statute that deemed that the jacket was an offensive conduct ("*Cohen v. California*"). Although some may deem the phrase on Cohen's

jacket as offensive or vulgar, arresting him violates the First Amendment right of freedom of speech. Justice John Marshall Harlan, recognized that “one man’s vulgarity is another’s lyrics” (“*Cohen v. California*”). Margaret Mettler, an intellectual property attorney with Foley & Lardner LLP, had defined graffiti in terms of the First Amendment as a result of her research. Mettler applies this concept of freedom of speech to her research on graffiti, by noting that what one may view as vandalism and scrawled lettering on walls may be an artistic expression to another. On the other hand, elaborate murals and artistic expressions that call viewers to social change may also be viewed as vandalism that must be removed. The *Cohen v. California* case sets the precedent that law does not debate whether or not a graffiti is an artistic expression.

D. MONEY TALKS

The most significant factor that has led to curbing graffiti in New York City is money. A prominent invention which deters people from putting graffiti in unwanted spaces is known as a “permission wall.” Tom McGhee of the *Denver Post* states that “permission walls help create a canvas for managing graffiti.” These walls are spaces which the city or individual property owners allow for graffiti to be continually placed on. However, many of these walls are treated as spaces for advertisements; thus, artists must purchase spaces or pay for a property owner to allow them to display their work. It costs roughly \$50,000 for a space of advertising for one month, which many artists cannot afford, consequently deterring the formation of graffiti. Yet when graffiti is created illegally, there is an incentive for onlookers to report the crime. In New York City over “the last six years, the Police Department and programs like Crime Stoppers have paid at least \$18 million for information that might assist in criminal investigations, according to police statistics” (Tennant). A majority of this money goes to confidential informants, among other crimes like murders and drug deals. However, an estimated sum of \$2,000 can be provided to anyone who reports or provides information about a graffiti artist (Tennant). In New York City’s Penal Law 145.60, graffiti is classified as a class “A” misdemeanor; thus, it is punishable by a fine up to \$1,000 as well as a year in jail. Despite these obstacles, graffiti that continues to adorn the surface of the city is a clear indication that artists will do whatever it takes to make their mark.

E. WE DECLARE THE WORLD AS OUR CANVAS

The motto “we declare the world as our canvas” comes from the website *Street Art Utopia*, which is a collection of graffiti posts from around the world. The motto can be extended to all artists who attempt to make the world less monochromatic and rigid in its social structures. Artists connect to various social media platforms such as Street Art Utopia and are not limited to Twitter, YouTube, Instagram. Mona Paul from *Widewalls* magazine stresses the factors that contribute to the link between social media and street art and what makes it go viral:

Street art has been a kind of social and political commentary made with affordable resources by those oppressed and disadvantaged. The lack of access to traditional media for big chunks of population, has given way to the grassroots approaches to the freedom of speech as a remedy to the artificial delimitation of public discourse. It’s not surprising that those practices have been incriminated and censored by states, and associated with violence and property damage. (Paul)

Social media has provided a legal medium as well as global outreach to audiences and supporters. Old artists are bringing back their work in a new way, and a new generation of graffiti artists have stemmed from the digital media age. The existence of a digital space for graffiti, in addition to the physical space, allows public spaces previously unutilized to be hubs for artwork. The internet further evolves graffiti with digital editing software. Thus, rather than deterring graffiti from finding its way around the city, social media platforms that digitally log visuals of graffiti such as *Street Art Utopia* and Instagram allow for more spaces to be both used and reused, and for graffiti to change without artists losing any work covered in the process as each work is digitally documented.

IV. CONCLUSION

Graffiti is an iconic and integral part to New York City culture. The city is covered in an ever changing layer of colorful paint, stickers, and paste ups that draw the eye. New York City laws as well as law enforcement agencies have put forth tremendous effort in order to reclaim city spaces by removing graffiti. The success of cleaning up subway cars represented an immense undertaking by the Metropolitan Transit Au-

thority, but the city still remains covered in a layer of ever changing paint; this proves that the New York Code 10-117 as well as *Cohen v. California* have done little to retard graffiti throughout the city. On the other hand, social media has done a great deal in spreading graffiti whether it be an art form or vandalism or “one man’s vulgarity is another’s lyric” (“*Cohen v. California*”). Social media has allowed artists have a global outreach, as well as making locations throughout the city previously not utilized for graffiti accessible. Social media platforms such as Street Art Utopia provide a means to digitally record and preserve graffiti despite its removal from its original physical location.



5 Pointz served as an officially-sanctioned location for graffiti until its demolition in 2014 (“NY’s ‘5 Pointz”).

The graffiti community is not only a subculture in New York City, but it reflects the overall history of the city. Despite the continual, yet minimally-effective efforts to remove graffiti by New York City’s police and legal systems, social media has done a great deal in promoting artists and sharing graffiti that can be easily missed when walking in cities. Lady Pink, a New York City mural artist and the first woman active during the 1980s graffiti wave, states, “Graffiti is young, cool, creative—let it happen.” Hence, I believe that the future of graffiti will always “[straddle] the line between pure art and pure vandalism” (Olivero). As long as its message is strong, social media will support each graffito as art more than law will be able to claim it as vandalism.

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NET NEUTRALITY GIVETH, THE FCC TAKETH AWAY: THE TRUE POWER OF ISPS AND CPS UNRAVELED

—
Jeremy Banks

ABSTRACT

In the United States, we are legally protected under the Open Internet Order of 2015 to interact with the internet to any degree we wish without interference from the government or Internet Service Providers (ISPs). This uninhibited access is referred to as “Net Neutrality.” However, the current administration of the Federal Communications Commission (FCC) has recently challenged the regulation behind Net Neutrality, directly complicating our basic rights to freely access informative content. In a modern society without Net Neutrality, ISPs and Content Providers (CPs) will be given the opportunity to alter the economy of the technological landscape to their liking with the ability to deliberately discriminate against a given user’s connection against their own discretion d..choice? preferences? This legal enactment of censorship could potentially result in the uprising of monopolies for both major ISPs and CPs, with most technological businesses suffering as a result. Without immediate action on Net Neutrality, these factors will put the world’s global connectivity as we know it at risk.

INTRODUCTION

At a moment’s notice nearly every technological user could probably pull out their favorite device and browse the World Wide Web without hesitation; consuming any breadth of informative material they desire. However, within the next couple of years, that ease of access may be lost in the United States. Network connection to some content may become significantly slower, blocked, placed behind a paywall, or even completely shut down—directly confining users’ intake of information. Attempting to permanently change the official legislation, the Federal Communications Commission (FCC) is challenging the freedom established in the *Open Internet Order* that claims individuals have the right to an open internet that is exempt from any kind of discrimination from internet service providers (ISPs) such as Comcast or Verizon, referred to as Net Neutrality. Without Net Neutrality, opportunities arise for these

ISPs to directly engage in ethically questionable business practices including the limitation and complete control of service over a given consumer's network. Reversing the *Open Internet Order* legislation of Net Neutrality would be evoking a practice no different than the censorship evidenced in cases like *Board of Education v. Pico*, which dealt with the subject of banning books in school. While books may appear to be a vastly different venue, medium? the core subject matter also revolves around the restriction of information consumption, much like the internet without Net Neutrality. In a society with censorship in the absence of Net Neutrality the possibility of an ISP monopoly could emerge, leading to confined consumer selection and the eventual destruction of all privately owned technological businesses. Without immediate action to preserve the principles of an open internet, the fight to keep Net Neutrality will most likely become aimless due to the insurmountable influence that both ISPs and accompanying content providers (CPs), such as Netflix or Google, will possess in that monopolistic landscape.

NET NEUTRALITY: ITS SIGNIFICANCE AND RELATION TO THE FCC

Net Neutrality specifically involves keeping the internet an open and available source of incredibly varying data, but those specifications are merely an extension of the basic rights to intellectual freedom we already have in the United States. Intellectual freedom, formally defined by professor and researcher Shannon Oltmann is “the right of every individual to both seek and receive information from all points of view without restriction” (Oltmann 153). This implies that it is a concept which can be applied to any intake of information, from the books that belong in a library to the last website visited on your preferred internet browser. To speak against that intake of information would mean challenging the foundations of intellectual freedom itself, but that appears to be precisely what the FCC has been attempting to do. Defenders of the FCC, such as internet industry analyst Larry Downes, argue that the organization's main objective is to remove the internet's 2015 reclassification as a utility, provided through Title II of the Communications Act of 1934 under the *Open Internet Order*, rather than all of Net Neutrality. In particular, Downes mentions in his written dismissal of Net Neutrality how head chairman Ajit Pai “has objected strongly to the reclassification of the internet as a utility,” specifically “devoted to the legal and economic risks

of public utility reclassification” (Downes 6). Perhaps the most significant problem with this effort is that Pai’s initiative is entirely driven by the financial attributes of the conversation. Pai is not taking into account the censorship and loss of intellectual freedom that would come alongside those economic specifications, subsequently ignoring the injustice that accompanies that restriction.

Pai’s actions will represent a direct removal of information access, no different than *Board of Education v. Pico*, which proved that the “disapproval of materials or fear of misconduct does not supersede the constitutional rights of [individuals]” (McLaughlin and Hendricks 9). Even though books still have a recent history of being banned or challenged by parents and faculty (at least in the United States), the results of *Board of Education v. Pico* set a legal precedent that government has since largely abided by. Within that case, censorship could not rightly be employed by permanently pulling a book off the shelf for the sole reason that they do not agree with its viewpoints, and this same sentiment should be directed at chairman Pai with the internet in consideration. What Pai does not seem to grasp is that the internet in its current form is in some ways just like a library, acting as Professor Oltmann refers to as “a neutral conduit between speakers (even those from the distant past, whose words are preserved) and information seekers” (Oltmann 157). Similar to a library, the internet has thrived on the ability to both express and engage with a wide variety of informative content without outside interference, creating a connection between those currently searching for that information and those who had written it in the first place for others to find at a later time. Eliminating the internet’s utility classification is no better than the removal of a book from a school’s library shelf, corrupting the state of that neutral conduit which allowed for the connection between information to be made as it was intended. It opens the door for ISPs to manipulate their service based upon their own viewpoints rather than any universal regulation, which naturally complicates our rights to intellectual freedom. To make matters worse, the FCC’s workaround for the issue is nothing more than faith that ISPs will continue to abide by the core principles underlying Net Neutrality. Technically, the internet was under no regulation for decades before Net Neutrality was first officially instantiated, and Net Neutrality opponents seem to be quick to note how ISPs abided by those principles back then, as “the kinds of behavior net neutrality prohibits are either counter-productive for broadband providers to engage in or are already illegal under anti-competition laws” (Downes 4). While its

counter-productive nature could be argued, the notion of predefined laws already limiting ISPs is an interesting counterpoint given that it would have been the only source of lawful supervision for the years before the *Open Internet Order*. However, the World Wide Web has been radically evolving since its inception, and the supposed clean track record that ISPs had before an official open internet should not be an indicator of how they would operate under new FCC regulation. In an environment where ISPs directly dictate to consumers, proponents of Net Neutrality will be the first to opine, such as Harold Feld within his critique of the FCC, that anyone holding the “belief that profit-maximizing firms will not seek to maximize profit [in that situation] just because they ‘promise’ to protect net neutrality and respect the open Internet is willfully blind” (Feld). In other words, the corporate nature of ISPs should not be overlooked, as ISPs could only increase profit from an abolishment of Net Neutrality and will most likely do anything in their power to achieve that profit. To take away the utility classification would only serve to feed that ISP greed and essentially remove books from the shelf, especially since our dependence on the internet as a tool to use our right to intellectual freedom has only grown.

The utility classification of the internet is much more complex and unique than others under the same grouping since it relies upon the consumption of information rather than a living condition service like water or heating. For instance, with a water utility, provided water can be used for your plants, cleaning, or drinking, but the extent of its usefulness tends to end there. Downes claims that a similar situation will infiltrate broadband as well if regulation is kept as it is, as utilities in general “eliminate incentives for investment, innovation, customer service, and maintenance. The sad state of most U.S. power, water, and mass transit systems painfully illustrates that point” (Downes 4). To Net Neutrality opponents, keeping Net Neutrality would eventually drain aspects of ingenuity out of the internet, but the difference is that these comparisons to other utilities are not one-to-one due to the versatility that the internet provides. Even the official regulation outlined in the *Open Internet Order* accounts for this, mentioning how it is specifically “tailored for the 21st century, and consistent with the ‘light-touch’ regulatory framework that has facilitated the tremendous investment and innovation on the internet” (Wheeler et al. 3). This passage is proof that the *Open Internet Order* was written with the possibility of this apprehension in mind to begin with, stating that its rulings are specially designed to maintain innovation on the internet,

thus making the argument redundant. However, there is perhaps no other aspect of the internet that differentiates itself the most from other utilities as the presence of CPs do. Corporations such as Google and Netflix fuel the World Wide Web as we know it, as it is the content and wealth of information that keeps consumers engaged with the technology, not the access to it (the only aspect an ISP provides). These CPs are the “speakers who offer opinions, ideas, and information,” when consumers become the “listeners that evaluate the multiple ideas available and choose what they want” (Oltmann 160). In an intellectually free internet, CP consumption is solely dependent on the preferences of the individual since there is no restriction on that CP consumption and, most importantly, their ISP does not matter. On the other hand, as professor Marc Bourreau and his team analyze in their research paper on the economic effects of CP competitive strategies, it appears that “consumer surplus is not affected by a departure from Net Neutrality if the ISP can fully extract the surplus from the consumption of content” (Bourreau et. al 32). This entails that Net Neutrality and the classification of the internet as a utility may actually have no direct correlation to the innovation of the internet, but is instead dictated completely by the CPs that provide it the business to begin with. What it does have an effect on is the control of those consumers. If consumer intellectual freedom becomes compromised, then ISPs will have more leverage on CPs and consumers. However, the actual number of consumers is not affected because they will continue to pay an ISP, if only to continue their CP consumption. In other words, the relationships between ISPs and CPs are dependent on one another, as none can survive in the technological landscape without the other’s presence.

NET NEUTRALITY ABROAD

Across the globe, in India, a similar situation with telecom companies, the Indian equivalent to ISPs, and Indian Net Neutrality has been surfacing with their own ties to CPs becoming a topic of discussion. In India, there exists the possibility of CPs merging with telecom companies for mutual business interests, but in such a relationship neither source has leverage over the other, as is evident in the United States. Indian Net Neutrality follows the same general principles as Net Neutrality in the United States, which American professor Hal Berghel describes as a legality that “interferes with the ability of broadband providers to maximize corporate profits and for this reason faces strong opposition from

the providers and their political emissaries” (Berghel 68). To an arguably larger degree than even in the United States, the final determining factor regarding Net Neutrality in India will most likely come down to the profit of participating corporations. Telecom operators and major CPs alike will most likely decide upon whichever option produces the most financial gains, and if these two entities were to merge, consumers would then be almost guaranteed legal service discrimination in an economy that would be visibly losing all Net Neutrality principles. Just like the United States, India would succumb to, as professors McLaughlin and Hendricks would describe, a government regulation that is deliberately “limiting access to [information] without legitimate concerns and due process,” which is also “antithetical to [intellectual freedom]” (McLaughlin and Hendricks 11). As a result, the presumable death of all privately owned technological businesses becomes inevitable, since small administrations would most likely be unable to meet the funds and profits necessary to be able to also merge with a telecom company in an economy based on service discrimination. This legal enactment of censorship now not only limits an individual’s intellectual freedom, but also potentially hurts their own profit if they are an owner of such a private technological business—a potential issue not limited to India either. Emphasizing the future of users in their detailed paper, associate professors Debarshi Mukherjee and Sonia Dhir explain how in a merged environment major CPs and telecom companies in India will “start dictating consumers on application selection, and certain sections of those consumers may get affected due to claustrophobic choices” (Mukherjee and Dhir 86). Mukherjee and Dhir are direct with this notion, concisely stating how such a merger will heavily limit the user’s breadth of content available to them, since they would only be able to access content that their telecom operator has merged their business with. However, their description also includes a mention of “claustrophobic choices,” referring to the idea of a market with very few, if any, options for their telecom company selection. The inclusion of the phrase “claustrophobic choices” alone has all the trappings of a telecom operator monopoly, entailing that losing the Net Neutrality battle in India appears to be no different than the overpowering of ISPs and CPs seen in the United States.

CPS AND ISPS: RELATIONAL COMPLEXITIES

In comparison to India, the relations between CPs and ISPs are more peculiar in the United States, perhaps mostly because they appear to be primarily built upon the state of their current competition. In an academic paper by professor Hong Guo and her group, this relationship is highlighted by explaining how “packet discrimination in the presence of ISP competition will sometimes amplify the competitive advantage of the more efficient CP, even to the extent that the more efficient CP is better off with paid prioritization compared to any outcome under the net neutrality regime” (Guo et al. 367). This reinforces the idea that the competition of ISPs can be directly linked with the competition of CPs, suggesting that CPs with more power will find it advantageous to latch onto the more powerful ISP in their own competition. Both of these tactics employed in India and the United States not only show attributes of corruption within their practices, but also demonstrate how an ISP (or a telecom operator) will always want to utilize some derivation of packet discrimination—the limiting of a consumer’s network data, even in a competitive environment. While Guo’s team places an emphasis on the competition aspect of the topic, they also interestingly imply that CPs in addition to ISPs, could attain more financial success without Net Neutrality. This is because directly paying ISPs for fast-lanes, a concept where ISPs allow better services to a specific CP, would always be more beneficial for their own competitive gain. Bourreau’s team describes this further as “traffic is managed more efficiently, as some highly congestion-sensitive CPs are able to enter the market when a prioritized lane is available, while they choose to remain out of the market when there is only one best-effort lane for all CPs” (Bourreau et. al 66). To paraphrase, ISP discrimination entails no complete negative attributes to CPs, because if there are no universal fast-lanes for every company to take advantage of, then they could reliably pay their way to better network traffic with a prioritized lane. Unfortunately, this does mean that users are the ones who are once again greeted with the negative sides of the situation, not to mention that the inclusion of these fast-lanes is an ethically questionable business practice to begin with.

Without Net Neutrality, it seems that both CPs and ISPs directly benefit from the absence of that regulation protecting consumers from a business perspective, and since they single-handedly compose the market, users are guaranteed to be left out to dry. As a result, the outcome of Net

Neutrality means nothing if every turn along the way is aimless and leads to a cornered market, especially given that the influence of CPs could arguably be just as (if not more) toxic than ISPs. No matter what the FCC believes, rejecting Net Neutrality is a denial of information which, as Oltmann details, “should be evaluated the way consumer goods and services are: not by any kind of political or intellectual authority, but rather by an open-ended process that measures and integrates the ongoing valuations of all the individuals who comprise the relevant community” (Oltmann 160). Oltmann’s passage is describing how information itself should be strictly organically judged by the audience that it is primarily intended for, without any kind of tampering from outside forces, and it is for this reason that internet connectivity has thrived for so long. The open-ended nature of the internet has continuously created new industries and communities, many of which have achieved their success by pinpointing certain subjects of information that appeal to varying numbers of individuals, and this has proved along the way that the real entity requiring reform is not its classification or regulation (as the FCC stands by), but the corporate conglomerates that power its existence. Even in India, Mukherjee and Dhir clearly recognize how “free and cheap communication is the fuel to the engine of globalization, and hampering Net Neutrality would mean hampering the very essence of globalization itself” (Mukherjee and Dhir 90). In the context of Mukherjee and Dhir’s paper, their use of “globalization” refers to the intertwining of economic business and trade across the world through the versatility of the internet, and by threatening the internet’s methods of accessing information, Mukherjee and Dhir believe that globalization’s impact on the entire world’s economic factors are at risk. The internet has single-handedly elevated nearly every business and activity to an international scale, and this development has been possible due to the internet’s general ease of access and control. If these restrictions are placed upon that ease of access, then those international businesses and activities are at risk, which is not an issue exclusively relevant to India’s Net Neutrality conversation either as the same could be said from the United States’ perspective. The preservation of Net Neutrality around the world implies the preservation of the world’s current connectivity as we know it.

MAINTAINING NET NEUTRALITY: CURRENT ADVANCEMENTS AND COMPLICATIONS

Protecting the foundations of Net Neutrality requires a joint effort from users to retaliate against this threat. Immediate action has already been taken by select groups in the form of protests, but interestingly enough, among those groups are some CP conglomerates such as Google, Facebook, and Amazon (Public Radio International 2017). After analyzing the actual influence CPs can possess, which can even rival ISPs at times, this alleged alliance with users among the set of protests is hypocritical at the surface. In their book *The Illusion of Net Neutrality*, Robert and Eva Zelnick specifically describe this complication with Google, detailing that while they have “helped lead the charge for network neutrality, its search engine is about as non-neutral as they get” (R. Zelnick and E. Zelnick 149). Furthermore, its “search algorithm reportedly has over a thousand variables or discrimination biases that decide which content gets priority in its search results” (R. Zelnick and E. Zelnick 149). In other words, Google deliberately prioritizes their own material (which includes subsidiaries, such as YouTube) coming up first in search results, directly limiting consumer access to information by primarily displaying material Google themselves will profit on. At its core, this methodology is no different than the ISP and FCC controversy that has ignited the Net Neutrality altercation to begin with, the only difference being Google’s more masked approach. Google is a CP that many of us utilize, sometimes without even stopping to realize it, so we may be apprehensive to deem a set of services that we generally claim to enjoy as manipulative. However, through McLaughlin and Hendricks’ viewpoint of intellectual freedom these discriminative Google algorithms would be restricting our information access, stating that “the mere possibility of a disruption does not give support to restrict intellectual freedom” (McLaughlin and Hendricks 9). Google, possibly along with many of the other conglomerate CPs that took part in these protests unfairly silences the voices of others through these algorithms in order to hide possible competitors. The ‘disruption,’ in turn, limits our intellectual freedom to develop ourselves and interests. While such a notion may seem to be an extremity, this limitation is both apparent and effective due to the incredibly high frequency users who? utilize Google’s services on a daily basis, especially since they have arguably cornered the market with some of those services. Google has undoubtedly established itself as a technological monopoly

with their search engine and YouTube, truly revealing their hypocrisy with their supposed support for an open internet. Without Net Neutrality, Google could potentially gain substantial profit for specialized fast-lanes, and users will pay for those premiums simply because those services have become so heavily integrated into the internet's ecosystem. Having such an enterprise at the forefront of the Net Neutrality debate completely corrupts the very battle itself, as their incorporation of service discrimination is yet another instance of censorship upon users. No different than a library full of books, the internet should be able to "provide places where people can access diverse information, including information that may not be tolerated within their community or culture; where people have the privacy and the intellectual space to 'try on' new ideas and ways of thinking" (Oltmann 157). In Oltmann's ideology, the only limit people have to expand their intellectual scope is the extent of their own desire, and the simple fact is that CPs such as Google are only restricting that, making them no better than the ISP corporations they are claiming to stand against. The degree of the manipulative tactics from a CP like Google, will ultimately be determined by the FCC's new decision.

The extent of our intellectual freedom's possible restriction simply depends on the breadth of the effects of all decisions regarding Net Neutrality, which is not exclusive to the controversy of challenging the *Open Internet Order*. In their detailed analysis of Net Neutrality, Professor Marc Bourreau's team brings attention to a new topic of discussion, which is how "the FCC exempted cellular operators from most of the Net Neutrality rules on the grounds in particular that the cellular industry is typically more competitive than the fixed-line industry, suggesting that competition might itself bring Net Neutrality, without mandating it" (Bourreau et. al 66). What makes this case particularly intriguing is the overlap that exists between cellular and fixed-line distributors such as Verizon, which surfaces a variety of questions regarding the competing forces in the traditional fixed-line space versus the mobile market. Yet, contrary to Bourreau and his group's interpretation, this FCC ruling does not appear to be one conceived with the idea of actual competition in mind. Instead, it seems that the FCC is simply downsizing the impact that any additional regulation (or the diminishment of current regulation) may have, as extending the matter to cellular carriers would only further complicate the issue. Due to the pervasive nature of mobile phones in modern society, one would most likely assume that a technological area with such a substantial install base would take priority in the official legislation. However

in its current state, the mobile market is left in a strange position where any direction Net Neutrality takes will definitely affect it due to its tangential relevance, but cellular carriers themselves will not be governed by the actual active legislation. Despite this, there are still individuals such as Professor Hal Berghel who would most likely agree with the analysis of Bourreau's team, as he claims that "all the FCC did in its decision [with the *Open Internet Order*] was to bring some aspects of Internet delivery under the rubric of the same common carrier regulations as the telephone" (Berghel 69). Berghel is insinuating that the *Open Internet Order* only placed broadband on the same playing field as phone carriers, suggesting that their current regulation already resembles Net Neutrality in some form, possibly through the process of competition itself (as suggested by Bourreau's team). If Berghel and Bourreau's team are correct in their interpretation, then the exemption of the mobile industry may be the only aspect left that guarantees the preservation of the foundations of Net Neutrality in some form. If the academics are incorrect, then it seems that the exemption is nothing more than the FCC favoring to sort out the Net Neutrality debate in its current form rather than adding even more drama and deliberations to the topic by bringing cellular carriers into the discussion, revealing hints of cowardice on their side. In either scenario, due to the way that the FCC has handled the situation, the full extent of the mobile market's involvement will still not be fully determined until a later date.

CONCLUSION

Now that the final decision from the FCC is looming over the heads of all users of the internet, only time will determine the gravity of its forthcoming effects. As the accounts of Indian authors like Mukherjee and Dhir have illustrated, this decision could potentially affect the fates of all possible Net Neutrality regulations across the world, establishing a new dominion for ISP and CPs alike to reign in even though the regulation itself is exclusive to the United States. The United States holds significant influence in the world, especially in technological spaces, but the internet's interconnected nature allows any failure to maintain an open internet to potentially collapse the World Wide Web's ecosystem as we know it. While the actual battle for Net Neutrality itself appears to be universally beneficial, complications arise in the United States with its cost of maintenance and future of ingenuity as a utility. However, despite

these adverse characteristics, the possibility of an ISP monopoly is only heightened in an environment without Net Neutrality, and the main corporations involved will do whatever they can to profit from the situation. What unravels from there could be a mix of deliberate service discrimination, corporate conglomerate merges, and the eradication of privately owned technological businesses. If action is not taken soon against this decision, any future fights for Net Neutrality could be aimless. The power of CPs and ISPs will most likely become too significant in comparison with consumers after an extended period of time because they will have lost the intellectual freedom guaranteed by Net Neutrality. To remove the open internet is equivalent to robbing every user of their basic rights, which should facilitate the freedom to access a wide breadth of information—not subject users to premiums for fast-lanes. The United States government has largely stood by the proposition that it is unjust to remove a book from a library under the simple notion that it is offensive. This time honored make it clear that there is no excuse for the FCC to restrict the internet.

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DO PARENTS REALLY KNOW BEST?: ETHICAL ISSUES CONCERNING MEDICAL CONSENT FOR MINORS

—
Olivia Chan

ABSTRACT

This paper explores the concept of patient autonomy for minors in medical and research situations, such as deciding to undergo operational procedures or participate in research studies. Current legislation suggests that the process of obtaining informed consent requires parental involvement, potentially barring minors of their rights to making decisions about their own bodies. By highlighting a series of court cases and scholarly articles surrounding children, advocates, and their search for autonomy, this paper will show that the issue of informed consent for minors is multi-faceted, requiring consideration from different standpoints. Instead of the rigid laws currently in place for autonomous consent for medical procedures by minors, perhaps a case-by-case basis should be employed. This paper explores a handful of possible solutions that have been implemented elsewhere and could be useful for the United States. The findings and suggestions in this paper serve as implications for a societal shift that is occurring, and the legislation that lags behind it.

INTRODUCTION

Informed consent grants permission to medical personnel to proceed with treatment and research involving their patients. This is a crucial component to today's healthcare system. As of today, only patients over the age of eighteen can give their own consent. If they are below this age of consent, medical staff can receive proxy consent, delegated by a family member. A number of ethical questions have been raised in response to this protocol. This process can stifle competent children from making decisions for their bodies, or prevent the best decisions from being made. In recent news, the parents of Charlie Gard, a terminally ill boy from the United Kingdom, tried the Higher Court for denying further care for Charlie although it was in the child's best interest to be put off life support and "die with dignity" (Bilefsky). This raised the concern if the parents were seeking the best for their child, which is acting on paternalism.

Willard Gaylin and Ruth Macklin from the Hastings Center describe paternalism as “the interference with a person’s liberty of action justified by reasons referring exclusively to welfare, good, happiness, needs, interests, or values of the person being coerced” (Gaylin, Macklin 21). Paternalism is thought of as the fundamental instinct for parents to wish the best for their children and because of this, the legal implications of proxy consent are often considered with paternalism in mind. While the long-standing notion of proxy consent is the current standard, the idea may lead parents to stifle and be over-controlling of their children in medical circumstances. This argument is certainly complex, because healthcare providers have the obligation to provide the best advice for their patients, while parents have the obligation to fight for what they believe is right for their children. The topic of proxy consent is multifaceted, because it encompasses a number of different medical circumstances, such as abortion rights, elective cosmetic surgery, and end-of-life decisions that each deserve different criteria for defining informed consent. The current policies that exist are dated, not backed by medical evidence, and do not consider such situational differences. *The New York Times’* Dan Bilefsky also notes the Charlie Gard case “offer[s] a cautionary tale of how a legal battle, scrutiny by the global news media and intractable differences between parents and doctors can spiral out of control in the social media age” (Bilefsky). This event further shows that the issue of proxy consent will continue to be prevalent in society, due to the inevitable development of medical technology and the creation of bipartisan views on the issue through the nuances of social media.

The complexity of minority consent has led to the prompting of the question: What standards, policies, laws, and regulations should serve as guidelines for proxy consent for minors in particular medical circumstances? This then raises questions about the level of involvement the government and hospital systems should have on medical choices parents make for their children. Furthermore, we must consider in what circumstances a child has consent over his own body. Two terms are important to define as they are often brought up in discourse regarding consent – autonomy and competence. The term “autonomy” refers to a patient “ha[ving] a right to determine what shall be done with his own body” (Gaylin, Macklin 12). This concept is fundamental to healthcare and must be explored in order to question the current restrictions of proxy consent, which do not allow children to determine what shall be done with their bodies. Another key term and parameter that needs to

be redefined concerning the issue of minority consent is “competence;” children are currently defined as incompetent and not able to make clear medical decisions for themselves, but scholars have argued otherwise. Answering the question at hand will involve the exploration of a number of different legislative cases to show how ethics and emotions can interfere with prioritizing care for children. These cases will demonstrate how informed consent for minors is not as clear cut as it appears, rather it is a spectrum where precedence for who is to make the final decision for the child is unique. It is possible to view this issue through a cultural lens because cross-culturally, people hold different ideals and beliefs that may affect their views on the policy of minority informed consent. Children who grow up in America may have more modern values than the traditional ones that their parents have from their native countries. This lens adds onto the argument between paternalism and autonomy that exists within most test cases. The issue of proxy consent is an important matter, because current policies challenge fundamental human rights. There is controversy surrounding the movement to change old societal standards where parents have complete control over their children’s bodies. If this problem is not brought to attention, a large demographic of the population will continue to be voiceless in their most vulnerable states.

CONTEXT

The history of legislation concerning minority informed consent has not been given much attention. Until the early nineteenth-century, there was a long-standing belief that children were property of their parents and therefore, were not allowed to make their own decisions. The notion of proxy consent was born out of this attitude. During the Industrial Revolution, individuals were concerned over the well-being of children who were exposed to hazardous work environments. Although children’s health was a growing concern in contemporary history, it took over a century for lawmakers to begin writing legislation towards children and their own consent. The first significant piece of legislation regarding consent for minors was made when the legal voting age was changed from twenty-one to eighteen in 1971. Eighteen was then made the age of informed consent. In 1979, the Supreme Court of the United States recognized that “minors had a right to privacy” (Schlam 148). This paved the way to children’s autonomy, because higher officials recognized the importance of children’s personal privacy. In 1989, the Illinois Supreme

Court determined that the age of eighteen should not be the set definition for giving informed consent (Schlam), which showed that legislators began to realize how rigid current standards are. The history of minority informed consent shows that it has taken some time for legislation to catch up with the contemporary ideas of children's rights. Children for a good span of history, have been perceived as the property of, or inferiors to their parents and are thus policed by them when they are in their most vulnerable states. As progressive as healthcare legislation has become, there still exists a lack of equal representation for children in the medical setting.

LITERATURE REVIEW

Scholars in the field of medicine, bioethics, and law have made arguments on the matter of minority consent. Dr. Pranit Chotai from the University of Tennessee, in his work "Surgical Informed Consent in Children: A Systematic Review," defines the matter of minority consent as an administrative issue that must be reformed to match present-day standards. He sees that there is a lack of transparency, which may cause parents difficulty in completely understanding the consent they are "proxying" for their children. Although he proposes new protocols for better education and delivery of informed consent for parents and their children, Chotai does not discuss the moral and ethical issues that stand with proxy consent. From a different standpoint, Imelda Coyne, the Director of Children's Nursing and Research at Trinity College Dublin University, suggests in her article, "Research with Children and Young People: The Issue of Parental (Proxy) Consent," an approach of assessing children on a "case-by-case" basis for competence, rather than defining such by a legal age. Coyne brings up a viable solution that will increase the representation of children in their own medical decisions, but does not touch upon the specific parameters that must be measured when evaluating the competency of an individual. Finally, in his book *Medical Ethics*, Michael Boylan, a professor of philosophy at the University of Chicago, brings up the theory of "ethical non-cognitivism," which accounts for varying ethical views across cultures that can affect attitudes towards ethical situations. Boylan provides insight that parents may hold different views on the medical profession or of their own children and thus, may act differently with physicians when given the task of consenting for their children. Although he provides a cultural lens to the problem, he does

not particularly concern his work with minority informed consent. These scholars are prevalent figures in their respected fields and have paved an excellent foundation for the underlying ethical issues of minority informed consent, but fail to prioritize a definitive solution and implementation.

THE PROBLEM EXPLAINED

The legal, political, medical and technical issues involving proxy consent makes offering a clear solution complex and multifaceted. Gaylin and Macklin describe that children are special cases in the medical population, because they are “a population that is not impaired, but instead is in a transient phase of normal development awaiting only the passing of time for the inheritance of their legal (if not actual) maturity” (Gaylin, Macklin 7). This is to say that children in the medical setting are not necessarily unable to make decisions, but rather, are simply not of legal age to do so. As a consequence, Gaylin and Macklin say there exists a problem in “deciding who speaks for the helpless, [and] the added burden of defining who is helpless, or more precisely, who is incompetent to decide” (7). Mayne, a child research ethics scholar, elaborates that because of this technical definition of childhood incompetency and standing notion that parents are superior, children are:

perceived as weak and vulnerable, and in need of protection (Hurley and Underwood 2002), lacking the ability to form opinions or make reasoned decisions (Theobald, Danby, and Ailwood 2011), and unable to understand the role of a research participant (Thompson 1990)...[leading to] discriminat[ion] in terms of how well young children are listened to (Christensen and Prout 2002) (Mayne 300).

As a result of the legalities in place for proxy consent, children are stifled from being autonomous in their own medical decisions. By being defined as incompetent and not mature enough to understand what is happening to them or going to happen, minors are often left out of the deliberation process of their bodies.

A specific scenario where paternalism conflicts with patient autonomy is the issue of mandating consent for abortions by minor-aged, unmarried women. With the exception of fifteen states, all women who are under the age of adulthood who seek an abortion must be proxy consented by a legal guardian to undergo the procedure (Coleman, Rosoff

Page Number Needed For Citation). In the case of *Planned Parenthood of Missouri v. Danforth*, where parents sought to have control over the decision of abortion for their child, it was ruled that “any independent interest the parent may have in the termination of the minor’s daughter’s pregnancy is no more weighty than the right of privacy of the competent minor mature enough to have become pregnant” (Gaylin, Macklin 78-79). Likewise, Coleman and Rosoff find it rigid that “17-year-olds are often adjudicated ‘immature’ by the courts (along with 14-year-olds) even when they are doing well in school, working part-time, and thinking about their futures” (Coleman, Rosoff 790). Through this case study and evaluation of current legislation, it is evident that the autonomy of the underage women prevailed over their parents’ paternalistic efforts. In this circumstance, it has been evaluated that women in this position are clearly mature enough to make competent decisions that are in their own best interests.

Another scenario where the issue of paternalism and autonomy for proxy consent exists is the case of elective cosmetic surgeries. In the realm of plastic surgery, there is a perceived psychological risk with underage children undergoing elective procedures. It has been observed that:

Between the ages of 13 and 19, there’s a lot of emphasis on peers and what others think of you’...Therefore, it is important to determine whether or not these patients are requesting surgery to satisfy their own interest or to meet the expectations of someone else, for example a parent or boyfriend (Singh 57).

In the case of *Burrell v. Hammer*, where children sought to get tattoos, it was declared that “if a child of the age of understanding was unable to appreciate the nature of the act, apparent consent to it was no consent at all” (Gaylin, Macklin 83). In this particular scenario, children seeking cosmetic surgery should not be given full autonomous rights, because there are psychological risks associated with the procedures. The best interest of the child, in this case, is to withhold autonomous consent, because they are incompetent of evaluating the risks associated with cosmetic surgery.

A third area of conflict in determining the criteria for decision making for children is in the context of making end-of-life decisions, between the children and their guardians who have immigrated to America and may not hold progressive values. The discussion of end-of-life

decisions contains different perspectives from both first- and second-generation Americans, which is why the issue of proxy consent must also be evaluated through a cultural lens. In discussing the differences between values of first- and second-generation Indian-Americans, Rashmi Sharma notes that first-generation Indian-Americans, people who are naturalized citizens, “expressed personal preferences regarding decision control... that end-of-life decisions should be made by the patient” to “spare family members the emotional burden of having to make difficult end-of-life decisions rather than on a desire to promote patient self-determination” (314). On the other hand, there were second-generation Indian-Americans that expressed the desire for family-centered decision-making to move the burden off the patient. In this particular case, it is seen how contrasting values between first- and second-generation Americans instill different mindsets towards the decision-making process; each group has different ideas of what is to be done in the best interest of the patient. In application to the implications of proxy consent, there is a chance for these conflicting views to appear when discussing end-of-life care for children. There stands a natural tension between the “old-world views” of elder immigrant parents and the progressive ideas of their children that will be at the pinnacle of debate and cannot be ignored. These three varying scenarios show how contentious the topic of proxy consent for minors is.

DISCUSSION AND POSSIBLE SOLUTIONS

Although there are long-standing logical reasons behind the legal aspect of minority consent, there are moral and ethical issues involving the prevention of children from making decisions for themselves. There exists a conflict between the parents of children, medical professionals, and the children themselves over who has the ultimate say in the informed consent process of minors. Gaylin and Macklin propose there is “a hierarchy of conflicting values, the gratification of some of which is often only at the expense of others: the rights of the child versus the rights of the family; the right to privacy versus the right to safety; the right to autonomy versus the right to health” (25). They believe that in the case of minor consent and the dealing of proxy consent, all parties involved will not be satisfied with the decision ultimately made. Medical professions have the obligation to pursue options that are in the best interest of the child’s health. On the other hand, parents may believe that their child

would be pained by the procedure or believe that the outcomes may be grim, therefore not providing consent. Finally, the children themselves may not agree with either party, or be indifferent about their options and may want clarification. This conflict has existed since the introduction of proxy consent and the acknowledgement of children's rights. Parents ultimately act on paternalism, as Coyne says in terms of medical research, "endeavor[ing] to act in the best interests of the child and safeguard their welfare (Edwards and McNamee, 2005)...us[ing] actions to persuade their child to consent to take part in research...[which] would clearly be unethical" (231-232). Although it has been presented that the criteria by which proxy consent should be defined is situational based on different medical procedures, there is a stronger ethical argument for autonomy to take precedence over the age-old idea of paternalism. In the example of abortion rights, a pregnant woman in most cases is competent enough to have autonomy over her body and be able to make the decision to have an abortion, because she understands the ramifications associated with the procedure and potential parenthood. In all, children should have the right to their own decisions in most medical situations, especially because they are in their most vulnerable states of health, and are ultimately being affected by these decisions.

There are current solutions proposed by scholars in the field to lessen the degree to which proxy consent is used and to provide children with more autonomy in various situations regarding their bodies. At the administrative level and in cases where children are barred from consenting, Chotai calls for the "implementation of relatively simple measures, such as use of information adjuncts (brochures, Web pages, and smartphone apps), defined time for parental concerns and/or questions, and optimizing the setting in which IC (Informed Consent) is obtained" (197). This will ensure that parents comprehend the risks and benefits associated with the procedure they may or may not consent their children to and prevent them from making decisions purely off paternalistic impulses. In terms of educating the population of children's autonomous rights, Mayne proposes the use of "Interactive Nonfiction Narrative," a curriculum using technology to build competency in young children and teach them their fundamental right to assent and dissent to participation. She created this learning tool under the belief that "most children are quite submissive when faced with an authority figure..., but [this] process had provided this child with a 'safe' way to opt out" (Mayne 309). This technique was employed in Australia and proved positive results, showing

the possibility to educate young children on their rights to decision-making. By employing such techniques in the United States, children can gain competence to form their own opinions and decrease conflict in courts when deciding verdicts in limit cases.

From a legal standpoint, there are policies that courts can adopt to help decide who is to make the final decision for a child for a medical procedure. Coyne proposes that “There is not a clear link between a child’s chronological age and his/her level of competence; hence it is essential that each child’s level of competence should be assessed individually” (229-230). As consent for minors is given on a case-by-case basis depending on the type of procedure, legal stratifications will not be one size fits all. In order to make legal judgements with this in mind, courts are to perform maturity tests to stratify competency in hopes of accessing whether or not the child should have the autonomy to make his own decisions. Coleman and Rosoff “suggest that the maturity test should address aspects of the child’s development and experience including age, level of education, success in school, engagement in work or other extracurricular activities, disciplinary issues, and future plans” (792). For example, if a child wants cosmetic surgery, this test could be administered so that the parents and medical professionals can be assured that the child is aware of risks associated with the procedure. The implementation of more maturity tests in courts will greatly reform the current rigid policies that are in places for proxy consent.

THE PROBLEM RECONSIDERED

Although there are proposed reforms to give children more autonomy and to divert from the paternalistic mindset, there must be a change in the way people generally view children in the medical setting. From a cultural perspective, parents who are not from the United States hold different views about their child’s rights and the medical profession in general. This can be further supported by Lakes et al., who have studied cultural differences in the informed consent process. They cite that differences in “reasoning styles and other psychological or social processes... play a role in decision-making [and] should be a primary determinant of whether the informed consent communication process is culturally appropriate” (Lakes et al. 218). Coyne adds that parents who grow up on traditional values:

May feel obliged to consent to their child’s participation through

respect, gratitude or just simply because they want to be seen as nice, agreeable, co-operative people (Harth and Thong, 1995)...[which] may lead to instances where a parent gives consent when their child may have declined if they had been approached directly for his/ her consent (231).

This shows how cultural norms are at odds with progressive movements to give children more autonomy. While one can understand the importance of cultural differences and cultural practices in general, when a child's life is on the line, it is vital that the child be able to advocate for his/herself in order to receive the best care. Boylan claims that "if cultural superstition is allowed to trump received medical practice, then lots of people will be at mortal risk" (10). Changing the views of children in the medical setting is crucial to the advancement of society because as medicine further develops, so should the practice's and society's inclusiveness.

CONCLUSION

The delegation of who makes the final decision for children in particular medical circumstances is a critical issue in healthcare and children's rights. Through the exploration of multiple court cases and studies, it has been found essential that healthcare policies regarding proxy consent for children be patient-centered, to ensure their full autonomy. Opponents to this argument claim that children are incompetent to understand the benefits and risks of a medical procedure and make logical decisions on their own, therefore believing that guardians have the right to proxy consent over them. While these points are understandable, they do not effectively counter the argument that children are barred from their fundamental rights to autonomy and do have the capacity at ages earlier than eighteen to form sound decisions for themselves. By carefully examining the conflict between autonomy and paternalism through a number of medical scenarios such as abortion, elective cosmetic surgery, and cultural perceptions for end-of-life decision-making, the issue of proxy consent should be treated as a spectrum that involves ranging criteria that in all, supports the child's best interest. Returning to the case of Charlie Gard, this particular scenario was a test case that pushed standard conventions of paternalism and helped pave further movement for child autonomy. Although Charlie was not at the age to be educated on competency, the decision of overriding paternalism was ultimately justified because it had provided him with the best solution for his state of health.

Although children make up a large percentage of patients in the healthcare system, they are underrepresented and stifled from having an opinion as to what will be done to their bodies. Children should be given the opportunity to be treated as adults in their right to decision-making, because they themselves live with the outcomes of procedures, not their guardians who proxy consent for them. To ensure that children are educated on their autonomous rights in medical situations, interactive educational programs should be implemented at schools in the United States. Such programs have already been tested in foreign countries like Australia (Mayne) and deemed successful. On a legal level, controversial consent delegations should be evaluated on a case-by-case basis. By doing so, children's rights and equal representation in the healthcare setting will further progress. Although the issue is complex, it is worthwhile to find a viable solution. If this problem is not addressed, then current advancements will be undermined and children will be voiceless in their most vulnerable states of health.

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NONPROFIT HOSPITALS ARE FOR PROFIT: THE INFLUENCE OF PROFITS ON PATIENT CARE

—
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ABSTRACT

The rising cost of health care is a current trend that neglects the patient's overall well-being and reflects the Nonprofit Hospitals' (NPH) unethical shift in priority from patient care to profit, which contradicts their original charitable nature. Originally, these hospitals were distinguished by their service to both their communities and patients however, they appear to no longer prioritize charity and outreach. Due to this transition in motives, Nonprofit Hospitals, hereafter referred to as NPH, marginalize individuals by providing inadequate care to their patients' overall health in relation to Callahan's theory, The WHO Definition of Health. As described within this paper, the rise in healthcare costs more negatively than positively influence the patient's social relationships, community, and mental health due to financial stress. The high cost of health care propagates deception, mental stress, and a deterioration within the patient-physician relationship and the patient's autonomy. Additionally, NPH's minimal investment into the community reflects their growing similarities with for-profit hospitals which misleads patients towards false perceptions about their health care. The standards regarding NPH should be reevaluated to enable these institutions to better serve the patients and community more actively.

INTRODUCTION

Every day, Nonprofit Hospitals (NPH) are at the forefront of rescuing Americans' lives with knowledgeable medical staff, advanced technology, and effective medications. These same NPH are responsible for the increasing cost of health care Americans are charged annually. Among the top ten most profitable American hospitals, seven NPH made over \$150 million from patient care in 2013 (Sun, 2016). These profit margins parallel that of big corporations and are linked to high healthcare costs, which continually increase. Since 2015, Americans, on average, pay at least \$9,990 for their medical care (Amadeo, 2017). The exorbitant prices are detrimental to patients who lack financial stability or other resources. These external factors generate patient stress and endanger their overall

well-being. Moreover, the lack of transparency regarding costs and their rationale financially confuses patients who acquire medical charges. Today, the leading cause of personal bankruptcies are medical bills (St. John, 2017). As NPH continue to operate, they become increasingly financially motivated and negligent towards patients. The implications of the shift to a more profit-centered health care impairs not only the overall well-being of the patient but also that of the community, which contradicts the charitable goal of these institutions. The main priority in health care should be caring for the patients and maintaining the trust between them and medical professionals. Without this change, the medical field will continue to veer away from its initial altruism and dedication to health. NPH are becoming unethical institutions as they shift towards profit because they place a greater emphasis on financial aggrandizement than the patient's overall health.

In this paper, I mainly analyze the arguments of Thornton and Pennel which relate to the negative effects of the high medical costs on overall patient and community health as related to Callahan's theory. My first section "The Impact of Profits over Patient's Health" discusses the influence of profits which provides a foundation about their worsening effects on patients and doctor-patient communication. The increased healthcare pricing is unethical to the patient and demonstrates the failure of NPH. The problems that arise when institutions fail to prioritize the patient and do not invest for the community benefit are discussed in the final two sections of this paper.

THE HUMBLE BEGINNINGS AND TRANSITION OF NONPROFIT HOSPITALS

Hospitals have provided care for Americans for centuries. The first hospital, Pennsylvania Hospital, emerged in 1751, and was intended "to care for the sick-poor and insane who were wandering the streets of Philadelphia" ("In the Beginning", n.d.). Thus, the foundations of hospitals are tied to altruism through helping people from all backgrounds and with all different conditions. The original priorities of hospitals were charitable patient care and community enrichment, which remain the legal requirements for today's NPH ("Profit vs. Nonprofit," 2017). As of now, sixty-two percent of all American hospitals are nonprofits (Al-Agba, 2017); however, these institutions, along with the healthcare industry, have shifted towards generating trillions of dollars from medical care. As

a result, health care has become a \$3.2 trillion industry, which comprised 17.8 percent of the U.S. gross domestic product in 2015 (Amadeo, n.d.). Despite these large profits, healthcare costs continue to rise and have become more difficult for the average American to pay. According to the Pioneer Institute, “forty-three percent of adults with moderate incomes said their deductible was difficult or impossible to afford” (Anthony, 2016, p. 1). Moreover, the rationale surrounding these high prices is frequently obscured from the patient because there is little transparency regarding costs. For example, one patient was outraged after he was charged \$77 for a single box of gauze at his local NPH (Brill, 2013). Overall, the growth in profits signals a shift in how hospitals operate and serve their patients. Health care is a countrywide industry that significantly affects Americans every day with its costs and policies.

THE IMPACT OF PROFITS OVER PATIENTS' HEALTH

One of the issues contributing to a profit-centered hospital system is pharmaceutical companies that provide incentives to physicians who do not put the well-being of the patient first. This practice promotes a deterioration in the patient-doctor relationship. Physicians are encouraged to promote certain drugs, which may be of financial benefit, over others. As a result, physicians are persuaded to neglect patients in the best interest of the pharmaceutical companies. For instance, within one study, one participant noted “[free drug samples] might mean that a patient may not always get the best drug prescribed for their needs, because the doctor will be partial to using the pharmaceutical company that has paid him” (Perry, Cox, D., & Cox, A. D., 2014, p. 483). This prevalent practice in which physicians prioritize financial gain and exploit their patient’s naivety to earn dishonest money causes them to prescribe a potential substandard treatment. Moreover, the physicians’ judgements may be biased, leaving patients to pay unjustly for care that has not been catered to their specific needs. Yet, even if the medication alleviated the symptoms, the lack of disease does not “...guarantee ‘social well-being’” (Callahan, 1973, p. 81). Within these interactions, the patients are misinformed by their doctors, whom they faithfully trust to make significant decisions that affect their livelihood and longevity. Likewise, in unfamiliar situations, such as emergencies, patients depend on the acting physicians without having time to evaluate different options (Meyer & Ward, 2013). Physicians have a duty to be informative and provide reliable resources to their patients

in vulnerable conditions, yet when doctors disregard their responsibility, they fail to reciprocate respect to patients. Within NPH, patient-driven care is essential to their core focus. Having physicians influenced by profits contradicts their values and negatively impacts patient outcomes.

NONPROFITS FOR PROFITS

As the focus of NPH are beginning to shift to financial gain, they operate similarly to for-profit hospitals. This direction misguides patients into accepting false assumptions about NPH. The distinguishing factors between NPH and for-profit hospitals have diminished despite their initial apparent differences. NPH are rapidly changing the ways they treat their local community and bill patients. Within their research, Valdovinos, Le, and Hsia (2015) uncovered that only a minority of the NPH's budget was used for charity care, suggesting their preference toward business over charity. This issue highlights the dilemma regarding the NPH in their transition from their original intentions. Since their development, these hospitals were differentiated, both fundamentally and operationally, from the for-profits by their charitable nature. Now, a majority of NPH are placing monetary gain over community benefit, which exploits their status as charities. These institutions are endowed with generous benefits, such as tax exemptions that enable large savings, which are not primarily reinvested towards charitable initiatives. This dichotomy in their current goal compared to their original focus deceives the public who perceives nonprofits more favorably as "more trustworthy and warm... than for-profit institutions" (Drevs, Tscheulin, & Lindenmeier, 2014, p. 176). Thus, public perceptions do not accurately reflect the NPH who infringe on that same public trust as they shift to a profit-centered model. The NPH are placing a larger emphasis on financial gain but continue to advertise themselves as health-centered. Yet, as stated by Callahan (1973), "health is not just a term... [but] something [to] seek and value (p. 84). Nonprofit hospitals are failing to execute their mission of health. This conflict then jeopardizes the well-being of the patients because they are believing false perceptions, which spurs deception and misinformation regarding the assumed and true goal of the hospitals. Thus, the hospital environment is unsupportive to the patient with its lack of transparency regarding costs and main purpose. Contrary to public perception, compared to for-profits, the "cost of hospitalization [was] highest in NPH" (Akintoye et al., 2017, p. 835). In pursuing financial gain, NPH

undermine patients and align themselves to for-profit hospitals. Within this dynamic, the community and patients are deceived while the NPH continue to transition into unethical institutions, despite claiming those same profits are used for beneficial reinvestments.

HIGH COST FOR HIGH TECH

With profits in mind, some critics argue that money from the high cost of medical care generates funds used to implement advanced technology which can improve the physician-patient relationship. The profits obtained from patient care can equip hospitals with updated machinery to improve the patient's trust in their treatment. For example, after the implementation of technologies, such as an ICU telemedicine program, computer-assisted physician order, and barcoded medical administration, ICU mortality decreased by 29.5% compared to that of the control group (Tao et al., 2010). Reinvestment into the hospitals enables a more efficient and accurate diagnosis and prognosis necessary to prolonging patient longevity and quality of care. Callahan (1973) noted within the WHO definition, "there is some intrinsic relationship between the good of the body and the good of the self" (p. 77). Accordingly, advanced technology such as the computer-assisted physician order benefits the body and the mind. It can improve the efficiency of medical professionals by reducing errors, causing patients to uphold medical caretakers with higher credibility. Additionally, the profits from medical care equip health professionals with life-saving robotic and electronic assets which benefit the hospital's collective performance for the individual and community. For example, advanced medical technology has significantly decreased the average mortality rate by 18.8% within a seventeen-year period to save 426,488 lives (Beilfuss & Thornton, 2016). Thus, the communal benefit is evident when each patient contributes financially since the money is utilized widely to impact others. Through technology, the advancing hospital and its staff are at forefront of improvement and innovation to make patients feel more secure. As a result, the social well-being of the patient is improved through the physician-patient dynamic. Physicians who utilize advanced resources will be more knowledgeable and skilled since they possess more tools that prioritize the patient's health and recovery. Nevertheless, despite its benefits to healthcare delivery, the usage of technology is often associated with an even higher healthcare cost.

HIGH COST, HIGH TECH, AND HIGH STRESS

It may be true that profits from patient care may be used to integrate advanced medical technology that decreases mortality rates; however, the lack of transparency associated with costs from medical technology largely impairs the patients' mental well-being. Communication regarding medical costs are rare, leaving patients to handle out-of-pocket costs independently, resulting in financial stress from paying bills (Meluch & Oglesby, 2015). The added stress of paying medical bills deters patients who struggle financially since technology increases the average healthcare cost. Within a seventeen-year period, "the introduction of new treatments and diagnostic tests increased real healthcare spending per capita by \$1,327" (Beilfuss & Thornton, 2016, p. 371). Evidently, technology significantly contributes to the rising costs. Patients are unexpectedly charged with high medical rates, especially if they are treated with newer technology. Patients, in a vulnerable position, are forced to confront a financial conflict after they overcome their medical issues. This problem illustrates how hospitals neglect the overall health of their patients. As Callahan (1973) noted, "illness, whether mental or physical, makes happiness less possible in most cases" (p. 81). Thus, the medical experience can instigate stress, harm mental health, and prevent patients from overall satisfaction, despite the assumed altruistic nature of NPH. As a result, patients endure additional impairment as they leave hospitals with stress—despite their physical recovery. Lack of financial preparation to meet financial obligations causes patients to experience stress as they are burdened with financial instability. Furthermore, health care prevents patients from assessing all their available treatments due to misinformation and deception.

IMPACT FROM THE LACK OF TRANSPARENCY

Secrecy surrounding medical costs promotes mistrust which infringes on the patient's autonomy. The dearth of information regarding costs places patients under their physician's direction, leaving patients vulnerable to criminal practices. Within a 2015 study, upcoding, which is the process of charging for a more expensive treatment than the one the patient received, appeared as the most commonly discussed healthcare fraud in which the patient is billed a more expensive medical treatment than he received (Thornton, Brinkhuis, Amrit, & Aly, 2015). Deliberate upcoding is unethical as it abuses patients' freedom because, while they

trust their physicians, they are unknowingly forced to pay for services for the physicians' personal benefit. Moreover, this fraudulent practice leads to a superior-inferior relationship in which patients lose control of their financial situation at the discretion of their healthcare providers and NPH. As estimated by Psaty and Boineau (1999), "if the average excess cost of an upcoded diagnosis is \$3,096.39, then US hospitals may have received excess reimbursements from Medicare of as much as \$933 million a year" (p. 109). Patients are deceived and overbilled to support their hospital. Within these NPH, patients do not choose the financial direction of their care. The implications of upcoding violates the patients' right to choices, along with disrupting their finances and breaking the trust relationship they have with their healthcare providers. Since patients place trust with medical professionals, their health should be a priority. As Callahan (1973) noted, under "the WHO definition... the medical profession [becomes] the gatekeeper for happiness and social well-being" (p. 81). The responsibility and trust physicians possess uphold them as esteemed caretakers to seek the best appropriate treatment. The physician-patient dynamic should benefit the patient's overall health by maintaining trust and loyalty, while respecting the patient's autonomy. A collaboration between a doctor and patient encourages the patient's own responsibility and should be part of the patient care plan. This action does not sacrifice any moral obligations but enforces the morals of honesty and truth in professional practice to enrich the social health and charity within nonprofit institutions, which will influence the surrounding community.

THE BUSINESS OF NONPROFIT HOSPITALS

NPH are failed charities that do not prioritize the community health. These institutions are required to actively safeguard the health of the community surrounding their locations. Singh et al. (2015) discovered these hospitals "appear less able or less willing to respond to community health needs through investment in community health initiatives" (p. 917). The lack of interest in supporting the community that endows them with generous tax exemptions demonstrates the exploitations NPH commit. These exploitations include failing to foster a supportive community centered around improving everyone's health. Moreover, these NPH have denounced their charitable focus which is deleterious to local health outreach initiatives. For example, the population health is impacted when

NPH continue to perform poorly in “identifying evidence-based strategies to address health issues, considering local contextual factors, and examining contributing causes to problems” (Pennel, McLeroy, Burdine, & Matarrita-Cascant, 2015, p. 111). These institutions have neglected to cater their community programs to the specialized needs of the local neighborhoods which jeopardizes population health. This marginalization of the community is intrinsically tied to the health of the individual. As stated by Callahan (1973), “the society recognizes the importance of the condition of human organs and bodies were it not for... [their] enormous impact on the whole of human life” such as death (p. 86). Thus, the role of the hospitals is influential in maintaining the livelihood and quality of living for its local region. The NPH, along with their staff, are significant components of society as guardians of health and when abandoning their core values, the community suffers. Within the NPH, the patients are indeed treated, but the outside community is neglected. With their altruistic platform, these medical institutions must actively prioritize helping others before helping themselves. Currently, NPH fail to uphold their charitable focus, along with their patients and society as they shift to paths similar to those of for-profits.

CONCLUSION

The health of a patient should be the priority of NPH in the United States. When NPH abandon this value, they become increasingly unethical as they continue to operate differently from their humble beginnings. Therefore, the profitability of hospitals should not supersede the importance of patients when they first enter the hospital floor. Likewise, within the past decade, as the cost of health care continues to increase, patients are marginalized by their hospitals. These costs, along with their reinvestment into advanced technology, do not largely benefit the patients, but impair the patient from achieving adequate physical, social, and mental health. Furthermore, NPH should mainly revolve around benefitting the health of the patient and community. It is within the jurisdiction and responsibility of those institutions to uphold and enact altruistic goals to remain classified as charities. Otherwise, the continued shift to a financial focus will deteriorate the trust between physicians and their patients and the transparency regarding costs. These conflicts not only deter the physical condition, but also the social and mental health of all those influenced by the hospitals’ actions within their communi-

ty. In addition to jeopardizing social health, the patient's autonomy and perception of hospitals are disregarded when NPH act as failed charities in favor of business practices. Therefore, NPH need further scrutiny. The operation of NPH should be further investigated regarding the rationale, source, and usage of the profits obtained from patient care. Along with these large sums of money, these institutions should be enforced to invest more prominently towards more patient-centered initiatives, along with community-based health enrichment. The requirements that classify hospitals as nonprofits should be reevaluated and reformed into more stringent and heavily enforced rules to prevent further financial and patient exploitation. Overall, it is imperative for NPH to represent their true intentions in order to advance health care and benefit patients.

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DECIDING TO BE UNDECIDED: THE CAUSES AND IMPLICATIONS OF CHOOSING THE UNDECIDED MAJOR PATHWAY

—
Jane Christiansen

ABSTRACT

This research paper explores the fact that an increasing number of students are choosing to enter college unsure of what major to pursue. To better understand the students who make this decision, this paper searches for the underlying causes and looks at the backgrounds of undecided students to understand how their futures are impacted by their indecision at time of entry. The paper sheds light on the monetary, educational, and professional setbacks that individuals forfeit when they postpone their decision of a major to a later date, proving that the decision to be undecided is only an option for affluent students who can afford to spend more time and money on their education. This paper further discusses the negative consequences of selecting an undecided major that follow a student into their adulthood, when they face difficulty choosing a career.

THE ONGOING DEBATE

The purpose of higher education is to pursue a degree in a specific field of study that will eventually lead to a career. For the students who lack the ability or knowledge necessary to make a decision by the time that they enter a university, there is an option of pursuing an undecided track. While this decision presents some benefits such as giving ample time to explore different courses before committing, there are detrimental effects that are associated with selecting an undecided major. With the increasing privatization of public universities, tuition rates are higher than ever. This means that students who are taking courses as undecided majors, will waste their time, money and credit hours exploring possibilities that may not be applicable towards a specific degree. This single decision often results in students needing to spend additional time in school, which is an added expense that students who have selected their field of study do not have to worry about.

Universities that offer the undecided major are enabling stu-

dents to be unsure of their career goals. When universities present their students with the option to push their decision to a later date, they are unintentionally persuading their students to choose this detrimental path. Richard Arum and Josipa Roksa have noted in their book, *Academically Adrift: Limited Learning on College Campuses*, that attending college has become a necessity among young adults today, “Many students entering higher education today seem to understand that college education is important but have little specific information about or commitment to a particular vision of the future” (Arum and Roksa 34). Students without a clear decision about their future feel pressured to attend college despite their indecision, and default to the undecided major because they feel college is the next step in their education. The option allows students with “little information or commitment to their future” to attend school before they have a clear sense of direction. Lisa Uebel describes this change in attitude surrounding higher education in her Forbes article, “Colleges Shouldn’t Offer an Undecided Major,” explaining that, “In the current system, the undecided major perpetuates the instinctual culture our society has towards attending college, where it’s just something that people who have the opportunity to do so should take advantage of—and as soon as possible... Offering an undecided major facilitates people entering college before they know what they want out of their college education” (Uebel). College has become a right of passage rather than a privilege for a select group of students who are sure of their career goals. Regardless of their readiness for college, the choice of an “undecided” undergraduate major enables all students the ability to attend. Undecided students are more likely to suffer from mental health issues, have little parental support or resources, or have fear of committing, which leads them to be unsure of their goals. Students who default to the undecided major increase the possibility of wasting their time and money. If universities did not offer the undecided major option, students would have to wait to attend college until they were ready to make an informed decision. In this case, universities would no longer be enabling students to be unsure of their career goals, and students would be more motivated to decide on a field of study.

THE REASONING AND CONSEQUENCES OF THE UNDECIDED MAJOR

The undecided path has a number of hidden costs that students who choose this option are unaware of. While a student is undecided, he

or she is incurring on costs that have no value to their degree. Troy Onink uses the knowledge of Dan Johnston, The Regional Director of Pennsylvania's Higher Education Assistance Agency, to further his opinion against the undecided major in his article, "Bad College Advice—The Undeclared Major." Johnston argues that encouraging students to be undeclared is the worst advice possible since "The idea that a large number of students without a career plan can take a few basic courses, and then suddenly 'find' themselves (to the tune of \$20,000 to \$50,000 per year), is sadly pathetic and needlessly expensive" (Onink). There is a hidden cost associated with taking introductory courses, which includes time, money and credits that could be better allocated once a student has chosen a direct path. Students who choose this route are incurring costs that are not always applicable to their major, creating a greater sum of debt for themselves in the future. While undecided students are trying to find themselves and taking courses that may not be applicable to their future major, they face the risk of having to stay in college for an extended period of time to complete the necessary requirements. Gayle Ronan's article, "College Freshmen Face Major Dilemma," discusses the financial risk of extending a four-year college plan, "According to the College Board, five- and six-year students are not uncommon. Roughly 40 percent of those who start a four-year degree program still have not earned one after year six" (Ronan). Students who spend a period of longer than four years to complete a four year degree have been undecided at some point in their college journey, resulting in an added cost. This is concerning because many students cannot afford the high cost that comes with being undecided, but are unaware of the consequences, which leads them to believe that this decision is best.

Due to the high cost of indecision, the choice of being undecided is essentially only a privilege that affluent students have the ability to make. With the rising costs of tuition, students who rely on loans to attend college cannot afford to stay any longer than four years and "With tuition averaging \$13,833 a year at public universities, indecisiveness can drain college savings accounts as students restart course sequences or transfer schools — losing credits in the process. Ultimately they risk extending their college days beyond the four years parents planned to finance" (Ronan). Less affluent students do not have the financial means to extend their stay longer than four years. In fact, many students try to graduate as soon as they can in order to limit their debt. Affluent students are the only students who do not have to worry about selecting a major

right away because they have the financial security to stay additional semesters if necessary to complete their degrees. However, many times it is the less affluent, first-generation students who default to this option because they lack the resources and information necessary to make a decision. Armstrong and Hamilton refer to less-affluent students with limited resources as “strivers” in their book *Paying for the Party* because they are striving to improve their socio-economic status through education: “Good advising could have gone a long way toward providing strivers with the same knowledge about how to succeed at the university that was available to students with college-educated parents” (Armstrong & Hamilton 157). Strivers, or less-affluent students, are often undecided because they do not have access to professional resources that can help them in their decision-making process. Although, affluent students can afford to be undecided, they typically are not because their parents can provide them with ample resources to help them succeed.

The main argument in favor of the undecided major is that students should use their first year to socialize and focus on their transition to a new environment, rather than stressing over school work. In her article, “The Developmental Disconnect in Choosing a Major,” Liz Freedman discusses the different developmental stages that a student goes through in their transition to college, and the impact that it has on their decision-making process: “First-year students are still attempting to understand their own identity and, having lived a majority of their lives under someone else’s guidance, they may not be able to come to legitimate conclusions about themselves. This raises the question, without knowing one’s self, how can one effectively choose a major?” (Freedman 1). In other words, the transition into college can be a turning point in an individual’s education. During college, students have a better opportunity to develop themselves as individuals without confinement to their parent’s thoughts and beliefs. Utilizing the first year to transition to the new environment and discover their individual interests is crucial in the process of choosing a major with thoughtful consideration. Rebekah Nathan refers to this transformative period as a “liminal” time in her book *My Freshman Year* in which she writes that “It is in the middle or ‘liminal’ state– the ambiguous place of being neither here nor there– that anthropologists see profoundly creative and transformative possibilities” (Nathan 147). In other words, liminality is the transformative period of college where students are not confined to the boundaries of their parents. College is a unique environment because the normal rules of society

are lifted. Undecided students can benefit from this transformative period by exploring a variety of classes that suit their interests before they are confined to a major, where there is less room for self-discovery.

Although there is a small benefit to not declaring a major, undecided students are at a loss of money, time and credits when they are enjoying this “liminality” and are in the process of choosing a major. In order to address and help these students, it is necessary to identify the root cause of their indecision which can help provide solutions more precise to their situation and eventually help them make a decision. The growing number of undecided students today leads to an important question: What are the underlying causes that push a student into indecision? Additionally, can the choice of entering college undecided be detrimental to an individual’s future career goals and pursuits?

A PROFILE OF THE UNDECIDED STUDENT

After discovering the consequences that are associated with the undecided major path, I began further research the reasons why students are compelled to choose this option. According to Virginia Gordon, an expert in the field of academic advising: “There are as many reasons for being undecided as there are students” (Gordon 75). Undecided students have many different roots for their indecision, that cannot be traced to one specific profile. However, there are some recurring contributing factors that have come up in my research on the undecided college student profile. The most prominent factors that result in indecision among college students are mental health problems, lack of parental involvement and fear of commitment. Julia Dietrich, a Developmental Psychologist, uses the term “phase-adequate engagement” to interpret how efficiently a student adjusts to his or her new environment: “We define phase-adequate engagement as intentionally engaging in behavior that is appropriate to meeting the demands posed by the transition at hand” (Dietrich 3). In other words, phase-adequate engagement is how an individual maximizes the benefits of their transition and minimizes the opportunity cost, deeming them adequate or inadequate. During the period from high school to college, individuals go through a major transition in which they must decide their future goals in a short amount of time. Individuals who are undecided are considered as having inadequate phase engagement because they are not maximizing the benefits of their time in college. Taking exploratory courses that may not necessarily be required for an individu-

al's major will raise a student's opportunity cost because they are wasting valuable time. Undecided students do a poor job in engaging with their transition and have difficulty being an active participant in their own educational path. Their inadequacy could be the result of a number of factors that contribute to their decision to be undecided.

Mental health problems are a major contributor to indecision because the decision to commit to a single major can cause feelings of anxiety. Willard Lewallen is particularly interested in different factors that impact a student's development and success in higher education. In his chapter of *Issues in Advising the Undecided College Student*, titled "A Profile of the Undecided College Student" he discusses different factors that contribute to indecision, "Of all the correlates of indecision in the research literature, the variable found most often associated with indecision has been anxiety. Goodstein (1965) describes two types of undecided students based on anxiety. For the first type, anxiety stems from failure to have made an educational or vocational choice. In other words, the anxiety is brought about by not having developed adequate decision-making skills. This type of anxiety is viewed as playing a minor role in the indecision problem. For the second type of undecided student, anxiety is a major reason for indecision. The person finds the anxiety associated with the decision-making process debilitating and has difficulty reaching decisions about anything. The choice process itself is anxiety arousing." (Lewallen 8). Making a decision about your future is a major decision that must be thought out carefully and strategically. Individuals who suffer from various mental health problems, such as anxiety, have difficulty picking one major and sticking to it because the thought of making a mistake produces more anxiety. The short time period that is allotted to make this major decision can also be anxiety-producing as well. The lack of time and the pressure that comes with choosing a major can be troubling for students who fear commitment. Virginia Gordon identifies one of the origins of indecision as a fear of commitment: "They examined career indecision and its relationship to the selected negative personality traits of perfectionism, self-consciousness, and fear of commitment. Although they found fear of commitment to be a strong predictor of career indecision, certain dimensions of perfectionism and self-consciousness predicted it as well" (Gordon 6). Selecting a major produces a great deal of stress for students who are already suffering from mental health issues such as anxiety and depression. Students experience anxiety surrounding the thought that they might not make the right decision, and feel they will

regret it later on. These students are most in need of a support system of knowledgeable individuals who can advise them to make a comfortable decision.

Parental involvement and influence has a large impact on how college students make decisions about their education. A student's main support system is the family, especially parents. This means that their opinion is highly valued, and Gordon states that, "Tyler (1953) was one of the first to postulate a number of antecedents for vocational indecision. She suggested that opinions and attitudes of family and friends can act as deterring factors. For example, a parent's expectations may create a situation that prevents a student from deciding" (Gordon 5). When a student is having trouble making a major decision, such as his or her course of study, he or she will look to parents for assurance and information. However, students who are undecided typically lack a parent who can provide them with guidance to make a decision. The main reason that some parents have trouble helping their children make this decision is because they do not have the knowledge themselves. Elizabeth Armstrong and Laura Hamilton conducted a case study surrounding different student experiences at a university in Michigan that remains anonymous to ensure the anonymity of the students involved. In their book *Paying for the Party: How College Maintains Inequality* the two main characters, Emma and Taylor, have very different college experiences due to the different levels of parental involvement in their education. Taylor was successful in school because her parents were highly engaged in her academics, "Taylor's inside knowledge was not the result of independent efforts...Laura asked Taylor, 'How did you know to do all that stuff?' Taylor acknowledged: '[My parents] played a big role in it, and my mom always encouraged me to really get involved, and my dad too, both of them. They helped me a lot in my process in terms of researching and things I needed to do'" (Armstrong & Hamilton 183). Because Taylor's parents were knowledgeable, they were able to help her research the requirements of the program that she was interested in, so that she could get into graduate school. However, not all students are as fortunate as Taylor, and many students lack this key support system. First-generation students are more likely to be undecided because their parents cannot serve as the informational support system that a student needs when making a decision. William Hansen discusses the value of parental involvement in his article, "Research Confirms an Urgent Need to Improve How Students Are Supported When Choosing College Majors." He

uses data displaying that first generation and minority students are less likely to seek academic advising, by saying, “These students also reported receiving less guidance from school staff, such as teachers and guidance counselors, compared with peers with higher levels of parental education” (Hansen). In other words, students who lack parental support are unlikely to look for it through other people. For the most part, parents who went to college themselves are more likely to be an active participant in their child’s education. However, parents who did not go to college may not be able to provide their student with the necessary support and advising needed to choose a major that suits them. These students lack a crucial informational resource, and are unlikely to seek it through other people. Emma, the second student studied in Armstrong and Hamilton’s Book, was not as lucky as Taylor. Armstrong and Hamilton introduce Emma by saying, “Emma’s parents, though college-educated, were less familiar with academia than Taylor’s. Emma’s mom was a high school teacher and her dad was a former businessman recovering from a major illness that left his family in considerable debt. Thus, Emma’s first years in college coincided with a hard time for her parents, who might have been able to serve as more effective navigators under different circumstances” (Armstrong & Hamilton 184). Emma was unable to use her parents as a resource because they were preoccupied with their family debt. Emma had more trouble navigating college than Taylor because she was not aware of the same information that Taylor’s parents helped her research. Taylor was at an advantage for having knowledgeable parents who were able to assist her and make her decision easier while Emma had to navigate the uncharted waters of college on her own.

Most schools offer academic advising to compensate for lack of information among students. However, many students are hesitant to take advantage of these resources because they are uncomfortable or unwilling to confront their indecision. These unsure students, who would benefit the most from visiting an advisor, begin by not having access to resources in high school when first making the decision to enter into college. Hansen’s research highlights the lack of resources available to some high school students, and he states, “This gap is especially troubling for first-generation and minority students, who depend most on sources of advice beyond their informal social networks, but too often have the least access to these resources,” (Hansen). The lack of resources that these students have available to them in high school put them at a disadvantage in knowing how to utilize these resources in college. Emma could have

benefited from visiting an academic advisor, who could have given her the same information that Taylor's parents were able to give her. Lewallen uses the term "delayed development" to describe students who are unaware or not willing to learn decision-making skills. Students who do not take advantage of academic advisors are delaying their development in college because they are unwilling to get the necessary information they need. In order to correct college major indecision, the problem has to be addressed beginning with the origin of indecisiveness.

Virginia Gordon proposes the idea that students at this age are not developmentally ready to make a decision that requires this amount of commitment by saying, "The issue of career maturity, including a readiness to commit to an academic or career choice, is crucial to understanding this population. Many undecided students (and indeed many decided ones) are not ready developmentally to make important career and life decisions at eighteen years of age," (Gordon 66). Fear of commitment drives many students away from making a decision early in their academic career. Students who lack parents who can successfully help them arrive at a decision are most in need of an academic advisor. Academic advisors can be a major resource to a student, provided they take the initiative to seek out help. Some universities have begun to implement mandatory programs that require all students to meet with an advisor in order to minimize the undecided population. This can be seen "At Arkansas State University, for example, the school started requiring all undeclared students to begin meeting with faculty advisors. In just one year, the school saw the number of undeclared students drop by half. The school started the policy because it had been seeing too many of its students reach their junior and senior years without declaring a major" (Marcovitz). Requiring students to seek help from an advisor and plan their academic career is a smart strategy, ensuring all students will have the necessary tools to make a decision. The advisor plays a significant role when a student lacks a mentor that is knowledgeable about the college process. If students know where to find these advisors and how they can be helped, it will make their decision less stressful and anxiety-producing.

UNDECIDED ADULthood

The second aspect of the undecided cohort that I was particularly interested in has to do with the impact that remaining undecided has on a student. Many students do not realize that when they make the

decision to be undecided, they are unintentionally setting themselves up for the same outcome in their future. Richard Arum and Josipa Roksa discuss in their book, *Aspiring Adults Adrift: Tentative Transitions of College Graduates*, the failings of undergraduate education that shape an individual's adulthood. They say, "Nathan reported to us in an interview two years after finishing college: 'I feel like I'm not using my degree at all.' On the surface, it was hard to disagree with him. Although he had majored in business administration, Nathan was living back at home with his parents, had significant college loans to repay, and—like many of his peers—felt lucky to have any job at all" (Arum and Roksa 1). The effects of indecision follow a college student into their adulthood. Individuals who were once unsure about their major, are unsure about their career once they graduate.

The problem surrounding college graduates who cannot find a job is that they are facing long-term student debt. Students who cannot find a job after they graduate ineffectively engage in "phase-adequate" activities such as going on interviews or searching for a job in their intended field. This usually occurs because they feel they do not resonate with the major education they received. This action leaves them in a period of "delayed-adulthood," in which they are unable to keep up with the transition to their new status and situation. In Armstrong and Hamilton's *Paying For the Party*, Emma was met with difficulties after graduation. Armstrong and Hamilton say, "After graduation, Emma had hoped to leave her hometown—a working-class city hard hit by the recession. She quickly ran into problems...Her parents did not have job connections in Capital City, nor were they able to assist financially by setting her up there as she hunted for work. Eager to help, they offered her free room and board at home. This had the unintended effect of further restricting her from job opportunities" (Armstrong & Hamilton 207). Emma experienced "delayed adulthood" in her transition to adult life because she had difficulty finding a job that suited her interests. In college, Emma lacked resources that were able to aid her in selecting a major. She faced similar difficulties in finding a job. Due to the broad nature of a biology degree, biology majors must select a specialty in order to pursue a career. However, Emma did not have a specialty and did not want to work her way up in a hospital. With no other options, Emma took a position as a dental hygienist, a low-paying job that did not require a college degree. Students who do not have a clear career pathway can face the same undecidedness in their adulthood that they once faced in the process of choosing a

major. However, this situation of “delayed adulthood” presents far worse consequences because it can impact an individual’s entire life.

CONCLUSION

While many colleges and universities lead their students to believe the undecided pathway is desirable, they are doing their students a major disservice because academic advisors do not consider the long-term effects of being undecided. The choice to be undecided in college has lasting effects that extend past the typical four-year duration of college and into a student’s adult life. When a student commits to this indecision, they are committing themselves to additional time and money spent on their education. This results in a greater amount of debt after graduation. For the students whose indecision follows them into their adult life, a large sum of debt can only add more stress. These individuals who are stuck in a period of “delayed adulthood” will be missing out on potential earnings while they are deciding their career goals. However, they cannot afford to take the time to do so as they have a large sum of debt hanging over their heads. The most effective way to combat the spiraling issue of indecision is to create intervention programs that cut-off this problem in its early stages and pushes undecided students to seek advisement as early into their education as possible.

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THE HYPER-MATERIALISTIC OCCUPATION OF HIP-HOP

—
Elizabeth Fogarty

ABSTRACT

The purpose of this research is to explore the complex relationship between conscious and commercial hip-hop since the genre's inception in the 1970s. Through socio-political and psychological lenses, the paper examines the connection between commercial hip-hop and themes of hyper-materialism and the connection between materialism and black identity. This includes exploring the historical background of hip-hop and the emergence of materialism and is done by, more broadly, looking at the positioning of black art and culture by mainstream culture. The paper also addresses the arguable social contradiction of hyper-materialist hip-hop and the various responses by artists such as J. Cole, Kendrick Lamar, and Chance the Rapper to the demands and pressures of commercial hip-hop. The research paper explores individualist and collectivist perspectives on combating the negative and inaccurate perceptions of hip-hop that perpetuate discriminatory mindsets, actions, and laws against the black population.

THE HYPER-MATERIALISTIC OCCUPATION OF HIP-HOP

Hip-hop as a music genre and culture started in the 1970s in the Bronx, New York. Comprised of four street arts, hip-hop includes DJs, MCs, breakdancers, and graffiti artists. Hip-hop culture gave way to the music form rap in which rhythmic speech is placed over a prerecorded track (Baker, 2012). While beginning as a countercultural movement, hip-hop has now arguably been subsumed into popular culture, specifically through the adoption of hyper-consumerist values. While much of hip-hop still maintains social relevance, the image of the genre has been overshadowed by imagery of extravagant lifestyles that many artists have adopted. Hip-hop is often associated with explicit and lavish displays of fur coats and millionaire living, a hyper-materialist buying culture perpetuated by the media and the hip-hop artists themselves (Questlove, 2014). Hip-hop artists began creating music about fast cars, shiny bling, and ostentatious flaunting of brand names; consequently, that imagery fills the hip-hop repertoire. This research, however, argues for the ways artists defy the current identity of hip-hop. This paper will investigate

the extent to which the themes of conscious hip-hop can become part of mainstream thought without conforming to capitalistic, commercial messaging. More so, this paper aims to examine through a psychological and socio-political lens if self-expression and self-awareness, in hip-hop contexts, are always at odds with music preferred and played on the radio. Can hip-hop that takes on social inequality and injustice become a part of the pop culture that has historically favored fun, party music? Socio-political and psychological theories will be drawn upon to analyze the cases of rappers J. Cole, Chance the Rapper, and Kendrick Lamar.

I. EMERGENCE OF HYPER-MATERIALISM IN HIP-HOP

Hip-hop culture originally staked its claim as a counterculture and emerged as a reactive music genre. In the late sixties, a group of poets and musicians called The Last Poets emerged from the Civil Rights Movement and created a collection of songs that embodied the feelings of dissatisfied minorities (Ottens, 2017). Artists like The Fearless Four created songs like “Problems of the World,” that illuminated issues of unemployment, poor school systems, and crimes in the hood. Today, artists like Kendrick Lamar and J. Cole rap about the lasting inequalities of police brutality and lingering racism. At its founding, hip-hop became an outlet for the socially conscious to artistically present their feelings in a form that would provide mental closure and gather listening attention due to its relatability.

By the 1990s, the hip-hop genre made way into commercial culture and many hip-hop artists who originally created content from disadvantaged situations saw the potential for marketing hip-hop without seeing it as “selling out.” While originally hip-hop had no ties to material items, alcohol companies like St. Ides began sponsoring artists and establishing their company identity alongside the face of hip-hop (Coward, 2017). Malt liquor alcohol companies became closely entwined with not only images of hip-hop, but also luxury and beautiful models. As hip-hop became more ubiquitous in advertisements, there came a shift in the intentions of hip-hop artists to make both art and a lucrative living. In trying to commoditize their art, early hip-hop artists arguably began buying into the very industry that perpetuates images of ghettoization. At this point, hip-hop culture transcended from normative material culture into hyper-materialism. Far from seeing this shift as a betrayal of counter-cultural values, many artists who climbed the industry ranks and mu-

sic charts saw hyper-materialism as a social accomplishment. Artists who could be famous, active members in a capitalist society with the ability to conspicuously consume saw this not only as an artistic achievement, but a mark of political power.

Today, extravagant spending to establish status is engrained in hip-hop culture, which exists as a large portion of black culture. Unfortunately, many artists replaced themes of social inequality with hyper-materialist ones in order to create music that was more relatable and enjoyable to listeners and fit the form of mainstream thought. Instead of creating music that defies exploitative economic systems, their art is undermined by lyrics about fast cars and expensive clothes. In Questlove's essay entitled, "How Hip-Hop Failed Black America," he distinguishes the transcendence into hyper-materialism:

...when people think of hip-hop, pretty quickly, they think of bling, of watches or jewels or private jets. They think of success and its fruits...This linkage isn't limited to hip-hop...but it's stronger there. Owning things was a way of proving that you existed- and so, by extension, owning many things was a way of proving that you existed emphatically (2014).

While normal materialistic tendencies are a result of compensation for personal dissatisfaction, hyper-materialism in the hip-hop context is the result of overcompensation for both self-dissatisfaction and historical socio-political inequality. Hyper-materialism becomes equated with the assertion of an identity that has social and political efficacy in a society that has historically denied black culture those basic rights.

While some artists like Kendrick Lamar and J. Cole have found ways to incorporate conscious themes within the demands of commercial hip-hop, many artists still play into hyper-materialist expectations. To find a solution, this paper argues that artists need to examine the psychological roots of the hyper-materialist identity they adopt by challenging ideas like conspicuous consumption. Conspicuous consumption, which refers to consumers who buy expensive items to display wealth rather than for necessity, leads to unfulfillment (Tomasik, 2017). In their 2010 analysis *Affluenza*, Hamilton and Dennis explain, "Today, almost all buying is to some degree an attempt to create or renew a concept of self. We complete ourselves symbolically by acquiring things that compensated for our perceived shortcomings" (Hamilton et al., 2010). Hip-hop and

hyper-materialism are in a relationship in which artists overspend as a method of compensation. This marriage has become harmful as material gains have become equated with the positive affirmation that black people are worthy in a society that has historically subjugated them through discriminatory laws and continues to subjugate them through deeply embedded racist cultural formations. The modern “buying to be better” culture is encouraged by companies and rappers alike. Mercedes Benz, Nike, and even rapper-company crossovers like Kanye West’s Yeezy/Adidas line market their products with an air of exclusivity that aligns with the desires of rappers and listeners to become more elevated in society. Sports cars and \$2000 pairs of shoes fill the disillusioned void that only guarantees short-term satisfaction.

However, many black artists do not see excessive shopping as an addiction or a contradiction, but rather money as a means to political, social, and economic freedom. This is closely related to the theory of hedonistic utilitarianism that “assumes that the rightness of an action depends entirely on the amount of pleasure it tends to produce and the amount of pain it tends to prevent” (Tomasik, 2017). This helps to explain why rappers work towards a hyper-materialist image despite that image contradicting the social ethics of hip-hop culture: it leads to temporary attention, affirmation, and recognition. What it cannot do is address the root of the problem, lack of emotional fulfillment. Artists and listeners, particularly young fans, are only exposed to the glorification of hyper-materialist culture which highlights the artists’ lives without seeing the frequently extreme disillusionment and dissatisfaction of living extravagantly.

II. SOCIOPOLITICAL ORIGINS OF HYPER-MATERIALISM IN BLACK CULTURE

When the hip-hop movement first came on the scene in the 1970s, it emerged as one of the only forms of democratic conversation for minority groups to resist the dominant political systems that had forced them into a disadvantaged societal existence. Hip-hop became the discourse for abandoned voices and, historically, is a result of economic systems that promote hegemonic ideals which support dominant white frames of thought and silence all others (Keyes, 2004). White Americans have historically intervened in political systems in ways that have disadvantaged black people. After the 13th Amendment was passed and

slavery was abolished, many local white populations created new institutions to subjugate blacks in order to paint a narrative of an entire race as criminals. Jim Crow laws enforced racial segregation until the 1960s, and restrictions on political appointments through literacy tests and poll taxes on election days suppressed black votes. By the 1960s, there was a shift in which racism was perpetuated covertly through political platforms like the War on Drugs that was, at its core, a strategically named effort to mass incarcerate people of color supported by President Nixon (Duvernay, 2016). Through this all, there were intense efforts of ghettoization, a result of governmental agencies like the Federal Housing Authority (FHA) which “channeled almost all of the loan money towards whites and away from communities of color” (Lipsitz, 1998). This prevented black families from establishing net worth and gaining economic or social mobility. Such efforts promoted segregation, creating areas that reinforced the negative stereotypes still closely associated with black people today and “widened the gap between the resources available to whites and those available to the aggrieved racial communities” (Lipsitz, 1998).

Each of these efforts worked to take away the opportunities for blacks to succeed and subsequently punish them for falling victim to the pressures of the environments they were forced into. So while mostly the upper and middle class benefited from the trickle-down system, the least represented faced the faults of a capitalist system. Beyond the actual displacement of the black population into certain areas, black Americans occupy a grander metaphorical region of “otherness.” In his book, Spradlin defines the space of “otherness” and how it’s been subsumed by mainstream thought. Spradlin explains:

However, the horrifically oppressive intimacy of black bodies and white America solidified this place as a region of “otherness,” or a white construction of a black space, where all action is subsequently oriented towards the observatory fulfillment of the desires of the dominant (2016, p.42)

Not only are blacks forced into certain neighborhoods, but also their blackness in hip-hop and everyday culture is confined and constructed by the white narrative. For hip-hop, this means commercially supporting the music that promotes hyper-materialistic buying habits. It means supporting music that perpetuates negative images of blackness such as misogyny, drug dealing, and “hood politics.” These ideologies are not of black

cultural origins. Rather, they were created to support hegemonic norms by using black culture and art as the scapegoats for the societal inequities the dominant class did not account for in establishing a classist society. In turn, young black males in ghetto conditions turn to alternative and illegal economic systems, like selling drugs, to provide for their families. In his 2014 analysis, Julius Bailey suggests that “It is from here that hip-hop retains the historical consciousness of the racialized community that suffers under the neocolonial, hyper-modern commodification of both person and product” (Bailey, 2014). Hip-hop and black arts emerged as the outlets for the constant scrutiny and criticism of the black community.

III. IMPLICATIONS OF HYPER-MATERIALIST HIP-HOP

There are socio-political and psychological implications and hypocrisies of adopting the “freedom is money” mentality to the hip-hop artist and the genre. While some artists delve into the origins of their oppression, many paint stories of their current condition in ghettos. While these narratives often promote important lessons and illustrate social inequalities and racial discrimination, these pictures of gang lifestyles and drug selling are often taken at face value by mainstream listeners, and not as the sharing of a marginalized narrative, but rather a glorification of criminal black culture. Instead of informing viewers, the mainstream media often paints hip-hop as a perpetuation of the ideas of ghettoization, while listeners romanticize excessive drinking, spending, and violence.

Although there are a growing number of black elites becoming successful in the American system, instead of trying to change, they assimilate to the norms of commercial music and upper class living by abandoning social themes in their lyrics and adopting hyper-materialist habits. In his essays, “How Hip Hop Failed Black America,” Questlove argues that being a part of the system is toxic for hip-hop as a movement and black culture. He argues that the victory of commercialization of hip-hop is hollow because as a popular art form it loses its ability to be a cultural movement (Questlove, 2014). This is especially due to the play time of the songs that encourage conspicuous consumption. Materialistic culture not only becomes economically harmful to the listeners in encouraging reckless consumption, but it also minimizes the depth of black culture and replaces it with themes of materialism and drinking. Beyond the explicit purchasing of luxury items, materialism manifests itself as an

ideology in the minds of the hip-hop artists and their listeners. Beyond the accumulation of material items, the material reality of black culture represents a greater ideal of black people having a social presence and recognition as a salient, accomplished members of society.

IV. TRANSITION BETWEEN CONSCIOUS AND COMMERCIAL HIP-HOP

In the conversation about hip-hop, the genre is generally split into two mutually exclusive areas: conscious and commercial. The main goal for commercial hip-hop is to make money. To do so the music conforms to the forms of pop music in which catchy choruses are valued over socially prophetic verses. Conscious hip-hop alternatively challenges the dominant, hegemonic consensus and comments on everything from gang violence to black history. Commercial rap has become synonymous with names like Drake who rap about lavish lifestyles with bass-heavy instrumentals and catchy choruses. Often, conscious rap does not fit this mold yet carries significant social weight. Historically, the prominence of conscious and commercial hip-hop has gone back and forth within the industry and individual artists.

Many artists make the decision to sacrifice their social messaging goals, while some artists like J. Cole have arguably figured out how to navigate between both worlds. J. Cole first signed to Jay Z's label ROC Nation in 2009. Before agreeing to release J. Cole's first album, Jay Z demanded that J. Cole make a catchy-enough single that would get him commercial recognition so his debut album would be successful. In "Let Nas Down," Cole mentions, "...my heart was tainted by my mind that kept on sayin' / 'Where's the hits? You ain't got none / You know Jay'll never put your album out without none" (Cole, 2013). J. Cole created his first single "Power Trip." At surface level, "Power Trip" is appreciated for its catchy chorus featuring R&B artist Miguel as well as his pursuit of a girl. However, in an interview, J. Cole revealed the double meaning in which his references to chasing the "girl" is actually his desire to become a part of the music industry. The chorus by Miguel, as per suggestion by Jay Z, was meant to convey the relatability of love that often marks commercial music. Following Miguel's part, the chorus goes "Got me up all night / All I'm singin' is love songs / Got me up all night constant drinking and love songs" (Cole, 2013). At the first listen, the chorus appears to allude to a relationship with someone; however, it is not about his relationship with a

woman, but rather his strained relationship with the commercial hip-hop industry. With consideration to the double meaning, the chorus illuminates J. Cole's internal struggle to create love songs to please the industry's desire for relatable music. Cole turns to drinking to numb his decision to sacrifice his art by conforming to Jay Z's demands. In doing this, J. Cole is still able to comment on the contradictory nature of commercial hip-hop while maintaining social and emotional consciousness.

J. Cole's entire musical conquest to fame illustrates an internal battle between conscious and commercial music. As Bassil (2015) says in his article, "One Love: Hip-Hop's Transition Between Materialism and Idealism,"

Rap moves in circles that oppose each other. On one side, J. Cole has catchier, hit songs like "Work Out" that discuss one night stands and Range Rovers and have gathered over 113 million hits on YouTube. Then he has socially complex songs like "Let Nas Down" that only have 1.9 million hits and zero radio plays in which Cole is confronting his own hypocrisy for sacrificing lyrics full of depth to please Jay Z and pop hip-hop. After Cole released his song "Work Out," his idol Nas, had said he was disappointed in the lack of lyrical complexity of the hit single. In response, he created the song "Let Nas Down," in which he raps, Apologies to OG's for sacrificing my art/ But I'm here for a greater purpose, I knew right from the start/ I'm just a man of the people, not above but equal/ And for the greater good I walk amongst the evil. (Cole, 2013)

Cole admits to sacrificing his craft, but levels "selling out" as part of a greater mission to make conscious rap and social issues mainstream even if he has to go through the industry to do so.

Many artists, including J. Cole and Kendrick Lamar, have adjusted their art to match the trends of what the industry is demanding at the point in time. In *Spectacular Vernaculars*, Potter explores the socio-political reason why hip-hop artists often change their style. Potter mentions, that:

The situation of hip-hop as a vernacular art form is similarly unstable, similarly centered around the impossibility of closure...since authenticity is staked on an innovation whose closure is its commodification, that is the moment it becomes identifiable, its mode reproducible, it dies. The inbuilt resistance of hip hop to such a death lies in its ability to continually reinvent itself. (1995, p. 72)

To keep up with reinvention, hip-hop exists cyclically as artists are faced with the task of trying to find new ways to get airtime while still being true to their beliefs. Kendrick Lamar is a notable example of a rapper who balances both. However, this, too, introduces a problematic dimension. In his hit song, *Swimming Pools (Drank)*, Lamar discusses the, “psychological connection between peer pressure and alcoholism” (Kennedy, 2017). While the catchy chorus and club anthem sound allowed the song to become popularized, people view it as a song that encourages drinking despite its original intention to illuminate the of self-destructive habit of alcoholism. In the song “ADHD,” Lamar (2013) critically points out, “We never do listen/’Less it comes with a 808(A melody and some hoes).” Lamar is recognizing that conscious music never gets recognized unless it has the catchy chorus, or even misogynistic lyrical content.

This illuminates a greater issue of the commercialization of art in which black artists’ messages are glorified. In “Hood Politics,” Spradlin notes,

Our everyday usage of these concepts erodes our connection to what they are meant to represent, aggregating vague, inaccurate understandings and representations of black experiences into an object to be witnessed and understood as different. In terms of black art and black representational space, the identity of the subjects confined by that space must confront the contradictions of the expectations of socio-racial conceptions, evaluated by those who perpetuate and use the concepts to reify their ontological limitations. (2016, p. 43)

Because artists feel pressured to fit the mold of what has been historically demanded of them, black experience is misunderstood and misrepresented. Most of all, black experience becomes objectified. Through objectification, racial depth and the implications of history are severely undercut and become reified in the minds of listeners. While hip-hop emerged as a reactive genre, through reification, hip-hop has become, “an entire cultural movement packed into one hyphenated adjective” (Questlove, 2014). Everyone, artists included, must recognize the contradictions of attempting to become mainstream, while staying true to their real identities and not the molded identity of blackness. Spradlin mentions Kendrick Lamar as an example of an artist who confronts the contradiction in his own experience. It forces listeners to recognize the structure in which music and other forms of black art are produced. By this suggestion, listeners will adjust their own behavior and perceptions of blackness in a White America.

V. PSYCHOLOGICAL IMPLICATIONS/SOLUTIONS TO MATERIALISM IN HIP-HOP

So if hip-hop artists are failing Black America, how can rappers rise, “without reproducing the ills of the regime they were crafted to respond to?” (Bailey, 2014). There have been three separate reactions or phases by hip-hop artists. In his book *Philosophy and Hip-Hop*, Bailey says that hip-hop artists have become “objects of study, rather than creators of thought” (Bailey, 2014, p. 6). Essentially, rappers’ work is undermined as a raw art form and rather treated as objects of critique as an extension of the process of reification. In order to become respected as a creator of thought or art, artists typically go through three phases: no response, recognition of the structure, and transformation of the structure. Rappers like Jay Z and even early J. Cole want change, but instead of rapping on how to reestablish systems, they buy into hyper-materialist systems with bling and designer clothes. They represent objects of study as their hyper-materialism clouds the true identity of themselves and rap as an art form. This leads to objectified critique rather than critical analysis of the music as the representation of troubled narratives and societal unrest. Many mainstream artists remain at this phase and this phase is where hip-hop’s reputation is built. In the second phase, rappers recognize the contradictory nature of commercial hip-hop and change the content of their lyrics and lifestyles accordingly. On J. Cole’s second studio album, *Born Sinner*, he confronts materialism in his song “Chaining Day,” rapping:

This chain that I bought/ You mix greed, pain and fame, this is heinous result/ Let these words be the colors, I’m just paintin’ my heart/ I’m knee-deep in the game and it ain’t what I thought/ Copped a Range Rover, my girl got the Mercedes/ ...If a hater snatch your chain, I bet it still won’t free you. (2013)

Cole is confronting the faults of hyper-materialism and even equating it with slavery in that he is buying items that support the classist systems that stifle him even as a rapper. This phase incorporates artists as objects of study as well as creators of art through their development of social conversation as they are staking claim in the discourse that has been historically developed by dominant, white frames of reference. Finally, the third phase is transforming the industry through creation of uninfluenced art. Artists like Chance the Rapper have reached this stage in their

refusal to sign with a label or sell their music, and defy the expectations and pressures of the expected musical frames. Unlike Cole and Lamar who saw the faults of materialism, Chance never went through the “sell out” stage and remained conscious and independent throughout his career. Then, in 2017, Chance made history in becoming the first artist to win the Grammy for Best Rap Album for a streaming-only album. In his acceptance speech, Chance said, “I know that people think independence means you do it yourself, but independence means freedom” (Ho, 2017). This shows that artists do not have to tie freedom to money but can also tie it to artistic creativity and originality. Artists like Kendrick Lamar have also shown a shifting tide towards a non-exclusive relationship between conscious and commercial. Lamar’s last album *To Pimp a Butterfly*, “speaks to a culture of fetishizing and racial commodification of black experience” (Spradlin, 2016, p. 4). Despite lack of radio play, the album received 11 Grammy nominations including being nominated for Best Album of the Year and Best Rap Album of the Year, and Lamar won in the latter category. After losing Best Album of the Year to Taylor Swift’s 1989, there was negative response on all fronts. The reactions by fans and other artists illustrate an awakening desire for not only a shift back to conscious hip-hop, but recognition of the genre.

VI. INDIVIDUALIST AND COLLECTIVIST SOLUTIONS

For commercial hip-hop to once again become conscious, artists need to confront the psychological demands that they themselves are trying to replace with expensive jewelry and fur coats. Bell Hooks provides the source of the issue and an alternate solution in her text *Salvation: Black People and Love* in which she argues that the problem with economic self-sufficiency and desire for overspending is the lack of love. She explains, “Gaining access to material privilege will never satisfy the needs of the spirit. Those hungers persist and haunt us. We seek to satisfy those cravings by endless consumption, appetites that easily turn into addictions that can never be satisfied. Needs of the spirit can only be satisfied when we care for the soul” (Hooks, 2001, p. 11). The ability to break away from hyper-materialist music culture is closely intertwined with self-love and self-awareness. In a study on mindfulness and self awareness, Daniel Campos found that self compassion gained through meditation is beneficial to mental health (Campos, 2016, p. 81). Artists like J. Cole and Kendrick Lamar have commented on the benefits of meditation. In his song

Change, Cole notes, “I sit in silence and find whenever I meditate/ My fears alleviate, my tears evaporate/ My faith don’t deviate, ideas don’t have a date” (Cole, 2017). In Lamar’s song *Untitled 03* he writes, “Meditation is a must, doesn’t hurt if you try/...See you thinking too much, worried about your career, ever think of your health?” (Lamar, 2016). Both artists acknowledge the importance of personal health and psycho-spiritual wellness. As they became more popular, their fan bases are growing and they are shifting the rap cycle back to consciousness.

This development is exemplified in J. Cole’s own musical journey. In an interview, Cole reflects on his transformation from hyper-materialist to socially conscious. He mentions that when he first started receiving attention, he bought a Range Rover and several Rolex watches and continued to achieve to more success. But he is quoted as saying that with more deliberation, “What I realized is the monetary, the material, even the success, the things you place your importance on will never make you happy. They can never satisfy you because they never end...We are placing our importance as a country... as a world ... on the wrong things ... We’ve let this system and the world tell us these things are important” (Daniel, 2017). When asked what is important, Cole said, “If you place your importance on this ... appreciation, love. That is enough ... If we look for those things for happiness, then it’s attainable ... What is real is spiritual, a connection with someone, love is real ... That’s the answer. Love is the answer. If we embrace that, that would be the fix” (Daniel, 2017). Once they find true happiness and achieve self-awareness, artists are able to confront the systems that they work alongside without compromising their values.

Beyond individualist recognition, a collectivist approach is necessary to change the disadvantageous political systems that work against black artists. There are artists who have individually taken action like Cole and Lamar and have become popular, but this does not necessarily mean the industries are supporting them, but rather they are supporting the art that is most lucrative. Commercial music, at its base, exists to make money; however, right now conscious artists like Lamar and Cole have taken over the charts. This, in part, is because in 2017 the majority of young listeners are the most tolerant, socially aware generation yet. A PEW Research study found that, “In 2016, a majority of Millennials (55%) identified as Democrats or leaned Democratic; 27% described themselves as liberal Democrats - the highest share of any generation” (Maniam & Smith, 2017). In turn, more listeners are pointing out the hidden cues of artists like Cole, Lamar, and Chance the Rapper and are engaging in pro-

ductive conversation that is gaining national attention. The next step is to make socio-political awareness of black culture not only a trend, but also a legitimized effort to cause legislative change.

However, this is easier said than done as systems and conservative news outlets continue to either criticize or glorify hip-hop culture. For example, in his newest album *DAMN.*, Lamar plays a segment from a Fox News where the reporter comments, “This is why I say that hip-hop has done more damage to young African-Americans than racism in recent years” (Glenn, 2017), referencing his song “Alright.” In reality, the song is addressing police brutality and his hope that, through solidarity, black citizens will survive and be “alright.” Other artists, such as Beyoncé, have faced extreme backlash from conservative news outlets. After she performed her song “Formation” at the 2016 Super Bowl, which honored civil right activist groups like the Black Panthers and Black Lives Matter, Fox News reporter Brian Kilmeade is quoted as complaining, “This is football, not Hollywood,” he continued, “and I thought it was really outrageous that she used it as a platform to attack police officers who are the people who protect her and protect us, and keep us alive” (Wilstein, 2016). Similar to Lamar’s “Alright,” Beyoncé aimed to bring awareness of the issue of police brutality to the public, not attack police officers although Fox News painted it as such. While other genres do not receive the same criticism, this is the reality of artists who try to address social issues.

Hip-hop exists as the product of an expression of the existence enforced by white culture since colonial times. For the commercialized world of music and political systems, appreciating hip-hop is contradicting the systems they emplaced. To respect it as a racially and historically charged art form would force the systems and those who control them to confront the failures of the “homogenizing ethos of racist neo colonial imperialism,” and reinvent a deeply embedded system that could take away the inherent yet unacknowledged privileges of whiteness (Bailey, 2014). However, this still leaves the control in the hands of the few. Collectively, artists must continue to make meaningful music to challenge and shift the consciousness of normalized thought while listeners must critically engage with and confront the histories and lessons of conscious hip-hop and contradictions of the commercial.

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THE EFFECT OF CULTURAL INFLUENCE ON THE CONSUMPTION OF GLUTEN

—
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ABSTRACT

This paper argues that the premise of gluten sensitivity is more strongly a cultural phenomenon than a real condition. It looks closely at the history of wheat consumption, as well as the current context of the subject. Popularity, rationale, and research trajectory are also important aspects of the paper. It discusses the debate on both sides of the issue and introduces two theories, informational cascade theory and conformity preference theory. Using those theories, three case studies are then presented on topics including politics, zoology, medical practice, and scientific theory. The hypothesis discusses the idea that people are easily influenced by their peers and rely on them as their sources of information, as well as the internet and social media. People are more inclined to self-diagnose gluten sensitivity because of the ease of access to these sources. On the other hand, agrochemicals may propose another reason for high gluten sensitivity diagnosis rates. This paper also discusses socioeconomic status and the lack of knowledge that can be associated with lower income. These two factors may affect a person's proper health diagnosis, such as an aversion to wheat.

HISTORY

Wheat products have been a staple food in the human diet for thousands of years, especially since the beginning of the agricultural revolution. Wheat is enjoyed in a variety of cuisines around the world and utilized in a wide variety of ways. Modern-day food consumption has made this grain far from easy to avoid. Within the last century, there have been dramatic changes in the way wheat is produced and cultivated, as well as the quantity which people consume.

According to P.R. Shewry in the journal article titled *Wheat*, “the first cultivation of wheat occurred about 10,000 years ago, as part of the ‘Neolithic Revolution,’ which saw a transition from hunting and gathering of food to settled agriculture” (Shewry 1537). Though humans have seemingly had issues with gluten for the past decade,

[s]ome 8,000 years after its onset, celiac disease was identified and named. A clever Greek physician named Aretaeus of Cappadocia, living in the first century AD, wrote about “The Coeliac Affection.” In fact, he named it “koiliakos” after the Greek word “koelia” (abdomen). His description: “If the stomach be irretentive of the food and if it pass through undigested and crude, and nothing ascends into the body, we call such persons coeliacs”. (Guandalini 1)

Though reports of celiac disease have been occurring over many centuries, there was no particular known cause of these symptoms that people were experiencing. In his article “A Brief History of Celiac Disease,” Stefano Guandalini discusses the findings of Dutch Pediatrician, Willem-Karel Dicke, whose observations of celiac children during World War II influenced his theory that wheat gluten is the cause of celiac disease. More specifically, “Dicke had noticed that during bread shortages in the Netherlands caused by World War II, children with celiac disease improved. He also saw that when Allied planes dropped bread into the Netherlands, they quickly deteriorated” (Guandalini 2). Further research and testing have proven that gluten found in wheat does trigger an autoimmune response in people with celiac disease (“What is Celiac Disease?”).

There are speculations as to why there seems to be an increase in recent years in the amount of cases of celiac disease and gluten intolerance and sensitivities. According to the article “Why Modern Wheat is Worse Than Older Wheat,” by Kris Gunnars, “Wheat is processed and prepared differently these days, which makes it less nutritious and more harmful than traditionally prepared wheat” (Gunnars 1). For example, the ancient wheat that Moses ate was probably very different from wheat today. There were additional processes that went into utilizing wheat including soaking, sprouting, and fermenting, and bread was baked using a slow-rise yeast (Gunnars 1). Additionally, Gunnars goes on to say that “modern wheat contains more of the problematic glutes and there are some studies showing that older wheat varieties don’t cause a reaction in celiac patients” (Gunnars 1). This could be cause for concern when investigating the rise of celiac disease.

Currently, gluten consumption has become a widespread debate. Looking historically at the evolution of gluten-resistant diseases, many people frequently discuss the avoidance of gluten. The theory of informational cascades - the idea that people follow the actions of others after observation without acknowledging their own information, seen in politics,

animal relationships, and science - can also be applied to the way people view and eat food and how they gather knowledge on health (Hirshleifer 1993). This theory can be used to explain the reasons behind gluten consumption avoidance. Another applicable theory is the conformity preference theory, which “holds that people directly prefer to do the same things that others are doing. As everyone hits upon the same actions, that action is stabilized, but it may not be the best one” (Hirshleifer 6). This theory can explain the reasons behind why people choose to consume or not to consume gluten.

There are various factors that affect people’s access to information, such as socioeconomic status and education, with social media being the all-encompassing dominant force that has immense global control over what people know and how they perceive things. With social media, a person has a plethora of information right at their fingertips. Without it, one could miss out on access to valuable tools and information. Additionally, there is a new rise in the speculative influences that agrochemicals have on wheat production and gluten. There is a possibility that “gluten sensitivities” are in fact sensitivities to pesticides and herbicides. This new knowledge has the potential to alter the entire “gluten-free” lifestyle.

CURRENT CONTEXT AND POPULARITY

Currently, there are several different studies being conducted on the potentially harmful effects of wheat gluten. According to Darshak Sanghavi, “to understand the proper role of gluten-free diets requires untangling three separate and unrelated medical problems blamed on gluten: celiac disease, wheat allergy, and gluten intolerance... The first problem is almost certainly underdiagnosed, but the latter two are likely to be overdiagnosed” (Sanghavi 1). Sanghavi is one of many to bring up the controversial discussion about whether or not gluten should be avoided.

Celiac disease sufferers adhere to a strict gluten-free diet as the disease has been known to cause long-term damage if an affected person continues to consume gluten. Celiac disease has become increasingly common. In fact, “today, we know that 1 percent of the world’s population has celiac disease - meaning almost 3 million Americans, of whom only a small fraction have been properly diagnosed. Often sufferers go for 10 years before diagnosis, and many physicians are unfamiliar with the signs. In fact, only one-third of primary-care doctors have correctly suspected

or diagnosed it” (Sanghavi 2). Through various research studies, there have been several other illnesses and bodily reactions found to be associated with wheat in addition to celiac disease:

Other reported associations include ones with sporadic idiopathic ataxia (gluten ataxia) (Hadjivassiliou et al., 2003), migranes (Grant, 1979), acute psychoses (Rix et al., 1985), and a range of neurological illnesses (Hadjivassiliou et al., 2002). An association with autism has also been reported (Lucarelli et al., 1995) with some physicians recommending a gluten-free, casein-free diet (Elder, 2008). (Shewry 1546)

Often when people think about complications due to wheat, celiac disease is the first disparity they are able to come up with. Many people do not realize the wide variety of effects wheat can have on an individual. However, in comparison to celiac disease, other allergies - such as bakers' asthma, “the second most widespread occupational allergy in the UK ... reported to affect over 8% of apprentice bakers in Poland after only 2 years exposure” - and reactions to such allergies show that a gluten intolerance or a gluten sensitivity is more complicated (Shewry 1544). The issue with a gluten intolerance is that “this condition is neither an autoimmune disorder, like celiac disease, nor an allergy, like true wheat allergy. There's not even a mediocre blood test for gluten intolerance. The diagnosis simply relies on someone's subjective feelings of bloating, bowel changes, or mental fogginess after eating gluten” (Sanghavi 2). Subjective circumstances such as these create the debate of whether it is necessary for non-celiac individuals to avoid the consumption of gluten. Figure 1 shows how to distinguish between celiac disease and non-celiac gluten sensitivity. Of the characteristics listed, one major difference is that celiac disease is found to be genetic, specifically related to HLA-DQ2 or HLA-DQ8, whereas non-celiac gluten sensitivity is unrelated to a specific HLA haplotype (Gavura). Figure 2 shows the differences in symptoms. Gastrointestinal symptoms are similar across the gluten-related disorders. When comparing celiac disease to non-celiac gluten sensitivity, neuropsychiatric symptoms manifest nearly identically. Because symptoms often overlap, blood work is necessary in order to rule out celiac disease.

Characteristic	Celiac Disease	Nonceliac Gluten Sensitivity
Synonyms	Celiac sprue, gluten-sensitive enteropathy	Nonceliac gluten intolerance, nonceliac wheat intolerance, gluten sensitivity, gluten hypersensitivity
Prevalence	About 1% of the general population	Unknown, but suspected to be higher than that of celiac disease
Genetics	Related to HLA-DQ2 or HLA-DQ8	Unrelated to a specific HLA haplotype
Mechanisms	Predominant adaptive immune reaction to gluten peptides restricted by HLA-DQ2 or HLA-DQ8	Unknown but multiple mechanisms are suspected, including innate immune reaction to gluten; IgE-mediated wheat allergy; starch carbohydrate malabsorption; opioid-like activity of gluten; gluten-induced, low-grade inflammation; and nocebo effect of gluten-containing food
Serum antibodies	Positive results on TTA, EMA, or AGA testing	Negative results on TTA and anti-EMA testing, sometimes positive results on IgG AGA testing
Villous flattening	Present	Absent
Symptoms	Intestinal and extraintestinal	Intestinal and extraintestinal
Morbidity	Increased	No data
Mortality	Increased	No data

AGA = antigliadin antibodies; EMA = endomysial antibodies; TTA = antitransglutaminase antibodies.

Figure 1. This table provides the differences between celiac disease and non-celiac gluten sensitivity (Gavura 2012).

Table 1: Clinical comparison of gluten related disorders.

	Celiac disease	Wheat sensitivity	NCGS
Gastrointestinal	Abdominal pain	Abdominal pain	Abdominal pain
	Diarrhoea	Vomiting	Diarrhoea
	Constipation	Diarrhoea	Constipation Nausea Vomiting
Neuropsychiatric	Headache	Dizziness	Headache
	Musculoskeletal pain	Headache	Musculoskeletal pain
	Brain fog		Brain fog
	Tingling, numbness		Tingling, numbness
	Fatigue		Fatigue
Others	Ataxia		Ataxia
	Dermatitis herpiformis	Eczema, itching	Rash
	Weight loss	Asthma, Rhinitis	Weight loss

Figure 2. This table provides the differences in symptoms between the different disorders associated with gluten (Rathi 2014).

Stephen Feller’s article, “Gluten-free diet grows in popularity as celiac disease diagnoses stay steady,” discusses the prevalence of non-celiac gluten-free diets, saying: “the number of people who follow gluten-free diets is far larger than the number diagnosed with celiac disease, report researchers at Rutgers University, noting the public perception of the diet’s health benefits may also be helping encourage its adoption” (Feller 1). This is interesting because it shows how much of a cultural influence gluten-free diets have on western countries. Just two decades ago, many people had not heard of celiac disease, and now it seems to have slowly been adopted into western culture as a new norm. Figure 3 shows the spike in three types of eating - organic, vegetarian, and gluten-free - through food and beverage launches from 2013 to 2015. More specifically, food providers are catering at an increasing rate to the consumer market for these less conventional diets. The graph shows the steepest spike for a gluten-free diet, increasing by as much as 3.9 percent in two years. Though these sta-

tistics are only correlational and cannot exactly determine whether the increase in demand is because of health concerns or because of a fad, it can be presumed that information about these diets, whether factual or not, may become more prevalent and influential on people's dietary purchases.

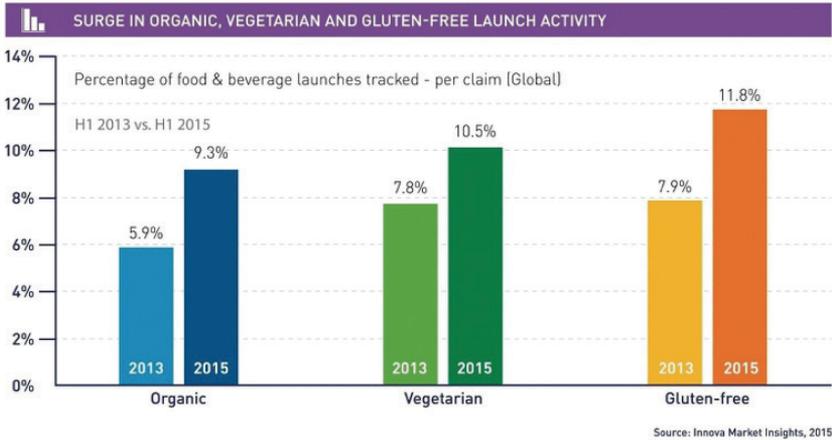


Figure 3. Shows the increases in organic, vegetarian and gluten-free diets from 2013-2015 (Insights 2015).

Today, social media plays an enormous role in gluten consumption, and influences how people perceive gluten and how they decide how they will incorporate or eliminate it from their diet. People who have access to the internet automatically have important articles, studies, health facts, and support groups right at their fingertips. Among these resources, support groups bring people together on a more personal level where they can share their thoughts, experiences, and symptoms together to unite and connect. These types of groups have the potential to be both positively and negatively influential. They could help lead people in the right direction, but they could also result in people incorrectly self-diagnosing. This is probably true for many who have sworn off wheat and gluten.

Whether or not going gluten-free is right or wrong for someone who does not have celiac disease, the new avoidance of wheat products is largely due to a cultural and societal impact. On a cultural level, this cultural abstinence from gluten says a lot about human nature; humans are easily influenced by the choices of those around them, often solely based on their observations of positive experiences of their peers. If those who have adopted gluten-free diets claim that they have more energy,

less bloating, and clearer thinking, their peers are more likely to follow suit and adopt a gluten-free diet as well. Humans inherently want to feel good, and many will do almost anything to avoid feeling otherwise. There have been countless health fads that humans adopted from one another over the course of history, from smoking cigarettes to losing weight, from diet pills to portion control. Some fads seemed to work, some were huge health risks, and some were ridiculous and ineffectual. Nonetheless, going gluten-free is more prevalent with each passing year. A vast majority of grocery stores now sell gluten-free products, many having entire gluten-free sections. More and more restaurants now cater to eating gluten-free and some even have separate gluten-free menus. Perhaps businesses are in it for the money because there is a continuously growing customer base, or maybe it truly is suggesting health issues within our culture beyond people simply acting as followers. Regardless, eating gluten-free is beginning to gain acceptance as a new normal for many people.

THEORETICAL ANALYSIS AND DEBATE

David Hirshleifer's theory of *informational* cascade – introduced in his study “The Blind Leading the Blind: Social Influence, Fads, and Informational Cascades” – directly applies to the social debate of whether gluten-free diets are necessary or a passing fad. Hirshleifer's study includes a general overview of social influences in a variety of situations, and how humans, as well as many animal species, follow and learn from one another. To specifically define an informational cascade, Hirshleifer states that “an informational cascade occurs when it is optimal for an individual, having observed the actions of those ahead of him, to follow the behavior of the preceding person without regard to his own information” (Hirshleifer 2). Before going into further detail about *informational cascade theory*, it should be pointed out that this could be something that is directly occurring when it comes to Americans' views on health and food and what they are choosing to put in their bodies. Humans inherently are followers, and peer influence undoubtedly plays an enormous role in the gluten-free craze.

One example under the umbrella of informational cascades is medical practice and scientific theory. According to this study:

The cascades theory predicts fads, idiosyncrasy, and imitation in medical treatments... Most doctors are not at the cutting edge of

research; their inevitable reliance upon what colleagues have done or are doing leads to numerous surgical fads and treatment-caused illnesses... Even science (not to mention academia in general) is subject to fads and fashions. (Hirshleifer 19-20)

This insight can apply to the science associated with the study of wheat and gluten and its effects on the human body. Many doctors or scientists simply accept others' work as true and utilize it in their practice without doing research of their own. This tendency can extend as far as technology and social media. There are articles upon articles about gluten and its health implications, but not every writer conducts the research to base their articles on. They use existing knowledge already available to back up their claims. Writers accept the information as true and use it to inform the general population, passing down the information from person to person, creating this informational cascade. Eventually, people will accept what others tell them as true without further conducting a reliable source search.

Another theory that is relevant for this topic is *conformity preference theory*. This theory "holds that people prefer to do the same things that others are doing. As everyone hits upon the same actions, that action is stabilized, but it may not be the best one" (Hirshleifer 6). From what people wear to the cars they drive, how they cut their hair, and even to how they act around others - these are all things people often strive to conform to. Humans are social animals and often find great discomfort in being too different from their counterparts. Humans innately believe that if they are too different from their peers, they run the risk of facing social rejection and/or isolation (Weir 50). So, for example, this theory could be applicable on both ends of the issue of gluten-free diets, being that people could choose to either follow those who eat wheat or those who do not. However, this theory is more likely applicable to those who eat wheat. Wheat has become a large part of American culture, a food you can find practically anywhere and in a variety of forms. It is nearly impossible to avoid, and for those who cannot or have chosen not to partake in its consumption, it can pose a negative impact financially as well as socially. To conform to eating bread and pasta is far more complex than the decision simply to or not to put something in one's body. It is also the decision to be like one's peers and to save on costs.

There is a controversial debate over the health issues and implications potentially caused by wheat gluten, and whether people who are

not affected by celiac disease should avoid consuming it. In the article “Settling the Great Grain Debate,” Brian St. Pierre notes that “one of the reasons that this debate became so muddled so quickly is that people conflate ‘grains’ with ‘carbs.’ Carbohydrates are sugar-based molecules found in a range of foods, including bread, pasta, potatoes, beans, desserts, soft drinks, and - yes - whole grains” (St. Pierre 1). This is important to include because, though whole grains fall under the same category as other foods and are indeed carbohydrates, it does not mean they affect the body in the same way as other carbohydrates.

St. Pierre discusses possible health risks associated with grain consumption including inflammation, intestinal damage - because of anti-nutrients such as lectins, phytic acid, and protease inhibitors - gluten intolerance, FODMAP intolerance (the intolerance of certain types of carbohydrates), and obesity (St. Pierre 1). On the other hand, he also notes the benefits of grain consumption, including that grain is high in fiber, slow to digest (which helps keep blood sugar under control), packed with vitamins and minerals, and satisfying (which helps keep your appetite in check) (St. Pierre 1). Since diets heavy in red meat consumption are associated with an increased risk of mortality caused by cardiovascular disease and cancer, many nutritionists advocate for a heavily plant-based diet made up of fruits, vegetables, and whole grains, including wheat (Pan, Tusso). St. Pierre states that “overall, research shows that whole grains, with varying degrees of success, seem to decrease the risk of colorectal cancer, cardiovascular disease, and diabetes. They also seem to improve blood sugar control and insulin sensitivity, and protect against high blood pressure” (St. Pierre 1).

To consider this debate, one has to consider the extent to which people have access to health information in order to make informed health-related decisions, as well as access to often pricier alternative food options. Socioeconomic status plays an enormous role in the spread and adoption of the gluten-free diet. According to research done by Daniel Leffler, MD, “the income gap may reflect a gap in health literacy and access to health information between socioeconomic brackets” (Digestive Disease Week). This potential barrier, or lack of an informational cascade, can affect how people understand and view health, and may limit their health choices simply due to the possible lack of education in people who are of lower socioeconomic status. Leffler’s study primarily focused on the diagnosis rates of celiac disease and found the higher the income, the better the chances of being properly diagnosed (Digestive Disease Week).

Additionally, this concept can be applied to health information in general. A gluten-free diet seems more prevalent among higher income people since they have a higher chance of having access to the relevant health information. Not only is information an important component, but many people of lower income may not be able to afford to eat a gluten-free diet. Hirshleifer includes several cases in his journal to help clarify informational cascade theory. His first example focuses on politics and provides a few hypotheses: “The political scientist Bartels (1988) has discussed ‘cue-taking’ in presidential nomination campaigns, in which one person’s assessment of a candidate is influenced by the choices of others... Several studies have found that after controlling for relevant factors, a candidate is rated more favorably when respondents are aware of more favorable polls. Bartels points out (consistent with the cascades theory) that ‘[t]here need not be any actual process of persuasion... the fact of the endorsement itself motivates me to change my substantive opinion of him [the candidate]’” (Hirshleifer 16). This “cue-taking” case study shows just how easily influenced people are even when there is little to no information to back their decisions. It is simply because this is supposedly what the majority of people are thinking. Therefore, it must be the best route. Examples such as these could lead to misdirection or complications in a variety of settings and suggest that people should not make blind decisions solely based on popular beliefs. It is important to do thorough research when it comes to making important decisions that have such a huge effect on a large population.

The theory of informational cascading is not solely a characteristic of human behavior, it is also seen in countless scenarios within a variety of animal species. According to Hirshleifer, “[z]oologists have found that animals frequently copy the behavior of other animals in territory choice, mating, and foraging” (Hirshleifer 18). He includes a specific case study:

In a study of guppies, Dugatkin and Godin (1993) find that ‘... younger females copy the mate of choice of older females, but older females do not appear to be influenced by the mate choice of younger individuals.’ This is consistent with the ‘fashion leader’ model... since older females presumably have more precise information than younger females. Greater experience in choosing mates presumably allows older females to interpret environmental cues more accurately. (Hirshleifer 19)

Though this is just one example in nature, many animals are also controlled by social influence. This example, though it applies to a fish, is also applicable to many species, including humans. There is an understood general hierarchical power between age cohorts where children often look up to adults, and young adults look up to older adults to learn, observe, and base their decisions on. Each generation greatly influences subsequent generations, and younger generations rely on their elders for guidance.

Hirshleifer's study produced another case that relates to people who use little information to follow the gluten-free diet. Though this example was briefly discussed in the theory section, it is relevant as a case study for this section as well. To recap, an important detail that Hirshleifer includes is that "it appears that many dubious practices were initially adopted based on very weak information" (Hirshleifer 19). The practices he discusses refer to medical practices, and how of all the medical research conducted by medical doctors, there is a small percentage of researchers compared to the number of practicing doctors. Most practicing doctors rely on this small group of researchers for their knowledge and look to their research to determine how they treat their patients. This is directly related to many people trusting the word of others when it comes to health, especially concerning the decision to go gluten-free for reasons other than celiac disease, such as gluten sensitivity or gluten intolerance. Additionally, it can also relate back to how doctors view issues with gluten. Research conducted on gluten-related illnesses that go beyond celiac disease is still in its early stages. Since researchers have released minimal concrete data, doctors may also be inclined to overlook a gluten sensitivity or intolerance due to a lack of evidence. They automatically accept the results of gluten consumption studies by other researchers without doing their own research to see if continuing to consume gluten really is the best approach for their patient.

AGROCHEMICALS

A new study within the last few years has come out with some shocking facts. A scientific article written by Anthony Samsel and Stephanie Seneff, titled "Glyphosate, pathways to modern diseases II: Celiac sprue and gluten intolerance," argues that agrochemicals could be the root cause of celiac disease and its symptoms. For those who claim to have a non-celiac gluten sensitivity, this might be the real culprit after all.

It would explain the sudden spike in people claiming they are unable to tolerate gluten consumption. This is a strong example of the ever-evolving scientific theories that are available. What this also says is that agrochemicals' new use in wheat production relates to the prominent rise in the prevalence of America's so-called gluten sensitivities. Therefore, gluten intolerance may be a first-world country health concern.

The article by Samsel and Seneff delves deep into the science, facts, and figures of glyphosate, the active chemical ingredient found in the herbicide Roundup®. They discuss the recent surge in cases of people diagnosed with celiac disease and “propose that glyphosate... is the most important causal factor in this epidemic” (Samsel and Seneff 159). As they looked into relationships between the chemical and the disease, they found that “fish exposed to glyphosate develop digestive problems that are reminiscent of celiac disease” (Samsel and Seneff 159). Maybe there is more to this issue than the problem simply being gluten. Though social media and internet access are powerful sources of information and have a great amount of influence over societal beliefs and choices, information can always be skewed, making the informational cascade theory an often-misleading way to make decisions.

CONCLUSION

Wheat is far from becoming a thing of the past, if it will ever be at all. Millions, if not billions, of people will continue to consume it daily as it is ingrained in many cultures' diets. For many, it provides an array of nutrients when consumed as a whole grain, and it is also affordable for low-income people and families. However, as with all foods, there is always a population of people who will have adverse reactions to it. Wheat in particular appears to be one of the biggest culprits affecting modern-day society, with approximately 1 percent of the American population affected by celiac disease - an autoimmune disease that causes inflammation in the colon and adverse health complications in other parts of the body - and approximately another 30 percent who avoid the consumption of gluten because they suspect they have a non-celiac gluten sensitivity or gluten intolerance. This rapid growth is like nothing that has ever been seen before. There is great concern about what causes this sensitivity and intolerance, if they are even real, and what has changed in the wheat plant or the way it is produced to cause them. It is possible humans are eating wheat at a higher rate, the plant itself is not how it used to be, and the

chemicals used before harvesting might be imposing a negative effect on health. All of these could be the culprits that cause major health issues in people.

Whether these sensitivities and intolerance are real is and continues to be one of the greatest current food debates. Nonetheless, the growing rates in wheat avoidance say a lot about how the United States, as well as other countries around the world with a high rate of gluten avoidance, is influenced immensely by the country's culture. The internet is an enormous gateway to a world of information. Whether it is accurate or not, the internet comes with the power to influence people in a lot of different ways and directions. The internet helps people figure out various health matters, but it also plays a major role in the issue of people self-diagnosing, with the increased risk of them also misdiagnosing themselves. Since gluten sensitivities have not officially and fully made their way into conventional medical practice, unlike celiac disease, there is no blood test or cheek swab to test for them. Therefore, many people have to rely on other sources (i.e. social media) for information and do their best to take care of themselves based on the information they collect. In addition to readily available sources like the internet making social media easily accessible, people are more inclined to listen to their peers and make decisions before considering more reliable sources. However, when people benefit from a certain behavior, their peers are more inclined to adopt that same behavior. The powerful need to be alike might be strong enough to surpass decisions that would be made based on knowledge.

The trajectory for this research is that this gluten-free fad will eventually turn into an accepted reality for millions of people and will continue to gain in popularity. Whether this is due to cultural influence of actual health implications, it is still yet to be seen.

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LATINX IMAGINED COMMUNITIES: THE ROLE OF SOCCER CULTURE IN AMERICA

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ABSTRACT

Throughout this paper, I focus on the Latinx community in America. I use Latinx as the gender-neutral term for Latino and Latina. In the first section, titled A Community Forged in Sameness, I establish how soccer has influenced immigrants from Latin American countries to generalize their ethnic identification and associate with certain stereotypes in an effort to create a more dominant Latinx community. In an effort to assert the superiority of the American identity among multicultural influences, society merges all Latin Americans into one subordinate group, while simultaneously using stereotypical labels to commodify and marginalize the minority identity. In the next section, Reinforcing the Divides: The Assimilation Dilemma, I analyze how the desire for assimilation can exacerbate ethnic divides, further marginalizing the Latinx community internally and in relation to American society. In the third section, A Space Amid Oppression: The Imagined Community, I examine how Latinxs use soccer spectatorship to enhance their imagined community, which is an ethnic community existing in the minds of its members to supersede physical bounds. In the final section, Double Marginalization and Exploiting the Latinx Identity, I explore how the marginalization of Latin Americans parallels the marginalization of soccer in America. Soccer culture represents how immigrants exist at the margins of society and thus search for belonging. I utilize the theories of Alterity and Otherness, which describe how society ostracizes minorities because they do not conform to society's ideal image of its members. These theories analyze identity from the perspective of what society lacks and explore how difference is necessary for identity construction. Through this lens, I evaluate the state of Latinx marginalization in response to a perceived threat to American identity. Finally, I look at how identities develop in terms of sameness as well as difference in order to create a comprehensive semblance of wholeness.

INTRODUCTION

In a place as diverse as the United States, there is much contention about what the American identity entails, resulting in ethnic groups being at odds with one another. In order to find stability and attain a sense of belonging in a new world, immigrants search for community. Often times, immigrants achieve identity development and community building through participating in soccer culture in America. Immigrants bring their fervor for soccer to America, contributing to a multinational soccer culture and fan base. These communities help displaced minorities retain their cultural identities. In this respect, immigrants use soccer as both a physical space to construct their communities and a symbolic space to form a connection to their native countries. Contemporary American soccer culture enables Latinxs to create an imagined community conducive to stronger ethnic identification and a sense of belonging. Consequently, within the context of a greater push towards multiculturalism in the U.S., opposition manifests as the fear of sacrificing an already loosely defined American identity.

A COMMUNITY FORGED IN SAMENESS

Latinxs in America, in response to being ‘Othered,’ broaden their identification in order to create a more dominant Latin American community. Latinxs are inclusive in their community identification, rather than strictly identifying with one Latin American country. To combat marginalization, Latinxs strengthen their Latin American roots by interacting with American identity in their own way. Immigration enables the phenomenon of pan-ethnic identity development, which is advantageous in attaining some stability in a foreign country. Oftentimes, “one doesn’t consider oneself as ‘Latino’ until one immigrates to a country like the United States, where there’s so many people speaking so many languages. [...] The encounter with ‘the Other’ makes [Latinos] realize the common heritage shared with people from Latin America” (Stodolska and Tainsky 150). To acknowledge similarities among members of their community, Latinxs must also have a heightened awareness of the differences between their culture and American culture. Thus, American culture has a role in Latinx identification, even though Latinxs may not associate themselves with it. Wijeyesinghe expands on this observation and explains social reasons for pan-ethnic identification. He examines this phenomenon from the perspective of society as a whole, noting that American society amass-

es individual Latinx identities from different countries under one single identity, thus facilitating identification by the majority. Latinxs are united by “a combination of geographical, cultural, and racial factors, together with the collective and overarching experience of colonialism. [...] At the same time, the racial thinking in the United States – which involves fairly rigid categories and views Latinos as distinct from Whites – has led to an inability to distinguish between Latinos of varying national origins” (Wijeyesinghe 37). The people of the American majority, in their search for national identity, do not distinguish between Latinx subcultures and amass them as ‘the Other.’ Consequently, Latinxs develop their own definition of Latin American identity to distance themselves from the derogatory label of ‘the Other.’ This process enables all marginalized Latinxs in America to subconsciously identify with one community. Therefore, in the same way that Latinxs use American culture as a counterpoint to homogenize Latinx identity in America, the American majority homogenizes ethnic minorities to clearly distinguish who is not a member of the American community.

In order to alleviate the feeling of displacement, Latinxs construct their realities by associating their experiences with other Latinxs in America. Soccer culture in America acts as both a physical and symbolic space for Latinxs to convene and build transnational connections. Unable to overtake the American majority, Latinxs aspire to develop an ethnic community with defining characteristics that make it well known, even to non-members. Within such a community, “each person [...] is compelled to give up the hopeless project of totalization for the attainable mini-totally of social recognition. [The community] finds its commonality in difference defined as a lack of sameness; in response to this situation, [...] groups [...] band together under identity markers to supplement this (un)founding lack” (Nealon 5). Latinxs, in the process of being ‘Othered,’ collectively identify with their differences from American identity. Identity markers are stereotypes that society assigns to Latinxs, and these “archetypal Latino traits such as spontaneity [...] and family orientation” facilitate membership in an extensive community (Stodolska and Tainsky 151). Soccer culture provides the social setting for these traits to manifest as Latinxs interact with one another and relate their experiences, fulfilling their desire for belonging. Thus, this environment highlights Latinx characteristics that both strengthen their identification and cause their marginalization. Stodolska and Tainsky interpret how Latinxs transform negative stereotypes, which society imposes on them, into aspects of their

Americanized identity. These stereotypes materialize as “outside labeling. [...] It [is] impossible to ‘leave’ the group once the Latino label has been assigned by the outsiders. [...] [Latinos use] social creativity [to] embrace traits that [are] considered advantageous and highly valued. Soccer helps to identify those common traits, providing a context in which Latino immigrants could compare themselves with others and build up a supportive community” (Stodolska and Tainsky 155). Essentially, Latinxs create communities constructed from the cultural reasons for which society ostracizes them. The Latinx identity is found exclusively in America; Latinx stereotypes only make sense in a setting in which the majority embodies a standard that clearly marks the stereotyped, marginalized individuals as subordinate. As a result, soccer culture tied to “ethnic nationalism tends to lead to [...] xenophobia, animosity towards others and rampant nationalism” (Duerr 213). Soccer culture personifies the suppression of ethnic minority influences on American identity development. American society defines Latinxs in terms of what they lack and what makes them different from the stereotypical American. Thus, Latinx identities exist in spaces that soccer culture conceives for them. The Latinx survival mechanism includes the recognition of the need to embrace the very characteristics that cause their marginalization. If Latinxs are all cast out for the same reason, they can form a more dominant identity by converging as a whole. Soccer facilitates the connection of Latinxs in America who share the same predicament, which in turn enables community formation. Soccer culture allows for Latinxs to create a safe space and community out of what society deems inadequate about them.

REINFORCING THE DIVIDES: THE ASSIMILATION DILEMMA

Through encouraging leisure participation, soccer culture facilitates Latinx assimilation into American society; however, strong ethnic identification and the growing presence of soccer in American society exacerbate ethnic divides that are already in place. Immigrants participate in sports culture as a way to overcome marginalization and discover their place and purpose in American society. Despite the odds that immigrants must overcome, “it is possible for immigrants to express their distinct ethnic identity by participating in or supporting a (native) team, but otherwise [...] seeking [...] to assimilate into the host society and to lose any signs of separateness in a multicultural whole” (Cronin

and Mayall as qtd. in Van Rheeana 786). Cronin and Mayall suggest that participating in American soccer culture constitutes seeking assimilation since this culture is markedly American. Nevertheless, integration into American society is more nuanced; Latinxs can call themselves American, but society may still view them as foreigners. Thus, Latinxs can “assimilate to some extent, but it is also critical that the hegemonic group helps [...] by accepting [Latinx] cultural practices as valid forms of participation” (Valeriano 297). Valeriano complicates the process of assimilation, noting that Latinxs can only assimilate if the majority group recognizes their Americanization efforts. If Americans see interaction with the American identity strictly as an expression of Latinx culture, the efforts of Latinxs are futile. Van Rheeana contests the success of assimilation due to its necessary mutual recognition, claiming that although soccer is “commonly seen as a functional means for assimilation and integration, [it] may maintain rather than integrate ethnic boundaries. This [...] further problematizes the process of [...] assimilation, where national boundaries and identities are blurred while steadfastly protected” (Van Rheeana 782). On the surface, soccer culture acts as a means for Latinx immigrants to integrate into society. However, especially where there is a large presence of ethnic communities, the ethnic label can prevent immigrants from attaining the generic American identity. As Duerr posits in *A Community Forged in Sameness*, ethnic communities contribute to increasingly radical nationalism, since the presence of ethnic influences incites the need to solidify the definition of the American identity. Consequently, tension exists between Americans who participate in sports as a way to express American patriotism and those who wish to participate in their native country’s sports culture transnationally. In America, Latinxs create a reincarnation of soccer culture from their native countries, only in new spaces. Although Latinxs forge a transnational connection through soccer culture, the environment that this culture arises in leads to it functioning differently than soccer culture abroad due to an underlying need to thrive amid sentiments of oppression. Strong ethnic connections and the development of ethnic soccer clubs enable the creation of a transnational soccer culture. Latinxs form “soccer leagues [which] resemble social clubs, [...] helping Latino immigrants adjust to American society [...]. These soccer networks have strengthened family and kinship ties and integrated new immigrants into the local community. [...] Immigrants have made the soccer fields into ‘cultural spaces’” (Alamillo). These cultural spaces, which are metaphorically represented by soccer fields, play a vital role in

establishing the physical and symbolic space in which these communities can develop. However, these cultural spaces restrict membership to Latinxs, further distancing them from the prospect of integration. While soccer leagues are able to function physically, they exist only in the minds of their marginalized members.

Alongside the contention between Latinxs and the American majority, there are divides within ethnic communities as individual Latinxs desire varying degrees of assimilation. Each individual is ultimately unique; thus, each person has a distinctive ethnic identity. The assimilation of Latinx immigrants “can be partial, segmented, or non-existent. If the later waves of immigrants are choosing to retain elements of their culture, soccer has been a large part of that retention” (Brown 369). In an increasingly globalized world, it is easy for Latinxs to connect to others of the same ethnicity and retain their cultural values and identities. Soccer is intrinsically connected to Latinx roots, and these “roots translate into an ethnic safe area where one can follow the community’s game in peace. This arena of safety allows for the construction of strong pan-ethnic identities” (Valeriano 294). Soccer culture is a vital part of Latinx identity, which is why Latinxs bring this culture to America. As examined in *A Community Forged in Sameness*, Latinxs develop a broad ethnic identity through making connections in safe spaces created by soccer culture. Conversely, Latinxs who have maintained their passion for the sport are at odds, to some extent, with those who have assimilated into the mainstream American culture. Programs aiming to “encourage Latino participation in American sports [are] less successful in their assimilation objectives. [...] Some [...] use sports to forge transnational ties with their country of origin and maintain their national identity, while some adopt a hyphenated identity that connect[s] them to both worlds, and others [choose] to assimilate towards an American identity” (Alamillo). Therefore, Latinxs may not reach the objective of assimilation through sports if participants do not collectively wish to attain that goal. Essentially, immigrants choose to participate in soccer culture as a way to retain cultural elements of their native country. Yet, those who desire some assimilation into American society find themselves in a symbolic as well as a physical diaspora, existing simultaneously in two different worlds.

After realizing the potential to scale local leagues, a Mexican soccer club called Club Deportivo Guadalajara (Chivas) announced in 2004 that there would be an additional team in Major League Soccer, the men’s professional soccer league in the United States. Naturally, there was

concern over how Chivas would market this team and acquire players without seeming discriminatory. Chivas' intention was to attract Latinx fans who "prefer[red] to follow Mexican and Central American national teams and clubs, [which] bred resentment on the part of some MLS and United States national team fans" (Wilson 393). There was a clear disconnect between the objective of promoting soccer culture in general with the addition of Chivas and promoting American soccer to American fans. The Latinx community was objectified by a "business approach to ethnic nationalism [that] tried to gain financially on the basis of doing the opposite of the rest of the teams [in MLS]" (Duerr 209). In order to gain profit, Chivas capitalized on ethnic nationalism, hoping that displaced Latinxs would see the team as an outlet on which to base their fandom in America. As a result, Chivas marketed the team as a "Latino/Hispanic' team, specifically a team for Americans of Mexican descent or Mexican nationals living in the United States. It segregate[d] the soccer community, making it United States vs. THEM" (Wilson 394). In an attempt to involve and reach out to a larger audience, Chivas essentially further alienated its fan base due to ethnic ties within a league whose teams are not ethnically loyal. Commercialization of an ethnic identity endorses stereotypes and generalizations about the Latinx community, taking advantage of their strong identifications with their community; this deepens the divide between Latinxs and other soccer fans in America. Delgado observes how the immigrant culture has created "us and them' categories that polarize relations between Latino and non-Latino communities. [...] 'Immigrants are viewed as foreigners with no claim to the benefits of U.S. society. The element of foreign reinforces the perception that immigrants do not belong here, and increase their social distance from U.S. society' (Aguirre 149)" (Delgado 42). The word 'them' takes on a derogatory connotation, referring to all who are not entitled to the exclusive label 'us,' which denotes acceptance in the superior majority. Profiting off of an otherwise marginalized ethnic subculture promotes American nationalism rather than inclusion.

A SPACE AMID OPPRESSION: THE IMAGINED COMMUNITY

Latinxs enhance their imagined community by participating in soccer spectatorship, which enables them to transcend borders and connect with their ethnic community. As discussed in *A Community Forged*

in Sameness, Latinxs associate with stereotypes to ease membership into their pan-ethnic community. Since the Latinx population in America is so dispersed, Latinxs create their imagined community in separate yet symbolically connected spaces. Imagined communities are “a way of describing the connections between people who live in a given country, but will never meet each other” (Anderson as paraphrased in Duerr 205). The Latinx imagined community functions as a means to make connections between Latin Americans more feasible. The Latinx imagined community is founded upon the idea of one “collective memory. [Their] early experiences [...] directly feed into their support for [Latin American] national teams” (Valeriano 297). Through soccer culture, entrenched in Latinx memory and heritage, Latin Americans create an environment in which an imagined community exists. Thus, collective memory is an essential aspect of maintaining the imagined community’s strength as a symbol that all Latin Americans can access. Imagined communities exist as a result of strong ethnic bonds and similar customs and characteristics, but “the imagined community of millions seems more real as a team of eleven named players. The individual, even the one who only cheers, becomes a symbol of his nation himself” (Hobsbawm as qtd. in Duerr 205). It is often difficult to comprehend how many members belong to a community as large as a country, especially when the only real unifying characteristic is its geographic boundaries. Personifying one’s ethnic community through a soccer team creates a symbolic association between the individual and his or her national identity. Among displaced Latinxs, “group consciousness [is] stimulated by a sense of belonging to real and imagined communities (Anderson, 1983/2006) [...] comprised of people who [are] joined by passion for a common leisure pursuit. [...] Latinos discover and celebrate their ‘common Latino heritage’ that [carries] beyond legacies of their individual nation states” (Stodolska and Tainsky 156). Thus, Latinxs employ the idea of an imagined community on a very large scale. This is possible because Latinxs are such an identifiable group, especially in America. Relative to other minority groups, the Latinx community is dispersed among many American urban areas. In 2014, “more than half (53%) of the nation’s Hispanics lived in 15 metropolitan areas” (Stepler and Lopez). However, associating with a Latinx imagined community could create unsettling circumstances for Latinxs wishing to integrate into American society. Often forced to exist in two worlds, as previously discussed in *Reinforcing the Divides: The Assimilation Dilemma*, Latinxs who actively search for their American identity will not only

be at odds with their physical ethnic community but will struggle with maintaining status in their imagined community as they no longer identify as strictly Latinx. Nonetheless, to solidify a communal identity, Latinxs can supersede the notion of a geographically bounded community and form a ubiquitous community in the minds of its members, enhancing national pride in the face of marginalization.

DOUBLE MARGINALIZATION AND EXPLOITING THE LATINX IDENTITY

Hegemonic American sports culture does not include soccer or immigrants; Americans' fear of sacrificing their identity and culture marginalizes Latinxs. Therefore, Latinx immigrants participating in soccer culture are doubly marginalized since soccer itself is "in the popular culture margins. American soccer's marginalization, however, has allowed the sport to retain a certain richness of cultural and historical expression, particularly in soccer's juxtaposition with American dominant sports" (Van Rheen 781). Soccer culture represents the placement of immigrants at the margins of society. By interacting with American soccer culture, ethnic minorities create a transnational platform of expression. Minorities participate in soccer culture to find a greater sense of belonging, especially since the soccer culture is already a vital aspect of their ethnic communities. Because soccer has such a strong connection to its ethnic roots, it is more so a sport of the world than a sport of America. Consequently, globalization "challenges [...] traditional American culture and 'American exceptionalism.' In [...] the United States, the combination of growing within country inequalities and cultural change because of immigration have contributed to nativist, anti-immigrant sentiment" (Lindner and Hawkins 74). American exceptionalism is central to the notion that the American identity is unique and well defined, which distances America from other nations. Societal and ethnic movements compromise the definition of American identity. In terms of soccer, the perceived threat of multiculturalism motivates the need to promote the popularity of the United States National Team, which is why high-profile matches are not held in "major urban areas of high population. [They] could be key to the eventual growth of soccer in the United States, but they are not likely to see the Americans' most important matches, [...] the kinds of events that produce lifelong fans of a sport rather than ephemeral participants in a spectacle" (Brown 371). It is difficult for Latin American fans

who live in relatively high concentrations in urban areas to participate in spectatorship culture since they are more likely to support their native side. Nevertheless, this does not make Latinxs anti-American, a stipulation that many American nationalists often overlook. Othering Latinx fans in soccer spectatorship is representative of the larger issue of ethnic marginalization. This arises from the paradox of promoting support for American soccer while, much like its marginalized spectators, the state of the sport is struggling as a whole due to its ethnic label. The exclusion of immigrants in American soccer culture translates to their exclusion from American society as a whole.

If there is opposition to cultural reform, such as the acceptance of soccer, then there will likewise be resistance to immigrants and their identity retention, even though the 'Other' contributes to the definition of the majority identity. As evaluated in *Reinforcing the Divides: The Assimilation Dilemma*, the effort to assimilate must be mutually recognized by both the Latin American immigrant and American society in order for Latinxs to call themselves American. Nationalists who resist the imposition of soccer culture on American identity also resist Latinx assimilation. Soccer culture is a significant part of Latinx identity retention, which explains why soccer critics argue "that resisting soccer [...] is an important means of defending American culture. As [Piatak] wrote, 'I don't want to see America globalized, and that includes American sports'" (Piatak as qtd. in Lindner and Hawkins 68). This attitude demonstrates why soccer does not belong to the American hegemonic sports culture. American culture's resistance to globalization is echoed in its resistance to an increasingly multicultural demographic and "a desire to protect [its] native language and culture" (Duerr 207). However, there is irony in the fact that while American nationalists resist the Other, the Other defines American identity in terms of the characteristics it lacks. Connolly describes the phenomenon of identity construction in terms of Alterity: "identity requires difference in order to be, and it converts difference into otherness in order to secure its own self-certainty" (qtd. in Nealon 4). Therefore, the very ethnic communities that nationalists marginalize to maintain a dominant American identity define the American identity at its borders. After all, without the contrast of subordinate soccer culture, American hegemonic sports culture holds no meaning. Nonetheless, those with Piatak's nationalistic views of opposing the multiculturalism of soccer also resist globalization and marginalized communities. The Latinx community arises as a marginalized group in America since "the other

is at the heart of any attempt to constitute sameness. Because absence both founds and unfounds identity, any 'gap' in the nation's self-definition becomes a privileged site for locating ethnic resistance" (Nealon 10). Ethnic resistance arises where there is a gap in the inadequately defined American national identity, leaving room for subcultures to carve out their own cultural space and stray from the idealized whole that society is struggling to create. When an ethnic group within a majority forms a strong identification due to its differences from the whole, the majority attempts to suppress everyone's differences in an effort to normalize the majority identity. As a result, it is difficult for Latinxs to retain their cultural identity in a nation that is so at odds with its own identity and rejects Otherness. There will always be individuals who "say that soccer is being forced on 'us,' [and these critics] are quite clearly referring to white Americans and not Hispanics. [...] Much anti-soccer rhetoric marks people who like soccer as 'the other.' Indeed, much resistance to soccer seems to be a reaction to the culture of Hispanic Americans" (Lindner and Hawkins 75). Anti-soccer rhetoric illustrates the marginalization of Latinxs through claims that 'their' culture is infringing upon 'our' culture and therefore compromising American identity. The American majority, which cannot accurately represent Latinx subcultures, fights against any difference threatening American identity development. In this process, the American majority amasses all Latinxs as the Other. Thus, when there is a lack of homogeneity in a certain space, the Other is deemed a separate entity.

Underscoring my earlier claim in *Reinforcing the Divides: The Assimilation Dilemma* on the commodification of the Latinx identity, Chivas alters and markets soccer culture to appeal to the American public. The commodification of soccer culture allows for marginalized soccer culture, and ethnic minorities, to adapt to the palate of its American audience. This parallels the commodification of the Latinx identity used to promote imagined community formation. In its true form, soccer has not permeated the hegemonic sports market since it "is a skillful, defensively oriented, low-scoring game. [...] In its struggle to market a traditionally 'foreign' sport [and] to add some 'excitement' to the game, the [North American Soccer League] tampered with the world soccer code by eliminating tie games with – what was marketed in typically American style – a 'Shoot Out'" (Sewart 179). To cater the game to the taste of the typical American consumer, organizations altered soccer to separate it from its foreign label. In the attempt to popularize soccer by creating a version that would

attract the American public, sentiments questioning the legitimacy of the sport arose, namely by immigrants. In commercializing the sport, “[Major League Soccer] works to win over a reluctant market, [but] [...] the Hispanic fan [...] looks down on the quality of play in the United States, if he notices it at all, and prefers to watch elite teams from Mexico and Brazil” (Navarro and Sterngold). American identity contains a feeling of superiority over other cultures because it struggles to ensure dominance amid ethnic subcultures. The American majority marginalizes Latinxs in a sphere where Latin Americans have proven statistical superiority in their own home nations and success on the world stage. The American majority Americanizes soccer by distancing it from its ethnic roots. Consequently, marginalized ethnic fans cannot interfere with the development of a distinctly American pastime. Similar to the efforts of Major League Soccer franchise Chivas, American society capitalizes on and takes advantage of the branding of Latinx identity. In the same respect, Latinx identity is commodified for its members in America. By participating in soccer culture, Latinxs “foster [...] self-esteem and promote a sense of emotional solidarity and pride. [The soccer culture] also provides opportunities for recognizing and displaying common traits and, at the same time, for marking boundaries and reinforcing distinctiveness from others (Maguire et al., 2002)” (Stodolska and Tainsky 145-146). By creating a soccer culture instilled with pride in one’s native soccer teams, connection based on common traits, and shared ‘Other’ status, Latinxs distinguish themselves from the American majority. Broadening the Latinx identity, as analyzed in *A Community Forged in Sameness*, enables identification with certain stereotypes and characteristics that make the Latinx imagined community more accessible in the minds of its members. Further, Latinxs use soccer as a physical marketing tool for their community. Making the Latinx identity more comprehensive for its members facilitates identification with American society; however, it also targets and marginalizes Latinxs through commodification.

CONCLUSION

For Latinxs, soccer is a means of escaping marginalization and creating communities where they are allowed to flourish. Latinxs’ need for a transnational soccer culture to reinforce the Latinx imagined community and obtain a sense of belonging demonstrates the lack of space for ethnic minorities in the idealized American society. The Latinxs who

identify most with their imagined community are those who are more likely to feel victimized by American society and feel nostalgic as a result. Consequently, they retreat into the cultural space reserved for them in the diaspora. Latinxs create a more encompassing identity as a coping mechanism for the marginalization they experience in America. Research shows disputing views on whether this enables integration into American society. Although American society sees the rise of diversity as a threat and aims to suppress it, Othering further drives ethnic groups into their imagined communities, strengthening cultural bonds with their native heritage. Soccer culture acts as a means for Latinxs to discover each other in their journey towards belonging to a cause greater than themselves. In this process, they discover that their true realities lie within their imagined communities. Furthermore, in order for the American identity to be well defined, there needs to be distinct borders between American identity and the identity of the 'Other.' The Latinx community offers the ethnic contrast that gives American identity its meaning. However, due to the American majority's struggle to maintain homogeneity, American identity is constructed with a superior mindset that leads to the casting out of 'Others' who connect through shared experiences of oppression. Cultural spaces that ethnic groups carve out may become dominant in their own right in areas of daily life such as soccer culture. Latinxs have proven dominance in the sport, yet their fandom struggles against an American soccer culture that works to marginalize Latinx soccer sub-culture. Soccer culture enables a physical characterization of the issue of ethnic marginalization in American society. Immigrants feel restricted to exist only in self-made cultural spaces; as a result, American society symbolically removes them from its predicaments and progress. Therefore, it is difficult for immigrants to believe they have a significant influence on the shaping of American identity and progress. Thus, the process of Othering discourages immigrants' contributions to spaces that society strictly reserves for Americans. The vicious cycle of marginalization not only inhibits immigrants' growth as an ethnic community in the American setting, but it also compromises further development of American identity. Ironically, the American majority is putting itself at risk by marginalizing the communities that it perceives to be a threat. Those same communities could very well contribute to enhancing American identity development with their unique perspectives.

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SOCIALIST REALISM: THE ART OF MANIPULATION VERSUS THE ART OF AUTHENTICITY

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Jessica Michal

ABSTRACT

In order to explore the widely controversial concept of socialist realism, it is crucial to understand the impact of its 60-year reign over the Soviet Union. Beginning in 1932, the Party Central Committee of the USSR adopted socialist realism as its system of aesthetics that ordered literature, visual arts, performing arts, cinematography and photography to abide by an official artistic mandate. This doctrine not only generated limitations on how artists should produce their work, but also how audiences must perceive that work. It is important to consider how art was influenced by the Soviet Union's guidelines and what impact this had on their society. This research piece examines the current academic debate on socialist realism as a form of manipulation versus authenticity. The concept of truth is dissected through a critical argument of its implementation and its effect on the population, the individual citizen and specifically, the artist. It serves as an analysis of one factor that questioned historical accuracy in the early 1900s, as this still remains questionable today.

Soviet leader Vladimir Lenin believed that artists and all artwork should be inseparably linked to Party politics in his essay “Party Organization and Party Literature.” He set a tone that marked a new national spirit by declaring “down with non-party writers! Down with superman writers! The literary cause must become part of the general proletarian cause” (44). Until the Soviet Union's fall in 1991, socialist realism served the Party's ideological and propagandistic needs. In turn, it constructed the framework of the Soviet Union's cultural identity. In contrast to Lenin's ideas, European studies expert Ann Demaitre's article, “The Great Debate on Socialist Realism,” argues that socialist realism's aim to rally and promote a strong cultural identity came with a cost to its people. She highlights how socialist realism conjured discourse and tension throughout the nation's population. As a result of socialist realism, artists began to mobilize in resistance. This disturbed the Party's intentions of

creating a unified nation. The question of whether the system stifled the artistic community and therefore society as a whole should be investigated. Through the implementation of socialist realism, the Soviet Union dictated their nation's cultural identity; however, this cultural identity led the individual citizen to feel alienated and compelled artists to become resistant despite the risk.

1. A SHIFTING CULTURAL IDENTITY

In this subsection, I will be examining how nationalism was meant to play an immense role in the establishment of the Soviet Union's cultural identity through the implementation of socialist realism. I will explore two major points of socialist realism's criteria, those being the influence of anti-European beliefs and the treatment of artwork as any other system of production. With the rise of socialism, the Soviet Union aimed to cultivate a newfound cultural identity by utilizing the power of national pride. Political scientist and historian, Benedict Anderson, theorizes that nationalism and cultural identity exists as a symbiotic relationship. As political, economic and societal realms change and people search for new ways to connect themselves to their community, nationalism serves the need for cultural identification. Communities are able to find comfort and belonging by taking pride in their country and its culture. As a result, the culture of the past must be cherished in order to identify with it in the present and future. Anderson divulges that "nationalism has to be understood by aligning it, not with self-consciously held political ideologies, but with the large cultural systems that preceded it" (Anderson 12). Nationalism cannot be dictated by political ideologies. Instead, a nation must embrace the larger cultural context of its people. This cannot be done by simply negating their past. Therefore, nationalism and cultural identity only thrive by focusing on the population's way of life rather than manifesting under the conditions of the nation's politics. In contrast to Anderson's theory, the Soviet Union felt it best to create their identity based on the Party's perspective. According to Lily Phillips, the Soviet Union believed that what came before them was "the negative example of Western modernity, rather than the positive reference to the national heritage" (Phillips 229). Instead of cultivating deep pride in all that came before, the Party believed that the past must be left behind. They did not want the country to be remembered for its Russian history, but only to be recognized for its Soviet future. Therefore, the Soviet Union's

new cultural identity heavily relied on the Party's pride in its new system of socialism. This was a synthetically formed version of nationalism, resulting in a problematic cultural identity. As a result, the Party employed zhdanovism, which refers to the famous trinity of rules: *partiinnost*, *ideinnost* and *naronost* or Party mindedness, ideological commitment and national spirit. These rules were demanded under socialist realism and were supposed to concretize the country's cultural identity. Therefore, the Soviet Union forced their ideas of nationalism and cultural identity on the people rather than letting the people develop them organically. They only promoted pride for their nation if it meant promoting pride for their socialist system. This marked the conflict between the Party and its people. Now, the Party had created a singular cultural identity which the people were forced to accept.

By implementing socialist realism, the Soviet Union separated their cultural identity from their European roots. Russian studies scholar Mikhail Iampolski discusses socialist realism's role in creating a new and exclusive cultural identity for the Soviet Union. Before the formation of the Soviet Union, much of the Russian cultural identity relied on that of the European nations. At this point, each country within Europe distinctly recognized itself as a part of their entire continent. This produced a unique sense of unity between these countries. The Soviet Union, however, saw itself as different from the European identity. With the rise of the Soviet Union and its socialist system, the nation's identity diverged itself from the continent. Because it did not promote socialism, "European culture began to be characterized as narrow, formal, deprived of the life-affirming vitality" (Iampolski 175). The continent as a whole did not support the USSR's vision of socialism, its vessel for life-affirming vitality. Thus, European culture became useless. Through the utilization of socialist realism, the Soviet Union began to cultivate a new cultural identity, distant from its European ties. Since other European nations had no such system, the Soviet Union had an opportunity to escape Europe's identity and build its own cultural identity based off socialism. Therefore, socialist realism worked to guide the definition of the Soviet Union's cultural identity, helping to establish the nation as independent from Europe and revolutionary in its kind.

In order to establish this identity, the Soviet Union focused its efforts internally. Stalinist culture and Soviet ideology scholar Petre Petrov explains how art was the medium in which the Soviet Union constructed its cultural identity entirely under the Party's terms. Petrov quotes Eastern

European cultural historian Evgeny Dobrenko to assert that the creation of the Soviet Union's cultural identity through art was "the USSR's most successful industry" (875). Socialist realism permitted the Soviet Union to regulate the production of artwork just as they regulated all other forms of production. *Kontraktatsiia* refers to the contract system applied to eliminate independent artistic groups for the purpose of forming one agency that obeyed the rules of socialist realism. Under this system, work was assigned to artists from an approved list of topics that were deemed appropriate for the Party to sell to museums, factories or schools. If the art failed to align with the Party's politics, *kontraktatsiia* had power to demand artists rework the material or expunge the work entirely. Regardless of whether the Soviet Union's society was the ideal illustration of socialism, what was shown to the world and to its people through the artwork had to depict the highest standard. Similar to manufacturing and farming industries, *kontraktatsiia* is an example of how socialist realism worked to regulate the art industry. Russian and Soviet art historian Christina Kiaer explains that in order to magnify the best portrayal of the working class, "artists were usually sent, not surprisingly, to better farms, where it was easier to convince oneself that in spite of the visible evidence, collectivisation might in fact be improving peasant life" (339). Through the use of *kontraktatsiia*, the Party displayed to the artists that collectivisation was the standard way of working and living. Subsequently, artwork was made to highlight the benefits of consolidating individual land into collective farms. This is one example of how an optimistic view of socialism was emphasized through art under socialist realism. The Soviet Union made this the only accessible and acceptable vision for artists to represent in their work. In reality, their artwork only portrayed a small minority of their country and its people. Artwork was limited to the boundaries of socialist realism. Through the implementation of socialist realism, artists' visions were skewed so that their art would fit the mold of their newly established cultural identity. After discussing the role of nationalism and cultural identity, it is evident that the Soviet Union dictated their nation's cultural identity through the implementation of socialist realism. I pinpointed how the Soviet Union estranged from its European ties in order to develop a new cultural identity. Thus, I conclude that artwork was mandated by socialist realism just as all other industries were controlled by the Party in order to promote this new cultural identity.

2. THE STRUGGLE OF SOVIET CITIZENS AND ARTISTS

In this section, I will highlight two more aspects of socialist realism pertaining to citizens and artists. These include the demand of perfect averageness and the influence of anti-formalist beliefs. Socialist realism demanded that art reflect an ideal Soviet citizen living the ideal socialist life. Perfect averageness was a defining feature of the ideal image, requiring artists to create the best version of a Soviet citizen in a socialist society through a specific perspective. Perfect averageness appeared in art in order to familiarize and then naturalize uniformity within society. This rule attempted to broaden the reach of art to all people by making the Soviet Union's cultural identity more normal, relatable and transparent. However, it set unreasonable expectations that "actually evolved into a canon in its own right, one which was extraordinarily rigorous and difficult to uphold" (Iampolski 172). Perfect averageness not only expected the artist to align with the Soviet Union's cultural identity, but it challenged the people to do so as well. The Party utilized perfect averageness as the tool of falsification under socialist realism by operating art as a figure of illusion rather than actuality. Art disguised the oppressive system of government, the devastation from war, the reconstruction of hierarchies and the casualties from famines as strength, heroism, triumph and beauty. Despite prevailing discourse, struggle and deprivation, the Soviet Union still employed socialist realism to depict the nation as flawless, powerful and successful. Through the manipulation of art, the Soviet Union was able to embed a warped reality and embellish their cultural identity. The people could not relate to this cultural identity, which cultivated a sense of powerlessness and uprootedness. The Party provoked a feeling of alienation within their country by claiming that "one knew the truth to the extent to which one was a true Soviet person" (Petrov 886). A person was not considered a Soviet citizen unless they accepted, abided and conformed to the Party's ideals. Perfect averageness was supposed to be something everyone could connect with, yet it was actually something that no one could embody. Therefore, people only achieved a sense of belonging according to their ability to homogenize. In order to do so, people had to acknowledge and thus surrender to the Soviet Union's definition of their cultural identity. These rigid expectations of perfection were unrealistic and unrelatable, so people felt that their lives in the Soviet Union under socialist rule were misrepresented. Instead of promoting a unified nation, the Soviet Union's cultural identity generated feelings of divide and aban-

donment from the harsh demands of socialist realism.

While socialist realism misunderstood and misrepresented the people, it further restricted artistic freedom by fighting previous norms of the old society. Formalism refers to the artistic style of emphasizing the past and its historical and social importance to the now. Unlike socialist realism, formalism did not promote Soviet nationalism, but instead it represented their previous Western European culture. Because of this, formalism was seen as the enemy of socialist realism. The Soviet Union activated socialist realism as their means of censorship over formalism to ensure that artists ignored their inspiration from the past and solely focused on the future of the socialist society. Therefore, socialist realism allowed the Soviet Union to control opposing ideologies and discount extraneous artwork that did not align with party politics. Because the Soviet Union wanted to shift to a new cultural identity, formalism was seen as a threat. As a result, Lenin demanded the nation to “break out of bourgeois slavery and merge with the movement of the really advanced and thoroughly revolutionary class” (49). Lenin called for artists to leave behind the past and start a movement to embrace socialism. He blamed the bourgeois society for preventing artists from achieving this and limiting their ability to progress. Although Lenin believed that socialist realism liberated artists from their past, it added a different confinement with another set of rules. Lenin’s demands really worked to impose restrictions on artists and their creativity. Consequently, this oppression manifested in discontent. Rebel artists who worked to resist socialist realism did so on behalf of their belief that they were multifaceted with socialism being just one feature of their identity. Lenin disagreed with this philosophy. French novelist and political activist Jean-Paul Sartre invalidated Lenin’s claim by declaring the importance of maintaining bourgeois history in art, stating, “it was through the preservation of bourgeois civilization that the socialist writers of the West became socialists” (Demaitre 267). Sartre suggests that not only writers, but all artists held onto their bourgeois roots. This past bettered them as artists, thus developing them as people. Embodying the past was a valuable part of being an artist, yet this was not encouraged through socialist realism. Artists could not grow as artists because they were forced to make one, exclusive kind of art. Instead of having the freedom to explore the past and express their individuality through what they had learned from it, artists felt oppressed by the demand to think and create with such a narrow focus. Ultimately, fighting against formalism and fighting for perfect averageness were supposed to create a unified nation.

However, as I indicated in this subsection, the results were far from creating a united nation. These rules cultivated a larger feeling of alienation for Soviet citizens and artists, disrupting the country in the process.

3. RESISTANCE WORTH THE RISK

In this next subsection, I will analyze how socialist realism compelled artists to become resistant despite the risks. I will pinpoint three different examples of artists who rebelled, only one facing consequences and all making an immense impact. In order to liberate their manipulated artistry and oppressed freedoms, artists protested socialist realism's reign and opposed the nation's cultural identity. Just as the Soviet Union used art to promote its ideas, artists strived to regain control over their work and use it as an outlet for rebellion. Artists were understood "as producers of ideology, as creators as well as victims of socialist realism" (Kiaer 324). The oppression they felt inspired them to convey themes of opposition in their artwork. Therefore, just as socialist realism sent the Soviet Union's message, it also empowered artists to produce their own message. One of the forms of resistance was to represent art from a variety of different ethnicities that were not acknowledged by the Soviet Union. Painter Igor Savitsky formed the Nukus Museum of Art by smuggling art to the distant province of the Soviet Union, Uzbekistan. He was a major force for rebellion against perfect averageness because he gathered ethnic and traditional artwork destined for destruction from artists who were forgotten or ignored. His collection of art focused on revealing the essences of the people, instead of promoting the Party's insistence of perfect averageness. His intention was to preserve the Soviet Union's dwindling ethnic diversity. In the documentary, *The Desert of Forbidden Art*, American journalist Stephen Kinzer emphasizes how imperative Savitsky's work was in regards to the changing times by recounting, "when the Soviets were in power, they felt that ethnic traditions of all these nationalities, in what was now the Soviet South, should be repressed. You shouldn't be Karakalpak or Uzbeks. And if you had traditional clothing you should hide them, you should get rid of those." Because the Soviet Union only cared to highlight its perfectly average cultural identity under socialist realism, the recognition of other cultures, especially those that were Soviet provinces, was diminished. Savitsky's work maintained the individuality of each culture and did not conform to perfect averageness. Despite the risks of deliberately defying the Party, Savitsky was able to collect 44,000

paintings and graphics over the course of 10 years. Savitsky is attributed with maintaining a vital aspect of history. Savitsky's daughter Irina Korovay denounces the Soviet Union's implementation of socialist realism to only maintain their cultural identity by declaring that "Stalin's repressions eliminated not only the individual human being, they did their best to make sure no trace of the artist remained" (*The Desert of Forbidden Art*). The Party found artists whose work strayed from that of socialist realism and sentenced them to deportation, imprisonment or execution. Despite the personal costs, many artists yearned to continue to protest and work under their own terms. Savitsky ran this risk and fortunately was able to seek asylum in Uzbekistan. Savitsky granted a feeling of liberation and respect to Uzbeks and other squelched and forgotten people. People of these ethnicities felt that their culture was not just less important, but not worthy to be remembered. With the institution of the Nukus Museum of Art, Savitsky paved the way for all cultures to be valued through their art. Another form of resistance was to ostensibly conform to the government's demands, while also covertly express individual ideas of opposition. Painter Aleksandr Deineka utilized this unique strategy of rebellion by deliberately depicting the ideal Soviet image in order to clandestinely dispute it. His paintings seemed to be supportive of collectivization and perfect averageness as well as being anti-European and anti-formalism. Although his art appeared to embrace these aspects of socialist realism, Deineka was able to find nuances where he could demonstrate his ideas of opposition. At first glance, Deineka's painting *Collective Farm Girl on Bike* depicts a woman riding a red bike across luscious farmland (see fig. 1). This initial interpretation obeyed socialist realism by conveying a sense of beauty and happiness. To the Soviet Union, the painting exemplified their cultural identity by capturing their ideal image of Soviet socialism. However, by painting only one woman on the massive farm, Deineka expressed a solitary mood. Deineka wanted to highlight the people's feeling of loneliness and isolation by painting a singular woman. Furthermore, the bike signifies a need for mobility. Deineka used the symbol of the bike to demonstrate that the nation must move away from its current state of society and towards a movement for change. He chose to not overtly express his opinions because he wanted to avoid penalties, which he did successfully. Artists like Deineka who were able to find their own voice within the boundaries of socialist realism were extremely important to the progression towards a rich society. Rather than following the rules of socialist realism, artists challenged the Soviet Union's status quo in order

to grow as artists and as a community. Their works exposed the flaws of the system, highlighting the need to resist and encouraging the development of an ever-changing society.

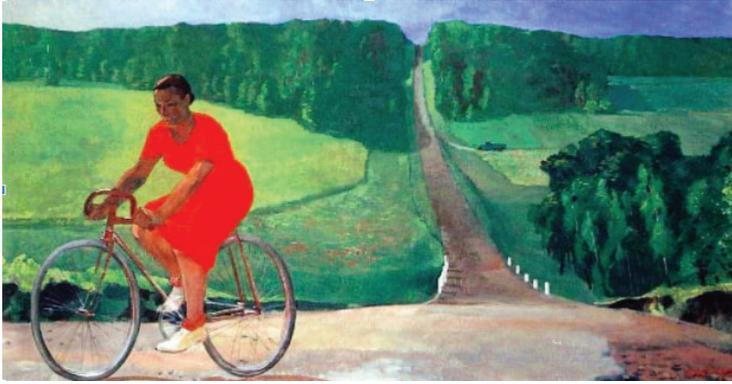


Fig. 1. Deineka, Aleksandr. *Collective Farm Girl on a Bicycle*. 1935, oil on canvas, State Russian Museum, St. Petersburg.

In addition to Deineka's strategy of rebellion, other artists found ways to resist the system by more deliberately sending messages in their art. Although his efforts were less covert, painter Mikhail Kurzin's persisted in having his voice heard through his art. Kurzin deliberately rejects the Soviet Union's system of production and overtly reveals the turmoil of Soviet workers in his painting *Capital* (see fig. 2) . In this painting, Kurzin depicts a Soviet couple against a collage of darkly painted workers. These workers compose a grotesque image that overwhelms the background of the painting. Kurzin implied that the Soviet Union's ideal lifestyle of the working class Soviet is inhumane. In contrast, the Party believed that it conveyed a twisted vision of reality, threatening their newly established cultural identity. Therefore, in 1932, Kurzin was sentenced to five years of imprisonment and three years of exile. Historian of Russian art John Bowlt describes how artists faced extreme penalties by stating, "if an artist wished to work outside of the system of Soviet socialist realism, then that artist would inevitably be removed from that system, like a microbe from the healthy body" (*The Desert of Forbidden Art*). It was not until the Soviet Union's fall in the early 1990s that Kurzin's original painting was found in the KGB Archives. Because the painting portrayed such an intense depiction of society, it enabled the Soviet Union to "jettison those elements which would contradict the triumph of vitality, that is, anything

in life that undermined its triumph” (Iampolski 174). Paintings such as this took a pronounced stance against the Party and provoked the Soviet Union to conceal the artwork during its reign. The Soviet Union’s only concern was to promote the image of their cultural identity. Nevertheless, many artists still used their art to send the message they wanted to convey despite the consequences. The three examples explored throughout this subsection show how artists chose to use their artwork to rebel. Each artist expressed his rebellion in a unique way and each result was different. Nonetheless, they all fought for the same artistic freedom.



Fig. 2. Kurzin, Mikhail. Capital. 1954-1957, gouache on paper on carton, Nukus Museum of Art, Uzbekistan.

4. ALTERING ART AT THE COST OF HISTORY

In conclusion, I will resolve the debate of whether socialism stifled the artistic community and therefore society as a whole. As a capstone, I will validate that the Soviet Union’s manipulation of art threatened the authenticity of history. This distorted representation of the truth not only affected the early 1900s, but is still prevalent today. Through the manipulation of photography, the Party was able to change what people viewed as true. Photos were altered and then artists were forced to paint based off the altered photos in order to enforce socialist realism. According to the curator of the Museum of Modern Art Leah Dickerman, this was another tool for the Party’s propaganda. The term ‘memory crisis’ as given by European literacy and culture theorist Richard Terdiman is used to refer to the false documentation of history. Dickerman quotes Terdi-

man to explain that socialist realism fueled “a period of intense reevaluation and shifting in a society’s conception of its relation to the past” (Dickerman 138-140). Because photography was being used to alter art, history became questionable and unclear. This sparked the question of what was authentic and what was really manipulated information. For example, Isaak Brodskii’s painting *Lenin Giving a Speech to Troops Departing for the Polish Front on 5 May 1920* was based off of G.P. Goldshtein’s photo *Lenin Addressing Troops Outside Bolshoi Theater in Moscow, May 5, 1920* (see fig. 3 and 4). When the photo and painting are compared, alterations are evident. This was done to portray a more optimistic view of Lenin and the Soviet Union. The painting was embellished with more people, signs and flags. People’s expressions even appeared more pleasant and happy. Petrov quotes Soviet culture historian Bernice Rosenthal in his article, stating “the task of the writer or artist consisted in creating such illusions, in depicting reality, not as it is, but as it will be under socialism; moreover, the future was described as if it already existed” (874). The Party asserted dominance and control over something that was supposed to signify a reality. What they claimed represented reality was actually altered artwork. Therefore, the Soviet Union was able to suppress the facts and only promote their ideal socialist identity.



Fig. 3. Goldshtein, G.P. *Lenin Addressing Troops Outside Bolshoi Theater in Moscow, May 5, 1920*. *The Commissar Vanishes: The Falsification of Photographs and Art in Stalin’s Russia*, by David King, Metropolitan Books, pp.66-71.



Fig. 4. Brodskii, Isaak. *Lenin Giving a Speech to Troops Departing for the Polish Front on 5 May 1920*. 1933, *The Commissar Vanishes: The Falsification of Photographs and Art in Stalin's Russia*, by David King, Metropolitan Books, p.66-71.

Looking back at these 60 years, socialist realism had the power to distort history. As a result, historical accuracy became murky. This discussion is relevant today in our current political climate. In 1932 and still in 2017, people continue to search for the truth. Reports from the media used to be considered reliable and information that used to be fact is now constantly up for debate. U.S. President Donald Trump considers that many of these sources deliver the country 'fake news.' This term was only introduced to Americans about a year ago, however, it is now seen as a major threat to the country's democracy and order. With the rise of social media, people turn to Facebook and Twitter for their information and even daily updates from the President. Still today, in the age where information is at people's fingertips, there remains the question of what is really true. Despite media quarrels and political disputes, artists can help maintain the nature of the truth. In the Soviet Union during the era of socialist realism, the remembrance of history could only be remedied by rebel artists. This is why it was so imperative for artists to resist. They devoted their artistry to be the voice of society, so they could record history on the people's behalf. They portrayed the time for what it truly was and now what it will forever be remembered as. As Americans face these same problems today, it is crucial for artists to utilize their power to reflect the times. It is their duty to create art of authenticity in spite of oppression and manipulation.

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THE INFLUENCE AND EFFECT OF ORIENTALISM IN COMIC BOOKS

—
Kaitlyn Owens

ABSTRACT

This paper performs a comparative analysis that examines depictions of Muslim and Arab characters in comic books both before and after the 9/11 terrorist attacks. Language of multiculturalism and diversity is popular in current American discourse, however minimal change is observed with respect to diverse representation of Arab Muslims in popular culture. The 9/11 terrorist attacks were a true moment of uncertainty for America: despite having previously emphasized a rhetoric revolving of post-racial tensions, the U.S has since revealed continuing habits of 'Othering' foreign cultures and societies. Using the Captain America comics, this paper will demonstrate how fictitious heroic and villainous characters replicate stereotypes and project misconceptions of non-Western societies. These findings will be applied to an interpretation of Orientalism and 'Othering' to examine the continuous problems created by Western writers and artists attempting to portray their Eastern counterparts. While slight progress is seen on a superficial level, misrepresentation of Arabs and Muslims continues due to a lack of diversity at deeper levels. For change to genuinely occur, findings suggest that marginalized groups of people need to be given a voice, and that there must be more diversity in the comic book industry.

INTRODUCTION

Fiction, although frequently regarded as inconsequential due to its make-believe premise, has been shown to reveal many of a society's concealed sentiments during specific moments in its history. The ways in which heroes and villains are depicted and described in popular culture often demonstrate the cultural ideals of a given society. With recent emphasis on character diversity in mainstream American media, new movies and comics have been introduced to include more heterogeneous character representation. However the progress public media and popular culture have made with regard to its aims towards representing greater diversity and inclusion needs to be analyzed thoroughly at all levels of production. Recent debate has emerged revolving around the validity of the United States' claim to being a post-racial society. Contemporary pop-

ular culture is continually commended for becoming more multicultural and revolutionary in its depictions of those other than white Anglo-Saxon males in lead roles. But is recent American media as revolutionary as it seems to be?

In this paper, a focus on comic book portrayals during key historical events, such as the 9/11 terrorist attacks, will reveal the collective consciousness of the American public during true moments of uncertainty. The heroes and villains whom we watch and read about are created for our amusement but can also capture and promote societally-held beliefs about good and evil. In reference to the idolized heroes and demonized villains of comic books, Orrin E. Klapp writes: “we might consider such types as ways by which a group attempts to understand problematical behavior...by reducing them to simple concepts, familiar to all and indicating proper modes of response” (57). Heroes and villains thus emerge as tools to promote and perpetuate distinct ideologies.

While there may increasingly be more inclusive representations of varying genders, races, religions, cultures, and ethnicities in modern popular culture, this analysis argues that such depictions have remained ethnocentric—modeled on ideas of what diversity looks like rather than what it actually means. Diverse characters thus emerge in stark juxtaposition to prominent white, Anglo-Saxon males rather than parallel to them. The political atmosphere following the terrorist attacks in New York City on September 11, 2001 marked a turning point in American history, as it became easier to identify a designated villain based on distinct cultural, racial, and national qualities. Analyzing this vulnerable moment in American history will reveal how comic book portrayals of heroes and villains are affected by non-fiction events, as well as how progressive America candidly is in relation to its claims of being a post-racial, multicultural society. While white male characters have consumed the majority of traditional depictions of heroes in the past, contemporary understandings of the importance of diversity in America, emerging from the 1954 *Brown v. Board of Education* decision, have consumed popular rhetoric. Succeeding this Supreme Court decision, equality in all realms of life began to be questioned and diversity became a grounding element in educational institutions. While the need for diversity in public schools has now become common-sense, diversity in all other domains of life has been substantially undervalued and left unexamined.

Fictional representations of people and groups deemed to be different are still based on traditional, outdated stereotypes. Jason Ditt-

mer's critical analysis of *Captain America* comics following 9/11 demonstrates how heroes can be used to reinforce nationalism, to assist in identity-shaping, and to villainize particular traits. He writes that "the producers of comic books (and *Captain America*, specifically) view their products as more than just lowbrow entertainment; they view their works as opportunities to educate and socialize" (627). The idea of the all-American hero enters the comic book discourse as both a function and an enforcer of American nationalism. Thus, the geopolitical environment following 9/11 opens a debate about how America perceives itself within a larger multicultural world.

Analyzing the ways various Muslim and Arab heroes are portrayed in comic books, Fredrik Strömberg's research concludes there has been minimal effort to depict authentic diversity within comic book representations of the Arab and Muslim worlds. He states:

Superhero comics, like so many other genres of popular culture, may not depict the real world, but they do mediate it; that is, they respond to, and comment on, the world around us. This process is reciprocal, as comics, a popular medium, partake in the general cultural public debate and contribute to the formation of images of the Other. [574]

While Arab and Muslim people are displayed as superheroes in some less popular comics, they still continue to be shown as an "oriental other" with distinctive differences from Westerners. Both marked as distinctly different from Westerners, Muslim and Arab representations are not distinguished between and amongst one another, and instead are often taken to mean one and the same. While there are a plethora of non-Muslim Arabs and countless non-Arab Muslims, the two words frequently emerge in American discourse as fixed, alike identifiers. Representations of Middle Easterners are almost always assumed to be Muslim and Arab despite the reality of great diversity within these groups of people. Orientalism and the action of "Othering" emerge as two important and interrelated ideas when analyzing themes of good vs. evil with respect to heroes and villains. The term *orientalism* has historically been used to represent the clashes that have taken place between two portions of the globe— the West versus the East. These terms are vague in nature and inconsistently defined; however they are generally comprised of Western Europe and East Asia. Scholars such as Edward Said use the term to highlight the West's patronizing attitude when depicting its Eastern counterpart. The

term “Othering” is used to describe the subject’s creation of self-identity in response to encounters with a different, opposing person or group of persons. Simone de Beauvoir wrote that “no group ever sets itself up as the One without at once setting up the Other over against itself” (361). Thus with the creation of the West comes the creation of the countering East. Using these two theories of Orientalism and Othering, this analysis examines how the fictional world of heroes versus villains correlates with and mirrors real-world civilizational clashes of West versus East.

When comic book writers attempt to be more overtly inclusive in their representations of non-Western cultures, their fictional comic book characters are continually exoticized. The heroism of characters that do not fit into the traditional white, male, Christian mold is trivialized by their characteristics that shape them as “Other” first and hero second. It is important to note that popular culture fiction—as much as it is a representation of America’s concerns and worries—is also a reinforcement and perpetuator of its ideologies. Comic book stories and heroes therefore not only embody American feelings and values during a specific time but also can be shown to affect and influence the audience consuming them. If America has truly advanced toward a more holistic multicultural society, representations of good and evil should not reflect and mirror the ‘West versus East’ ideology. In this paper, I analyze comic books—an important faction of popular culture—to examine the superficial representation of diversity in modern media and to critique the continually divisive qualities that heroes and villains can possess.

CONTINUING STEREOTYPES

The United States and the wider Christian West have long been portrayed in contrast to Eastern and non-Christian nations. Hegemonic stereotypes of the violent and aggressive East are present in pre-9/11 discourse, however following 9/11 this stereotype began to grow and expand. Indian historian Vijay Prashad reflects on the modern displays of historic Orientalism, commenting on its new shift in concentration. Following World War II, China, India, and Japan received most of the West’s focus. However, more recently, the Arab world has taken center stage. He suggests that perhaps most problematic to Orientalism is its practice of representing the East as portrayed by the Western gaze. Prashad points out that “what is forbidden in the Orientalism of our period is for the ‘native’ to speak in the vital variety” (190). Without a voice, the “native” or

rather, Orient, is continually subjected to its Western counterpart. Since the Orient is not given a voice, it is not able to correct discrepancies and fallacies, allowing for perpetual incorrect representation. Klapp states, “indeed, if one looks at heroes, villains, and fools as symbolic figures in tradition, it can be seen that they help in tradition, it can be seen that they help in the perpetuation of collective values, to nourish and maintain certain socially necessary sentiments” (62). Fictitious characters thus at the whims of their creators carry real beliefs, making them active aids in the continuation of traditional ideologies.

Since the practice of Orientalism is grounded in the action of depicting the East not as its genuine heterogeneous self, but instead in the Western homogenous perception of it, it becomes a ground for stereotyping. In his article, “Yo, rag-head!: Arab and Muslim Superheroes in American Comic Books after 9/11,” Fredrik Strömberg concludes that in many cases, authors blatantly overcorrect in attempts to assert positive cultural stereotypes during a time characterized by public mistrust (596). Stemming from authors’ Western gazes, the characters from within the Arab and Muslim worlds demonstrate minimal diversity. For example, Marvel’s superheroine Dust is a mutant with the ability to transform her body into a cloud of dust— a predictable association made with deserts in the Middle East. She is portrayed in full traditional niqab and, as her story goes, she was attacked by a slave trader who tried to remove her niqab. The X-Men visit Afghanistan and rescue her, bringing her back to the United States.

Though Arab and Muslim people are displayed as superheroes in these comics, they continue to be shown as the oriental Other, with distinctive differences from Western people. Strömberg furthers this claim when he says, “the authors and/or artists try too hard to show positive role models, thereby unintentionally evoking equally stereotypical clichés of Arabs and Muslims as well as of Islamophobes. This strategy that risks causing a re-inscription rather than substantial revision of the image of the Oriental Other” (596-7). In attempts to overcompensate, the artists and authors do further damage, preserving stagnant and homogenized stereotypes of Muslim and Arabs.

The ways in which characters are drawn and written affects how the reader interprets them in a larger socio-political context. Klapp analyzes the qualities that compose the common villain, hero, and fool tropes, suggesting that while they are all different categories of social types, the characteristics and criteria for each is dependent on the so-

cio-political atmosphere and values of a particular time. Klapp continues, “though villains are in some ways comparable to heroes—being, for instance, often strong enough to make martyrs of the latter—their black traits otherwise place them in total opposition to the hero” (58). Thus materializes an overlapping quality inherent to heroes and villains and the frictional relation between the East and West—opposition. Superhero comic books become perfect modes for continual portrayals of the historic clash of Eastern and Western civilizations because they are grounded in a concept of two opposing forces, one accepted (the Western Occident hero) and the other rejected and different (the Eastern Orient villain).

THE CASE STUDY OF NATIONAL IDENTITY: *CAPTAIN AMERICA*

Captain America emerges as a reference point for the political climate in America beginning in 1940, when the comic was first introduced. *Captain America* is represented as the epitome of American patriotism and nationalism. Everything from his costume (representative of the flag) to his weapon (a defensive shield rather than an offensive tool) to his backstory (an average man who offers himself up as an experiment for the U.S. government after not being able to serve in the army) aids in the formation of the all-American narrative. While he promotes and represents the popular idea of the ‘American Dream,’ he at the same time evolves and transforms throughout history to remain relevant to the socio-political schema. A continued ideology of American openness and bravery is called upon in the comic books following 9/11. Jason Dittmer analyzes the history of the *Captain America* comic books in relation to a wider geopolitical atmosphere, comparing the politics of the time to the themes and context of the comics. Dittmer argues that popular culture acts as a form of materialized ideology and has a habit of reflecting as well as influencing the views of the public toward which it is aimed. He states, “in this way [the authors] are able to affect the discourse by both reinforcing an ideal American identity and contrasting that ideal with the effects of American geopolitical activities” (642). Popular culture and geopolitics appear in a fluid dyadic relationship wherein both are simultaneously re-enforced and influenced by each other. Popular culture makes particular symbols important in connection to specific nations, drawing on strong feelings of nationalism. Individuals feel nationalism in connection to particular enculturated objects and representations of the “nation.”

Cathy Schlund-Vials says that “9/11 comics from the beginning labored to quickly memorialize those lost and monumentalize heroes (World Trade Center employees, Pentagon workers, first responders, and the passengers of Flight 93) amid an increasingly neoconservative “us versus them” imaginary” (15). The emphasis of these comic books following the terrorist events of 9/11 continue the narrative of a “good” us and an “evil” other, using visual stereotypes that generalize Muslims and Arabs.

Popular cultural mediums such as comic books are an excellent source for national identity-building, especially in the case of *Captain America*. Blatantly encouraging national identity at such a vulnerable period of time, popular culture increases the “us vs. them” mentality. As Dittmer suggests, “the horizontal identity issues that revolve around the Self/Other nexus and other boundary-formation processes are inextricably linked through geopolitical narratives to vertical issues of scale. This is a critical link that enables hundreds of millions of individuals freely to assume a common identity” (626). These identity-formation blocks are crucial in the collaboration of a unified, collective identity built on notions of nationhood. The “us” and “them” ideology thus seems to be inseparable from the adherence to nation-state entities. As highlighted in Rob Kroes’ “Transatlantic Perspectives,” national identity may affect how we perceive certain events, as well as how we remember them through varying media:

Once again using the medium of the comic book or graphic novel, that he has used to such great effect before in *Maus*, Spiegelman tries to control the traumatic impact of witnessing the events of 9/11... Thus, in his own creative way, Spiegelman too illustrates the way in which a person’s repertoire of memories, ethnically rooted, may affect the reading of 9/11. [77]

While it was previously mentioned that popular cultural depictions of such major events as 9/11 can be shown to have an influence on the American conscious, here Kroes suggests that the American individual identity can have an equal effect. Individual conception of national identity automatically situates one in juxtaposition to an ‘Other.’ When comic books continually validate and perpetuate this Othering, over-generalizations occur. 9/11 is transformed from a tragedy performed by radicals to a popular representation of Middle Eastern individuals.

PROGRESSING TOWARD MULTICULTURALISM

Thus far I have argued that popular culture platforms such as comic books are still heavily bombarded with old concepts of the East versus the West, which is rooted in an overwhelming ideology of “them vs. us.” Superhero comic books such as *Captain America* are structurally formulated to present the audience with a clear and apparent notion of “good” and “evil.” Controversy, however, still remains. On the other side of this debate is America’s of being a post-racial, multicultural society. Comic books utilize a multi-medium approach; that is they combine images and words to illustrate the storyline. Due to this integration, “it could be argued that comics is an inherently multicultural form, given that the modes of representation that it has available to it implicate both cultures of images and cultures of words, along with other modes of expression that are more or less culturally specific, such as book design” (Ayaka and Hague 3). This suggests that comic books may contrastingly be structurally formulated to cross boundaries and introduce more inclusivity into popular culture. While merging images and texts, as well as drawing upon contemporary cultural and political atmospheres, comic books can be shown to educate and inform the audiences that consume them through an easily-accessible and alluring means. Discussing *Captain America*, Larry Dorrell and Carey Southall highlight that “publishers have for years provided American education with the comic book format to teach specific educational subjects” (397). Comic books therefore appear as a progressive form for teaching and exposing American youth to knowledge or information they would otherwise not receive. As a tool for education and a method for the incorporation and thus normalization of Otherness, comic books become an emergent interactive media capable of initiating progress toward multiculturalism.

Examining not only the effects, but also the causes of popular cultural emergences—as in the popular storylines and characters of comic books—is an important process. While the influences images and words can have on developing and validating individuals’ forms of identity has been demonstrated, the reverse can also be contended. The public’s demand and preference for particular comic book storylines affects the stories that are produced. As Carolene Ayaka and Ian Hague articulate whilst drawing on Mihaela Precup’s ideas, “the ways in which production within particular political, social, or historical context can result in demands for certain types of presentations” (4). The authors are, in this

sense, not in complete control of their work; they rely heavily on the desires of the audience they are aiming toward when it comes to making substantive decisions. Does the public then influence authors and thereby their comic books more than comic books manipulate the public's perceptions? This may be the case; after all, comic authors can be shown to be taking active steps toward more diverse and inclusive representations of ethnicities and nationalities in their books. By including characteristics and qualities of other cultures, they begin to bridge the gap between the "them" and "us" mindset. As Strömberg mentions, "the fact of [Habib ben Hassan's, Faiza Hussain's, and Hamza Rashad's] existence proves that the presence of positive Arabs and/or Muslim superheroes has been actively on the mind of writers, editors, and maybe even the publisher of these comics" (596). The failure to popularize such comics about more diverse types of superheroes might be attributed to the American public rather than the authors. The lack of popular Muslim and Arab superheroes may not be evidence of a failure to progress toward multiculturalism because small active changes can in fact be seen in popular culture throughout time, especially as a result of our contemporary culture's increasing emphasis on political correctness.

GIVING THE OTHER THEIR OWN VOICE

Focusing on the small advances that have taken place within the realm of popular culture, depictions of the 'Other' are beneficial only to a limited extent. Perhaps what is most important when trying to bring multiculturalism into comic books and other media forms is incorporation of Otherness at a deeper level— that is, inclusion not just at the level of representation but at that of creation as well. As Strömberg states:

The ways in which [Middle Eastern characters] are treated and the ways in which their artists and writers have commented on them also indicate that most of these characters emerged from a sense of obligation to show a more positive image of Arabs and Muslims in a medium that otherwise still makes use of many negative stereotypes... The way they are represented today still tells us more about the self-image of the West in general and the United States in particular than it does about the Arab and/or Muslim worlds. [596]

As Westerners, these writers and artists are themselves limited in knowledge on the subject of Eastern culture. The results of attempts at de-

picting multicultural characters thus far have been superficial because they have relied on equally superficial remedies that continue to present other cultures as objects, not subjects. David Scott's analysis of Edward Said's Orientalism states, "Said's analysis was forceful on Orientalism as a dogma that not only degrades its subject matter but also blinds its practitioners," in connection to the Orientalists "having to take up a position of irreducible opposition to a region of a world it considered alien to its own" (300). In Prashad's earlier-cited statement about the Orient's lack of ability to talk for themselves, the largest problem with orientalism emerges. Inclusion of the Other has thus far relied on the efforts of those not familiar with the culture because they are not within it or connected to it.

To advance toward multiculturalism and break down old stereotypes, inclusion of other cultures, religions, ethnicities, races, genders, and everything in between must occur at all levels. Without such variation, Michan Connor, one of the authors of *American Multiculturalism after 9/11*, suggests, "such a bias has consequences for the maintenance of cultural hegemony. T.J. Jackson Lears [American historian] has argued that through a racialized 'spontaneous philosophy' hegemonic values influence politics by 'tendency of public discourse to make some forms of experience readily available to consciousness while ignoring or suppressing others'" (96). This means that exclusion of different 'Other' individuals at the production stage of comic books has echoing effects on the level of consumption. Representation becomes essential, but proper and accurate representation is critical for progress. In her piece, Nouri Gana focuses on the endeavors of Muslims and Arab American writers thus far and the backlash that ensued from these efforts following 9/11. She concludes that "the task of Muslim and Arab American writing is nowadays to wager more programmatically on formal adventurousness in order to wrest the universal humanity of Muslims and Arab suffering from the grinding machinery of the war on terror" (1580). In contemporary society, it has been difficult to find a balance between crossing a boundary and stepping forward. Muslim and Arab-American writers have had to compromise between entertainment value and moral value to produce material that will assist in dismantling Orientalism while also reaching and grabbing the attention of a large audience. Gana states that "only [when a balance was obtained] could Muslim and Arab American artists tap into the unsettling aperture of empathy and forge a viable ground for the emergence of transnational solidarities" (1580). Creating solidarity between cultures rather than just within them emerges as the means to achieving multiculturalism.

CONCLUSION

Muslims and Arabs are not the only minorities misrepresented within the realm of comic books, but the post-9/11 socio-political environment makes these groups especially worth just representation. During a time when Western ideology, culture, and religion is seen as continually at odds with its Eastern counterparts, it is important to understand and locate the epicenters of our interpretations of other cultures. Popular culture has been shown to be a major influence in the education and informing of the public on places and people with whom they otherwise come into minimal contact. It is thus vital to ensure these depictions are accurate and not built on stereotypes. In recent times America has shifted its social emphasis to being perceived as multicultural, but earlier it had also taken pride in similarly being seen as a 'melting pot.' America's multiculturalism in reality, however, has been shown to be disappointing and inadequate. While necessary progression toward representation of diversity has been more recently acknowledged in popular media, advancement toward solutions has been largely untouched.

My analysis has shown that the political turmoil following 9/11 has allowed for old stereotypes and concepts to flourish in regard to Arabs and Muslims. Comic books such as *Captain America* depict characters in direct opposition to each other, providing a more than sufficient medium within which to situate two clashing cultures. *Captain America's* narrative has been used to promote a particular collective consciousness in which the ideal American defends his country from those trying to challenge and threaten his land and identity. Superhero villains and heroes emerge within comic books to either cement or challenge hegemonic norms and it is therefore crucial for identities outside of those of white, Christian males to be represented positively. Further analysis of this topic would include examining how not only Muslim Arabs are represented and characterized within comic books, but within all forms of popular culture, such as television, movies, books, and magazines. The most egregious cases of Orientalism have been shown to exclude "Others" not only at the production level, but at the level of creation. While American popular culture has made strides in designating "their" groups as topics of discourse, it must be challenged to allow marginalized groups to speak for themselves.

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CRISPR GENETIC MODIFICATIONS: SEEKING PUBLIC ACCEPTANCE

—
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ABSTRACT

Gene editing is a common practice in the field of genetics. In addition to multiple existing technologies, there is a new, life-saving gene-editing tool that is gaining popularity called CRISPR. CRISPR is a technology capable of making genetic changes, ranging from genetic disease prevention to physical appearance alteration. Opponents claim that it is an unethical practice because it fails to address human safety concerns and, therefore, must undergo more intensive studies. The most effective counterargument to these ethical concerns is to increase public interaction with CRISPR studies. Public engagement can raise awareness about the subject and transform the technology into a household topic of conversation. By contrast, some supporters want to push CRISPR directly to clinical human trials, despite unaddressed safety issues, to gain more attention and money. The financial dilemma regarding CRISPR can be solved through public funding. Though public knowledge is limited, genetic modification is generating much conversation, which raises a number of questions by its opponents. By creating a public campaign, CRISPR research can be funded, while also raising awareness. This would allow scientists and researchers to focus on human safety issues, thereby quelling the concerns of CRISPR opponents. Though not yet available to the public, CRISPR is the future of genetic editing in multiple scientific fields.

INTRODUCTION

In 2015, a three-month-old named Layla was diagnosed with acute lymphoblastic leukemia, a form of cancer with a cure rate of 25 percent for her age. However, with the use of gene-editing technology, an experimental form of gene therapy, the cancer was successfully treated. Layla's life-threatening case was highly controversial, as it proposed a solution to her illness at the risk of using an underdeveloped technology. Though gene editing is already a much debated topic in the genetics community, Layla's case gave hope to genetic modification supporters. However, there are still opponents of gene-editing technology.

Currently, the field of genetic modification is undergoing a vast change with the introduction of a new, inexpensive gene-snipping tool called CRISPR-Cas9. Known simply as CRISPR, it has a variety of practical uses. CRISPR uses range from abolishing genetic diseases to changing an individual genome for physical appearance. When CRISPR is used at an embryonic level, edited genes can be passed on from generation to generation. This affects the genes of infinite future generations if they procreate. Opponents of this technology argue that CRISPR germline genetic modifications can change one's identity completely. Furthermore, the gene-editing tool is not perfect, as CRISPR experiments on mice affected unintended parts of DNA, fueling the argument that it is an inaccurate and unjustifiable form of technology. According to Niklas Juth, author of "Germline genetic modification, CRISPR, and human identity: Can genetics turn you into someone else?" "the reason that germline genetic modification is ... ethically controversial [is because it] affects our identity" (424). Juth argues that germline genetic modifications affect how an individual will develop and what kind of individual will come into existence in the first place. With human genetic germline modifications, it is impossible to know if the affected individual's identity would change or be the same when born. In a worst-case scenario, a human identity can change completely, resulting in a different person coming into existence.

This research paper explores the ethical dilemmas surrounding CRISPR germline genetic modifications and addresses how proponents confront ethical criticisms to gain public acceptance. However, there are other concerns: Who is leading the charge on this controversial technology? Who judges its success when used? What other practical uses are there besides genetic disease treatment and physical trait adjustment? One area of debate surrounding CRISPR genetic modifications is genetic determinism versus genetic essentialism versus genetic exceptionalism. By examining these three views, this research paper will analyze CRISPR's surrounding ethical issues to determine how proponents can confront criticism to gain the public's acceptance.

Layla's controversial surgery will be used as a case study throughout the paper to explain the contrasting views of the vested parties. Although proponents are excited about CRISPR genetic modifications, the technology needs further intensive studies to address ethical dilemmas, such as the safety and consent of future generations. The best way to address the surrounding ethical debate is by raising public awareness and engagement through the dissemination of conclusive evidence based

on CRISPR studies. Greater public engagement creates more discussion about the field and transforms the technology into a household interest. CRISPR is a technology that can eradicate genetic diseases and is, thus, an integral part of science and medicine. However, placing limitations on it because of adversarial philosophical beliefs is neglectful and selfish. This paper's purpose is to identify methods for CRISPR supporters to gain public acceptance, which would advance the technology and transform it into an everyday reality.

CONTEXT AND LITERATURE REVIEW

CRISPR and its function were reportedly discovered by Francisco Mojica, an affiliate of the University of Alicante in Spain. Mojica was the first researcher to report disparate repeat sequences as shared common features when he worked on them throughout the 1990s. However, the origin of CRISPR is controversial, as a group of scientists from Osaka University claim to have first discovered the CRISPR mechanism in December 1987. In March 2002, Dutch scientists Jansen, Embden, Gastra, and Schouls coined the term CRISPR-Cas9 for the short repeat sequences in DNA and its associated genes. In 2005, Mojica reported that these repeat sequences closely matched parts of the genomes from bacteriophages, which led to the discovery that CRISPR is an adaptive immune system. Later, in December 2009, Luciano Marraffini and Erik Sontheimer of Northwestern University demonstrated that CRISPR targets DNA, not RNA, as previously believed. In April 2012, Dupont commercialized the first bacterial cultures based on the CRISPR-Cas9 technology to produce pizza cheese, a first for its application in the food industry. Later, in January 2013, Feng Zhang of the Broad Institute of MIT and Harvard, an affiliate of the McGovern Institute for Brain Research at MIT, was the first to successfully adapt CRISPR-Cas9 for genome editing in eukaryotic cells. Zhang and his research team demonstrated targeted genome cleavage in human and mouse cells, showing that the technology could target multiple genome locations. In a highly controversial experiment in September 2017, a team of scientists, led by Norah Fogarty, edited the DNA of human embryos using CRISPR-Cas9 to study the cause of infertility. The most recent experiment was on October 25, 2017. A new CRISPR technique was published by Feng Zhang for editing RNA, thus providing the means to fix genetic mutations without affecting the genome. This new technique provides a more passive approach instead of the original

cut-and-replace method.

Articles referenced often throughout this paper are written by Niklas Juth, John Mulvihill, Francis Quétier, Eric T. Juengst, Salman Y. Guraya, Sergiu Chira, and Steven M. Weisberg, all of whom are highly accredited researchers and writers in the field of genetics and biochemistry. Juth's "Germline genetic modification, CRISPR, and human identity: Can genetics turn you into someone else?" pairs a philosophical viewpoint with science to address how germline modifications can affect the identity of a human individual. Mulvihill's "Ethical issues of CRISPR technology and gene editing through the lens of solidarity" conveys the collective views and concerns of society by being very critical of CRISPR, while also acknowledging the need for more studies before its release to the public. However, his article is limited, as it does not elaborate on the key points of calls to abandon germline gene modifications entirely. As opposed to Juth and Mulvihill, Quétier's "The CRISPR-Cas9 technology: Closer to the ultimate toolkit for targeted genome editing" provides potential solutions for CRISPR acceptance, but they are primarily directed at plant GMOs and are highly opinionated with little evidence. This paper will not provide specific solutions to ethical CRISPR-related issues, but will suggest methods to increase public acceptance of CRISPR. Like Quétier, Juengst's article, "Crowdsourcing the Moral Limits of Human Gene Editing?" gives opinionated interpretations of the current state of CRISPR's public acceptance. The article supports this paper's independent ideas. Guraya's "Ethics in medical research" will be used to analyze the debate surrounding CRISPR, and how it relates to broader issues in research ethics, such as confidentiality, privacy, and responsibility. Chira's "CRISPR/Cas9: Transcending the Reality of Genome Editing" presents challenges that might impede the clinical applicability of CRISPR for cancer therapy, thus relating to Layla and her gene-editing procedure. Finally, Weisberg's "A CRISPR New World: Attitudes in the Public toward Innovations in Human Genetic Modification" discusses the scientific and ethical consequences of CRISPR advancement.

CAUSE FOR CONCERN

There are many groups involved in the CRISPR debate, such as philosophers, scientists, clinicians, biotech companies, investors, and corporate stockholders. These parties have different viewpoints toward the overall argument. While there has been opposition, CRISPR continues

to progress, as studies and advancements are made at an unprecedented pace. Critics of the genetic modification technique argue that germline genetic modifications can irreversibly change the human identity of an unborn embryo. Juth describes this argument as a “view that a person is a product solely of his genes” (418). The view that people are solely the result of their genes is termed genetic determinism. In contrast, proponents of CRISPR argue that germline genetic modifications would not alter human identity if there were only minor changes. This differing view is termed genetic essentialism and suggests that “genes determine the essence of who we are, in such a way that we would cease to be the individuals we are if our genes were to change” (Juth 418). In genetic essentialism, factors besides genes are considered regarding the composition of human identity. The final theory is genetic exceptionalism, which posits that “the usual logic and rhetoric of human situations do not apply and that the typical considerations must be revised when an issue concerns genetics” (Mulvihill 24). Genetic exceptionalism parallels the arguments of extreme supporters of CRISPR. Despite the difficulty of reaching a consensus on methods to approach CRISPR, agreement would not be impossible were the public to become more involved in the ethical debate.

The biggest criticism of the technology is the major risk factor of unintentional gene edits, as “CRISPR-Cas9 does not seem to faithfully insert new DNA sequences” (Mulvihill 20). Despite the risk of misedits, Juth writes, “There are some obvious advantages to human germline gene modification through CRISPR, of course. The most obvious is the possibility to eliminate all genetic disease, not only for the individual [themselves] but for all future generations” (420). Furthermore, laboratory studies using animal models of human diseases have “demonstrated that the technology can be effective in corrective genetic defects. Examples of such diseases include cystic fibrosis, cataracts and Fanconi anemia...” (Vidyasagar). Germline genetic modifications are passed down for infinite procreating generations. As a result, the associated genetic changes are also passed along, which leads to ethical concerns about privacy. If the confidentiality and privacy of future generations is taken into consideration, a modern-day genetic change can affect one’s lineage and intrude on an unborn human being’s right to privacy. Mulvihill opposes this sentiment by saying, “Just as present generations have reasons to be grateful for medical advances made possible by past researchers and participants, there are reasons now to have concern for the good of future ones” (25). In an age when genetics is at the forefront of science, advancements in

the field of gene-editing are a cause for concern, as the rights of unborn people are at stake.

Additional issues raised by opponents include lack of understanding about the technology: “Researchers know little about CRISPR in natural systems, but patents can be used to transfer what we do know (or at least access to its benefits) to a few stakeholders” (Mulvihill 25). Another issue is lack of safety, with a tendency for researchers to release the technology quickly and reap financial gains for future research. Researchers can also patent CRISPR technology to create buzz about the topic, which would attract possible investors. However, CRISPR opponents argue that if the people who work with the technology know little about it themselves, then creating patents is a highly deceptive ploy to obtain more funding. The following section will highlight possible solutions to move forward with CRISPR research and maneuver oppositional obstacles.

THE NEXT PHASE

The existing proposed solutions lack rigorous emphasis on human safety and the moral responsibility of researchers. It is difficult to trust the existing solutions because most have been skewed by CRISPR supporters. Quétier suggests that regulation policies “ought to evolve in order to take into account new technologies for genome editing” (73). With scientists designing more efficient tools at impressive speeds, the regulation policies cannot keep pace. Although a step in the right direction, Quétier’s recommendation is unimaginative and does not provide any specifics as to how regulation policies can move forward or what they should account for. Despite similar views as Quétier, Juengst provides a different opinion about regulation policies, writing, “Instead of trying to come to consensus on incommensurable community worldviews and personal values, perhaps it would be better to encourage the public to prepare for a world in which gene-edited enhancements and occasional inadvertent germ-line changes are a reality and to discuss the human rights protections that the variegated inhabitants of such a world will need” (21). Juengst’s proposal to move forward with CRISPR technology in its current state is a rushed approach that Quétier would disagree with. Intermediate steps, termed enhancement interventions, can also be implemented as solutions to raise public interest by highlighting the issues that surround genetic editing (Juengst 15). Advancing to clinical

trials immediately would put patients at an unreasonable risk. However, Juengst's position as a CRISPR supporter reveals a significant bias, making it difficult to accept his proposed solution. Unreasonable risk is neither defensible nor acceptable when CRISPR can be refined into a safe and functional gene-editing tool. When discussing a Research Ethics Committee (REC), Guraya writes:

[The REC aims] to safeguard the welfare, dignity, and safety of the participants ... and promotes public confidence in the conduct of human research. RECs play key roles in promoting ethical practices in biomedical research and in identifying solutions to ensure that the interests of researchers and society do not take precedence over the rights of the participants. (123)

Leaving safety unaccounted for to reap the benefits of financial gain is a key ethical dilemma for CRISPR studies, which leads to safety concerns for human trials. Rushing a flawed technology would be an example of research misconduct, as it jeopardizes the research and safety of participants.

Another key issue at the germline level is that genetic modification affects multiple generations while only requiring the consent of one. In a study done by Chinese researchers on non-viable embryos, "Crispr, it turns out, didn't target genes as well in embryos as it does in isolated cells" (Maxmen). With such inconsistencies concerning the effectiveness of the technology, researchers should consider the ethical implications of research before moving forward. An incomplete technology is irresponsible and does not address the issue of consent by future generations. Despite this, the field of genetics holds great potential for future applications of gene editing: "Having a technology that gives us the possibility to knock out or knock in single or multiple genes with an ease that surpasses other genome editing tools is clearly a major achievement" (Chira 218). However, overcoming the ethical problems surrounding gene editing is the most effective way to gain public acceptance and help further advance CRISPR research. The current proposed solutions lack the urgency to properly address the ethical issues of human safety, financial greed, and consent.

The lopsided issue of financial greed represents the view of genetic determinism, in which intangibles, such as emotions, are left out of the equation and genes are considered financial opportunities. Quétier,

on the other hand, promotes genetic exceptionalism, suggesting a change in the way the world views genetics regarding technological advancements and regulatory policies. In the case of CRISPR, researchers “know virtually nothing about public attitudes on the topic. Understanding such attitudes will be critical to determining the degree of broad support there might be for any public policy or regulation developed for genetic modification research” (Weisberg 1). The best course of action is to define regulatory policies to keep pace with developments in CRISPR research, as well as to specify intermediate enhancement and intervention steps. Furthermore, creating a public campaign to build awareness of the field would help CRISPR become available for public funding, which would also address any financial concerns. Less pressure on funding would allow scientists to focus on the safety and hazards of future human trials, therefore undermining the efforts of opponents to cease CRISPR research. To address concerns about consent, germline modifications would have to be outlawed. Instead, only post-birth modifications would occur in an effort to limit consent to the patient alone. However, if germline modification is performed to remove a genetic disease from a genome, then the procedure should continue if safety concerns about unintentional misdeeds are accounted for.

CONCLUSION

Opponents of CRISPR claim that it is an immoral and unethical technology. They argue that it transcends the boundaries of human safety and should be put on hold to allow for more intensive studies. The studies would investigate ethical dilemmas, such as safety and the consent of future generations. Adversaries also argue that the field of CRISPR is currently more focused on financial gain, rather than the well-being of human subjects in clinical trials. While these points are understandable, they do not effectively address the argument that CRISPR is an unprecedented technology. CRISPR could eradicate genetic diseases, therefore positively affecting the lives of countless future generations that would otherwise be potential carriers of those diseases. The best way to address the ethical concerns of CRISPR is by increasing public engagement with conclusive evidence from CRISPR studies. Greater public engagement promotes greater awareness of the field by transforming the technology into a conversational topic.

Making CRISPR research available for public funding—thus

addressing financial concerns—would allow researchers to create a more successful public awareness campaign. This would allow scientists and researchers to focus on human safety concerns, thereby undermining the efforts of CRISPR opponents to put an end to further research. Regarding concerns about consent, germline modification practitioners would have to limit consent to the patient undergoing the procedure. The conversation about consent is important because genetic diseases are not the only gene sequences that can be affected. Genetic modification can also affect one's physical features or even alter existing ones. As shown by Layla's case, gene-editing tools are useful and promising for treating malignant diseases, such as cancer. Though the gene-editing tool used in Layla's case was an experimental form of gene therapy, a fully functional and effective CRISPR technology would change the way the world views diseases and their treatment. For a cancer patient, a single CRISPR procedure could remove the affected gene and cure the individual without needing months of chemotherapy.

The future potential of CRISPR generates hope, as it can inevitably be applied across various fields, including genetics, biology, biochemistry, and pathology. Although CRISPR's progress has slowed down over the years due to criticism from varied groups, it is a promising technology that can revolutionize the current field of genetics by serving as a life-saving gene-editing tool.

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THE U.S. MILITARY'S HYPERMASCULINE CULTURE AND ITS SEXUAL VICTIMIZATION OF GAY MEN

—
Kevin Stasiewski

ABSTRACT

This research explores the role that a hypermasculine culture plays within the United States military. Utilizing the theory of masculinity put forth by R. W. Connell and expanding on it, this research analyzes the different aspects of this culture and its overarching prevalence within the U.S. Armed Forces. It then investigates occurrences of sexual assault against gay servicemen and connects these assaults to the hypermasculine culture. Further, this research investigates the link between hypermasculinity and the difficulties faced by victims throughout the necessary process of recovering from sexual violence.

1. INTRODUCTION

Since the early 20th century, the United States military has waged an internal war against homosexuality. Despite being banned in 1921, tens of thousands of gay men have served in the military even with the threat of punishment and discharge looming over them. For the past one hundred years there has been a one-sided relationship between the gay community and the military, with gay men risking their lives to serve the United States of America and the military actively persecuting them. With the military's negative outlook on "sexual perversion," it is no surprise that gay servicemen have been subjected to harassment, both physical and verbal. In my research, I focus on the physical abuse of gay men in the military, specifically sexual assault and harassment. Looking through the lens of R.W. Connell's theory of masculinity, I will examine sexual assault against homosexual men and link this violence with the hypermasculine culture of the military, the definition of which will be expanded upon in the following section. First, I will take an in-depth look at hypermasculinity and its relationship to gay men. I will then analyze the victimization of gay men within the U.S. military and its connection to the hypermasculine culture. Finally, I will examine the recovery process that gay men go through following an incident of sexual assault and show how the hyper-

masculine culture of the military impedes this process at every step. Many people view the military and its aggressively masculine, heteronormative culture as being inseparable, which is not entirely unfounded. However, records show that gay men, stereotypically seen as feminine, have been serving in the military long before their persecution began. So why is it that even today, gay men are treated poorly, and are several times more likely than heterosexual men to be victims of sexual violence? The cause of this persecution is the military's inability to move away from its hypermasculine culture – one fraught with sexism, homophobia, and self-glorification. The military institution is based on a culture that emphasizes dominance and hierarchical order, while degrading that which lies outside the masculine norm, including “deviant” sexualities. This causes increased risks for sexual assaults against gay servicemen and an overall weakening of the armed services.

2. THE HYPERMASCULINE CULTURE'S RELATION TO GAY MEN

Hypermasculinity is a toxic culture that has long gripped the United States military. Despite changing attitudes within the civilian society, the military seems unable to shake this culture. Charles H. Coates and Roland J. Pellegrin explain the cause for this, claiming “there are social forces at work” which aim to keep the military's social change slower than its technological changes (413). These forces include the social practices and traditions that “are learned over long periods of time and cannot be immediately abolished administratively or modified legally” (Coates & Pellegrin, 416). Such practices, including hazing, are so deeply entrenched in the culture of the military that remedying these issues is no small feat. Sexual assault represents one form of informal socialization, or the way by which an individual learns the culture of a group from his peers. Kristen Zaleski finds that assault is used “as a form of violence to display masculinity and to induct younger males into the masculine culture” (67). Sexual assault is used to make new members of the society conform to the hypermasculine culture of the military. Elizabeth Jean Wood and Nathan Toppelberg address this informal type of socialization, claiming that these processes “trivialize sexual harassment and assault, [establishing] assault as an appropriate form of punishment (including those that transgress military gender norms)” (621). Included in “those transgressing military gender norms” are members of the gay community, who become victims

of this masculine culture.

Hypermasculinity is rooted in the glorification of stereotypical masculine attributes: strength, assertiveness, dominance, and sexual virility. By contrast, the over-masculine culture demonizes traits often associated with femininity: empathy, passivity, and emotionality. Connell defines being “unmasculine” as “being peaceable rather than violent, conciliatory rather than dominating, hardly able to kick a football, uninterested in sexual conquest, and so forth” (67). With relation to these two umbrella terms, gay men are often stereotypically categorized as feminine, even though many homosexuals identify with the traits associated with masculinity. Shinsuke Eguchi claims “social perception of gay men has been historically associated with their effeminate behavioral performances in social interactions”, going on to state that characteristics commonly attributed to gay men include being “feminine, outspoken, sociable, talkative, and concerned about appearance” (196). This social perception leads homosexual men to be grouped with women into the same feminine category that is antithetical to the masculine norm. David Plummer advances this argument, stating “homophobia among men is an overt manifestation of a subterranean web of masculine taboos whose main effect is to entrench orthodox masculinity and thereby to maintain the gender order” (130). By following this line of logic, I find that by using homophobia as a means to police the definition of masculinity, attackers relegate gay men to some other gender role, namely the subservient feminine role. Connell states this plainly when he writes, “patriarchal society has a simple interpretation of gay men: they lack masculinity” (143). Here we see the definition of men, according to society, as being strictly heterosexual and opposite to all feminine traits that are attributed to homosexuals.

While this argument applies to civilian society, it also applies to the military setting, albeit in a more complex fashion. The military has a structure that emphasizes orderliness and uniformity. Connell addresses this structure, claiming that society’s reason for believing gay men should not be allowed in the military “was the cultural importance of a particular definition of masculinity in maintaining the fragile cohesion of modern armed forces” (73). Thus, by introducing a sexual orientation that defies the expectations of heterosexuality, the code of uniformity is broken. Zaleski claims that within the military, “attributes contrary to [masculine ideals], such as empathy, emotionalism or weakness, are associated with femininity or homosexuality and are therefore mocked and denigrated”

(24). It is merely the fact that they vary from the heterosexual norm that makes them targets for subscribers to the hypermasculine culture. While some gay soldiers may exhibit stereotypically feminine traits, Plummer writes that “modern homophobia can be understood as a system of punishment for crimes against manhood” (130). Within the military culture, simply being homosexual qualifies as a slight against the norm. In order to protect themselves from this homophobia, gay men have the option to subscribe to this societal paradigm. This, however, is a self-defeating idea, as joining this culture means discriminating against themselves and their own sexual orientation. It is clear that hypermasculinity outwardly rejects gay men and prevents them from finding a way to fit in with the other soldiers.

3. SEXUAL ASSAULT AGAINST GAY MEN

Crime rates within the military are lower than the rates in the civilian population, with the exception of sexual assault against women. Elisabeth Jean Wood and Nathan Toppelberg found it challenging to compare the rates for assault against men. This is because of the gross underreporting of sexual assault by men in both civilian and military life. I would posit, however, that as with women, the rate of sexual assault against men in the military is comparable to that of the civilian population, perhaps even higher. The outlier in crime rates is due to the toxic culture of hypermasculinity. While the reasoning for the similarity in rates between the two populations for men will be different than that of women, hypermasculinity ties into both. As observed by Wood and Toppelberg, military culture is characterized by “the celebration of heterosexual virility; and the denigration of traits associated with femininity” (624). This “heterosexual virility” is the cause for which sexual assault rates are similar between civilian and military populations of women, and also ties into the explanation of why sexual assault rates are comparable between civilian and military populations of gay men. Definitively opposite to heterosexuality, homosexuality defies the notion of heterosexual virility – an affront to the hypermasculine culture. Burks describes the use of sexual assault as a form of punishment against homosexual men: “sexual violence among male soldiers was believed to serve the dual purpose of validating the masculinity of perpetrators and simultaneously emasculating male victims” (606). Sexual assault is clearly used as a tool to enforce masculinity, punishing all who do not fit the image of the stereotypical

man. Connell claims that the practice of homophobia is used “not just to abuse individuals. It is also to draw social boundaries, defining ‘real’ masculinity by its distance from the rejected” (40). The use of homophobia to create boundaries applies directly to the use of sexual assault against gay men: it defines the perpetrator as a “real man,” who is not “the victim.”

Using military sexual trauma as a tool to enforce masculinity while effectively emasculating the victim begs a question: how can something that emasculates a victim work to preserve a hypermasculine culture? Although it seems contradictory, the answer to this question is two-fold. Sexual assault is used to discipline those who do not conform to gender norms. This punishment has two effects. First, it causes victims to feel shame and pain associated with their alleged femininity, which may potentially drive them out of the military, essentially reducing the number of non-conforming soldiers. This effect certainly ties into cases of sexual assault against gay men. As gay men have already been noted to be opposite to the stereotypical notions of masculinity, those who wish to inflict shame upon them may resort to sexual violence. This may further cause young gay men to decide not to join the military in fear that they may be a victim. Second, it serves as a lesson to other soldiers: either join in on a culture that celebrates masculinity or become the next victim of sexual assault. It should be noted here that, according to an article published by the state of Michigan, “statistics show that heterosexual men commit 96-98% of all sexual violence against males and females” (1). Therefore, it is clear that the perpetrators are committing these assaults for a purpose other than sexual gratification due to sexual preference. Rosemarie Skaine backs this claim, stating “the acts are rarely homosexual in nature but rather an effort to feel powerful or dominant over others” (71). Aside from any sexual satisfaction the attacker may gain, one of the primary motives for the assault is the feeling of power. The World Health Organization agrees: “Coerced sex may result in sexual gratification on the part of the perpetrator, though its underlying purpose is frequently the expression of power and dominance over the person assaulted” (149). For the heterosexual attacker, the act of sexual assault is to feel a sense of power and to humiliate the victim.

The feeling of masculine validation increases the rates of sexual assault in the military. By increasing the feelings of dominance over another man in the military, the perpetrator becomes incentivized to continue to commit acts of sexual violence. Skaine claims that “in some ‘semi-closed settings’ [...] as many as 90 percent of sexual assaults come

from serial predators” (81). The act of violation rewards the attacker with feelings of power. This becomes cyclic; the act of sexual assault creates feelings of belonging for the perpetrator in the hypermasculine culture of the military alongside others who commit sexual assault. Thus, the perpetrator will continue to commit assaults in order to revitalize the rush of masculinity. Rough and Armor claim that “men, on the other hand, were more likely than women [...] to have been assaulted repeatedly” (211). I believe the sense of power the perpetrator feels from dominating another man will cause him to offend frequently. This allows the attacker to relive that sense of domination with every assault. However, the prevalence of repeat offenses is representative of a larger issue: if most assaults come from the same set of attackers, why is that group not removed in order to create a safer environment for other soldiers? One of the central reasons the perpetrators remain on the base is the lack of reporting by the victims of sexual assault.

4. THE EFFECTS ON THE SOLDIER AND THE MILITARY ORGANIZATION

The first step in recovery from sexual assault is coming to terms with it and reporting it. Zaleski points out that “male service members who have sustained a sexual trauma during service time are very unlikely to seek physical or mental health out-patient services” (65). Men report being the victims of sexual assault at an abysmally low rate. Much of the rationale behind this can be directly linked to the hypermasculine culture of the military. First, Wood and Toppelberg claim that the informal socialization processes of soldiers, often running counter to official military policies, “license retaliation against those who report sexual abuse” (621). In informal socialization rituals such as hazing, new soldiers become indoctrinated into the culture of hypermasculinity, committing acts of violation against other soldiers and learning that dominant men can do as they please. They are also taught that those who object or are victims and report to a higher officer are open to retaliation, including further sexual assault. This intimidation of the victim may very well cause him to simply hide the fact that he was sexually victimized to prevent future abuse. Richard Tewksbury claims that at the heart of underreporting, there “are issues of stigma, shame, fear, and a belief [that] victims may have their sexuality questioned” (25). I argue that, while the other factors are prevalent in underreporting, the fear surrounding their sexuality is the primary

reason victims remain silent. Jill Rough and David Armor concur, stating that men “cite a fear of being viewed as gay or bisexual if others learned of [the sexual assault]” (211). The final part of this quote especially stands out. If a man in the military reports sexual assault and his sexual orientation is questioned, he can no longer fit into the role of a masculine soldier, which breaks the military’s mold of uniformity. Simply questioning his sexuality pushes him into the taboo zone because he is no longer certain that he is heterosexual. Therefore, reporting the sexual assault and seeking treatment for it opens the door for more issues, including further incidences of sexual assault. This is evidenced by Wood and Toppelberg’s claim that reporting can merit retribution, which may include sexual assault. Burks similarly points out that “victims who are gay or lesbian may believe they have even fewer options for help. Some may believe they could be further harmed if the action of seeking help were to draw attention to their LGB sexual orientation [...] and/or served to increase the likelihood of subsequent revictimization” (608). Therefore, by threatening survivors with further sexual victimization, the hypermasculine military culture is able to flourish in the absence of reports of sexual assault.

Second, a lack of reporting is attributed to the belief that being a victim of sexual assault is “unmanly” and may command disbelief. Veysel Bozkurt et al. state that “men therefore have more masculine status if they can demonstrate that they can protect themselves” (256). This requirement of being capable of self-protection distinguishes men from women, and those men who are unable to protect themselves blur the line that separates masculinity from femininity. As discussed above, gay men are already viewed in opposition to stereotypical masculinity. However, in order to fit in within the military, it is necessary to have a masculine demeanor, which includes being able to protect oneself. Therefore, in order to retain whatever fragment of masculinity is afforded to them by other members of the military, gay men are unlikely to report sexual assault because they will be seen as weak and incapable of defending themselves. By not reporting incidents of sexual assault, gay men may preserve their masculinity, which in turn maintains their social standing among their peers and their superior officers. According to Aliraza Javid, gay men who report sexual assault may also be disbelieved: “grave wounding must be present to firmly vindicate the victim from the questioning of willing participation and victim precipitation. Put differently, it is necessary to show considerable injury otherwise victimhood may become dubious” (287). If a victim cannot show beyond doubt that there was injury and he

was, in fact, a victim, then he may not be believed and may go untreated. Zaleski concurs when she claims “embarrassment, shame, self-blame, and fear of being disbelieved were some of the main reasons why male sexual assault victims would not seek services” (65). Before reporting a sexual assault, gay men have to weigh these possible consequences against the benefits. However, issues continue to arise even after reporting.

Victims continue to grapple with the aftermath long after the incident of sexual assault. This may include future visits with a psychological professional working to combat mental illnesses that may arise from the assault. Among the commonly cited mental illnesses stemming from sexual assault is post-traumatic stress disorder (PTSD), symptoms of which may include anxiety, traumatic flashbacks, and trouble sleeping. The retention rates of symptoms associated with PTSD are higher in the military setting than in civilian society. As Zaleski explains, the difference is that “captivity [...] can prevent a person from feeling safe enough to recover in the wake of a trauma” (38). Survivors are essentially held captive on the military base, unable to freely change where they live and who they work with, or to take time off from their job. Instead, they may be forced to see and work with their attacker daily, which obstructs their recovery process. For gay men prior to the 2011 repeal of “Don’t Ask, Don’t Tell” (DADT), this was compounded with the risk of dishonorable discharge from the military for being “out of the closet.” Even today, officers serving during the time of DADT may continue to hold on to prejudices produced by the Clinton administration’s military policy. This includes military mental health providers, who may not properly treat gay servicemen who come as survivors of sexual assault. Rough and Armor seek to curb the issue of improper treatment by informing service providers that “men who experience sexual assault may also need to be educated about the reporting channels available to them, with some research suggesting gender-specific education and counseling could increase access to care for male victims of sexual assault” (14). Men often may not know what services and options are available to them. Lacking this information, they may not seek proper treatment. However, these resources may not be available, as Skaine claims that “programs or policies are not in place to help [men]” (74). The lack of these programs and policies comes at a cost for the armed forces.

The act of sexual assault also bears consequences for the military as an organization. By not working to prevent sexual victimization and falling short in aiding the victims, the military institution winds up dam-

aging its own effectiveness. According to Skaine, “posttraumatic stress and military sexual trauma negatively affect military readiness because of possible devastating consequences to those serving” (95). Among these devastating consequences is a sense of broken trust among service members. In an institution that relies so strongly upon harmony among soldiers, any break in trust can throw a unit out of order. In a study of prisoners of war, Coates and Pellegrin found that “primary group loyalties among the prisoners constituted their chief hope of survival and success in an extremely hostile environment” (331). In this case, the authors clearly suggest that camaraderie is the key to survival among prisoners of war, as loyalties give the soldiers the strength and will to both survive and assist their fellow soldiers. Major Brendan B. McBreen lists several characteristics that are common among units with strong feelings of trust, claiming “cohesive units fight better, suffer fewer casualties, train better, do not disintegrate, require less support, and provide members with a higher quality of life” (ii). If sexual assault creates tension and distrust between soldiers, then it reverses all traits McBreen associates with cohesive units. As the hypermasculine culture is to blame for the perpetuation of sexual assault in the military, it damages the military in a multitude of ways. This opposes those who believe that a hierarchical, masculine order benefits the military by keeping it organized and efficient.

5. CONCLUSION

Based on the aforementioned struggles that gay men face, many would assume that the military is a hostile and intolerant place for anyone who does not conform to stereotypical gender roles. Although this view holds some merit, over the past decade the U.S. military has been taking steps, albeit slowly, to help bridge the divide between the masculine and heteronormative culture and gay servicemen. The most prominent of these steps has been the repeal of the “Don’t Ask, Don’t Tell” policy, which was known for forcing members of the LGBT+ community to stay silent about their sexual orientation or risk dishonorable discharge. Officially effective as of September 20th, 2011, the repeal began the healing process for the relationship between the two parties.

Many would assume that a culture so deeply entrenched in the military life would follow the rule of path dependency, in which once a track is set, it is nearly impossible to change course. However, evidence undermines this theory, as seen in the history of the desegregation of the

military, the inclusion of women, and the recent repeal of DADT. Although slow, and much further behind civilian society, we have seen that the military can make changes to its social culture. The last vestiges of heterosexual male dominance lie in the culture of hypermasculinity, and therefore, this thorn will be the hardest to extract. There have been suggestions for an intervention from Congress to reorganize the military in a way to curb this behavior, as well as calls for the White House to step in to resolve the issue. Whether either of these are practical solutions to the problem of the military's hypermasculine culture, and therefore its sexual victimization of gay men, remains to be seen. However, in order to alleviate the pain of those who are currently suffering as a result, steps must be taken immediately to quash the prevalence of hypermasculinity and replace it with a more inclusive, yet similarly uniform and disciplinary, culture. This new military culture cannot be one in which revenge from the accused is tolerated, nor one in which soldiers commit atrocities in order to gain dominance over one another. Though it will certainly take years to overcome the current paradigm, in the long run, it will make the United States Armed Forces a stronger and more unified military.

Our military will largely benefit from a change to its culture. First, it will gain an influx of public support by combatting sexual assault. An increase in public support could lead to additional funding by Congress and enlistment of more citizens. Most importantly, the military will strengthen itself. Service members must be able to put their trust in their fellow brothers- and sisters-in-arms, which requires a powerful sense of camaraderie. Sexual assault dissolves these bonds of trust between service members, in effect reducing the capability of the unit. By working to solve this issue, the U.S. military can work to restore the cohesiveness required of a unit and to strengthen the armed services as an institution. In addition to this, the military and by extension the United States as a whole, will receive a strengthened sense of legitimacy both domestically and internationally. This will be achieved through improvement in public opinion and international recognition, further cementing the United States' position as a role model for equality and acceptance.

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BRUSHSTROKES IN RED: AN ARTISTIC ANALYSIS OF THE MENSTRUATION TABOO

—
Ankita Veta

we menstruate and they see it as dirty. attention seeking. a burden. as if this process is less natural than breathing. as if it is not a bridge between this universe and the last (Kaur)

ABSTRACT

This paper discusses the rise and perpetuation of the menstruation taboo in India and its implications on women. The paper then examines how modern women of Indian descent use art as a microrebellion to combat the taboo, using artworks by Rupi Kaur, Megha Joshi, and Mansi Bhaskar. The purpose of their art, as well as its effectiveness, is analyzed in the context of the Internet era. While art is a powerful tool in tackling the menstruation taboo, this paper argues that it also remains inaccessible to populations most affected by the taboo.

I. INTRODUCTION

On his decades-long journey to becoming known as “The Menstruation Man,” Arunachalam Muruganatham uncovered what women all over India knew already—it was extremely difficult to maintain their well-being while on their periods. As an average man growing up in rural South India, Muruganatham’s first exposure to the hurdles that menstruating women face in his country came in the form of a conversation with his wife, Shanthi, in 1998: “One day he saw Shanthi was hiding something from him. He was shocked to discover what it was - rags, ‘nasty cloths’ which she used during menstruation. ‘I will be honest,’ says Muruganatham. ‘I would not even use it to clean my scooter (moped)’” (Venema). When he went to buy pads for her, he began to wonder why a simple product like this would cost so much. He set out to design his own sanitary pad, asking for feedback from medical college students about the effectiveness of his design. When that failed, he resorted to creating his own model uterus and wore the pads to test out his designs himself. In the process, both his wife and mother left him, and the people of his village

ostracized him, believing that he was either out of his mind or that he had contracted a sexual disease. In the aftermath of these events, Muruganantham commented, “So you see God’s sense of humour [sic]. I’d started the research for my wife and after eighteen months she left me!” (Venema).

Muruganantham’s case is hardly traditional, but his story is a prime example of the possible extreme societal consequences of ignoring a taboo such as menstruation. His home country of India has been plagued by this taboo for far too long, perpetuated by lack of education and acceptance of the stigma, which have serious repercussions for women’s sexual and overall health (Yasmin 22). Women all over the globe have been striving to turn this taboo on its head by initiating conversations about menstruation and normalizing it. Specifically, women of the Indian diaspora have been using art as a tool to change the discourse around menstruation. Ideas from feminist theory, which revolves around gender inequality, as well as framing theory, a mass communications theory, serve to explain the rise and perpetuation of the menstruation taboo. This paper examines artwork from women of different backgrounds, which has been created with the purpose of drawing attention to the menstruation taboo. These will include photographs directed by Canadian-Indian poet, artist and photographer, Rupi Kaur, as well as paintings created by Indian residents and activists, Megha Joshi and Mansi Bhaskar. Each of these artworks is a microrebellion, or personal revolution, and seeks to affect change (Salime). The analysis of these pieces will demonstrate that art is a powerful and effective tool used by women of Indian descent to combat the menstruation taboo in India, but that it ultimately falls short of accessing the very populations that are most affected by the taboo.

II. THE MENSTRUATION TABOO: THE STAIN OF HYPOCRISY ON INDIAN SOCIETY

The taboo surrounding menstruation is one that is rooted in hypocrisy, especially in India, a country that both reveres goddesses and regularly perpetuates gender inequality. A lesser-known folk story from Hinduism, one of the major religions practiced in India, speaks of *Kamakhyā*, the menstruating goddess. It is said that *Kamakhyā* is an incarnation of the goddess Sati, whose body was chopped into pieces after her suicide, with each piece falling on the Earth to mark a *shakthi peetham*, or temple of power. The site where Sati’s womb is believed to have landed

is now the *Kamakhya* temple in Assam, India. Unlike most temples, there is no idol of the goddess to which people pray; instead, there is a carving of *Kamakhya's yoni*, or vagina, and the river by the temple is rumored to turn red at a specific time of the year, symbolizing the goddess' menstrual period. Sachdev explains, "the oldest scriptures in Hinduism, the *Vedas*, refer to menstrual blood euphemistically as *kusum* (flower), *pushpa* (blossom) and *jivarakta* (the giver of life)" (2015). While the exact year in which the *Vedas* were completed is not agreed upon, most believe it to be around 1000-1200 B.C. Given this positive affirmation of menstrual blood from ancient Hindu scriptures, it is surprising to learn that women are not allowed to enter the *Kamakhya* temple when they are menstruating (Das 34-36). Menstruation, which is held in such high regard by the very same sacred texts that the temples follow, has clearly suffered from a paradigm shift in modern society.

The emergence of patriarchal rule of the country's institutions since the advent of organized society has tainted the positive image of menstruation in the *Vedas*. Referring to taboos against crossing lakes or owning animals in tribal days, Yagnik explains: "[t]he original motive behind the taboos was to protect the members of the society from dangerous circumstances. But their blind enforcement, even after the advent of technology and greater knowledge, became a social liability" (623). Yagnik claims the taboo against menstruation might have originated in an effort to isolate an unknown phenomenon for fear of infection, or to "protect" women from strenuous activity while they experienced physiological changes during their period (624). Despite seemingly noble roots, these restrictions on what women should be able to do are being grossly misused in today's society. Often, the menstrual cycle is used to paint the picture of a weaker woman: "Since the menstrual cycle is such an obvious difference between the sexes, correlates of the cycle are regularly raised as evidence of women's inferiority" (Golub). This perceived inferiority takes many forms, be it through history when women were expected to be unable to carry out physically demanding tasks, or in the present day, where they are prevented from engaging in daily activities like praying.

Interestingly, it is primarily men in positions of power that perpetuate the idea that menstruating women are ineligible to participate in certain activities. For instance, Prayar Gopalakrishnan, the male head priest of India's Sabarimala temple, has placed even stricter restrictions than those seen at the *Kamakhya* temple. According to Sachdev, "[r]eporters asked the new president of the temple's governing board, Prayar

Gopalakrishnan, whether he'd consider lifting the ban on women aged 10 to 50. His response: 'The day there will be a machine to detect if it's the 'right time' for women to enter temples, that day they will be allowed in Sabrimala'" (2015). Gopalakrishnan's rule is one made without personal experience or proper education about menstruation and serves as a liability for half of Indian society. Gopalakrishnan's new rule for the Sabarimala temple is just one instance of the power that men wield in Indian society.

III. PAINTING THE PICTURE: HOW THE TABOO MANIFESTS

Women face several hurdles like the one imposed by Gopalakrishnan in their day-to-day lives, especially in India. Owing up to its reputation as a religious nation, India places power in the hands of "authoritative sources," like religious leaders and sacred texts that serve as sources of information regarding menstruation (Hoerster 78). These authoritative sources are usually men like Gopalakrishnan who do not fully understand the issues about which they make rules and laws. They believe that "[taboos] are symbols of an invisible agreement within a community and strengthen the cohesiveness within it" (Yagnik 623). While several men like Muruganatham have now joined the feminist movement to disrupt that cohesiveness by refusing to adhere to the taboo, their experiences are strikingly different from those of women and girls all over the country. For instance, while Muruganatham was originally ostracized by his village for his efforts to make a more affordable sanitary pad, he eventually reaped the benefits of his work. He went on to invent a pad-making machine that has now been installed in several rural communities in most of India's states, and has received the Padma Shri award from the Indian government, a high civilian honor (Venema). Meanwhile, most women and girls continue to be caught within the confines of this taboo in their day-to-day lives.

Two such impediments are the lack of access to resources and education, which manifest as unhygienic and sometimes dangerous menstrual health practices. Examining different populations of India brings to light the extent of the problem. In a 2013 study conducted in rural West Bengal, it was found that 15.7% of the subjects used old washcloths during their menstrual cycle, and over two-thirds of those subjects specifically encountered a problem with lack of privacy when washing or

drying their cloths; “[k]eeping the cloth in places away from prying eyes became a problem for them and for that they usually dried and stored in un-hygienic places” that are damp and increase risk of infection (Yasmin 23). In this case, the resource that the women in the study lacked was privacy. Not being able to use a private toilet with amenities perpetuates the taboo around menstruation because the menstruating girl herself feels embarrassed and unclean, as though she were internalizing Kaur’s words: “we menstruate and they see it as dirty.” While these physical and financial hurdles create undeniable problems for girls, the lack of proper education only exacerbates them. Grewal explains, “Menstruation and menstrual practices are still clouded by taboos and socio-cultural restrictions resulting in adolescent girls remaining ignorant of the scientific facts and hygienic health practices, which sometimes result into [sic] adverse health outcomes” (133). The fact that the taboo exists further prevents girls from gaining access to these scientific facts, as other people in their lives are less likely to openly discuss the biological basis of menstruation and educate them. Grewal’s concerns are echoed in a 2003 study done to compare attitudes of women in India and the United States about menstruation: “After each testing session, one or more Indian women lingered in order to ask the first author basic questions about the physiology of the menstrual cycle. No Americans asked such questions. This suggests that the preparation for menarche that Indian women receive is not sufficiently detailed” (Hoerster 90). While Hoerster’s study was done at a university in South India, where the students were in their early twenties and had taken science classes, they were still unaware of the specifics of menstruation. Paired with the stigma identified by Yasmin, this ignorance creates a two-pronged case of how the taboo against menstruation affects girls on a daily basis.

IV. FRAMING THE ART: A FEMINIST MEDIA APPROACH TO MENSTRUATION

Examining feminist theory and framing theory in conjunction can describe the rise, perpetuation and consequences of the menstruation taboo. Part of feminist theory, which examines gender inequality in various fields, identifies oppression of women in patriarchal societies. Gopalakrishnan exemplifies this oppression as a man who controls the narrative around women’s issues and is able to make decisions about women’s lives. Feminist theory also examines the rise of societal roles and is valuable

when considering feminists' perspective on what shapes society's ideas about menstruation. Bobel questions: "Why, exactly, do nearly all women hate their periods more than other bodily processes? How do culture, gender ideology, and consumerism shape these reactions? ... [T]hese questions are at the core of menstrual activism and drive activist efforts to confront negative representations of menstruation, which impede the development of safe products, the distribution of comprehensive information, and honest, informed dialogue about this bodily process" (7). Negative representations of menstruation in the world can come from sources like the news, social media, and cultural norms, but these various sources base their ideologies on anti-feminist notions that periods make women weak or impure. These gender-based claims delineate the importance of looking at the menstruation taboo not just through the lens of feminist theory, but also framing theory.

Framing theory is a mass communications theory that offers plausible explanations as to why the menstruation taboo has been perpetuated. First coined by Gregory Bateson, a leading researcher on psychological framing, the theory states that "either...the frame is involved in the evaluation of the messages which it contains, or the frame merely assists the mind in understanding the contained messages by reminding the thinker that these messages are mutually relevant and the messages outside the frame may be ignored" (192). When it comes to the frame by which menstruation is defined in media, one can turn to magazine ads for menstrual care products, sexist jokes about menstruating women in movies, or the conversations that women themselves might have about each other on television shows. These frames convince the thinker to ignore scientific facts and instead focus on ideas about gender that diminish and disempower menstruating women. Yagnik applies framing theory to menstruation in greater detail, describing its linear progression through four stages: (1) no framing, (2) negative framing, (3) positive framing, and (4) normalized framing (630). In the fourth stage of normalized framing, he says, "menstruation may become a larger issue and will encompass other aspects of social justice, human rights, empowerment, gender inequality, and development" (629). It is clear that incorporation of larger societal issues plays a pivotal role in the progression from positive framing to normalized framing, and I argue that art is the ideal tool by which women can ignite this progression.

Art can have a powerful impact on the normalization of menstruation, especially when it uses the Internet as a means of mass communi-

cation. Fortunately, women of the Indian diaspora from all over the globe are reclaiming and redefining menstruation through their artwork by using the Internet to their advantage. According to Salime, “personal revolutions, or microrebellions, [proliferate] in the fluidity and interwoven pathways of cyberspace” and create change on an individual level, but she states that they can go “unnoticed if [they are not] documented online... [to give them] an enduring virtual presence” (16). While Salime makes a valid point, the importance of the Internet’s role in a protest is dependent on the purpose of the protest. Muruganatham’s microrebellion in South India did prove effective when confined to the boundaries of the village, but it may not have reached the outside world if not for the Internet. Therefore, Salime’s statement more accurately pertains to technologically developed areas of the world, where the Internet can serve as a formidable addition to the art itself. The three artists whose work will be examined harnessed this power of the Internet when they created their art, engaging in their own microrebellion against the menstrual taboo.

V. MICROREBELLIONS: ARTWORK DEPICTING MENSTRUATION

The first microrebellion is Rupī Kaur’s photography project entitled “period,” which stirred up controversy for its no-holds-barred depiction of life during menstruation. Kaur is a Canadian-Indian poet and photographer who often speaks about her experiences as being a woman of Punjabi descent. She directed and published “period” to normalize depictions of period blood. Its caption reads: “we menstruate and they see it as dirty. attention seeking. sick. a burden. as if this process is less natural than breathing. as if it is not a bridge between this universe and the last” (Kaur). Kaur’s commentary acknowledges the notion that periods are “dirty,” which still persists, especially in rural areas of India. For example, in a 2017 study of women in Rajasthan, Rajagopal found that “the common perceptions articulated were that ...menstrual blood is the accumulated dirt that flows out of the body every month” (310). Kaur counters this image of “dirt” by painting menstruation as a positive, natural process bridging two worlds, those of a mother and a baby. She effectively invokes the same emotions as the Vedic descriptions of period blood as *jivarakta* (the giver of life) that Sachdev mentions.



period by Rupi Kaur

The photographs are explicit in their portrayal of period blood as Kaur poses in different locations around a home, with blood stains on her bed, her clothes, and even her shower floor. The stark contrast of the deep red period blood against a white background draws the viewer's eyes to the focal point, and their attention to the issue, right away. This is especially significant when considering that white is a color often associated with cleanliness, purity, and sterile environments (Sherman 1019). Using period blood in this context challenges the idea of it being unclean or impure, but it also emphasizes the fact that Kaur's life is unlike those of the women from West Bengal or Rajasthan.

Kaur is a woman that was raised in a developed country, and her photographs reflect the privilege that comes with such a life. Clearly, Kaur has access to commodities like a private toilet, shower, bed, and laundry machines. Her work reached the masses mainly through the Internet. Kaur is known as an Instagram poet, and she has a website in addition to several social media profiles, including Facebook, Twitter, and YouTube. Her experience is different from those of women growing up in India, and it is vital to also examine art done by Indian women living in India who encounter the stigma in a much more magnified way.



Various untitled works by artist Megha Joshi

In order to understand the perspective of those women who live in India, I examine the works of Megha Joshi. Joshi often works with cotton wicks, which are traditionally used to light oil lamps in Hindu temples and religious ceremonies. However, she soaks them in red dye to symbolize period blood. In contrast to Kaur, Joshi does not directly use her body as art. Instead, her art serves as the body through which she incites a microrebellion against men like Gopalakrishnan, who dictate women's ability to participate in religious activities. Her depiction of a vagina using red wicks is a slap in the face to those who forbid women from visiting the *Kamakhya* temple while menstruating, given that a carving of the goddess' vagina is considered so sacred.

Similar to Kaur's photographs, Joshi's work also juxtaposes red and white to create a contrast between the "pure" backgrounds and the "dirty" period. While the usage of white bathroom tiles implies that both Kaur and Joshi have the privilege of bathroom access, there are certainly differences in the styles of the two artists. The biggest one lies within the mediums themselves, with Kaur using her own body as protest, whereas Joshi incorporates symbols of Hinduism, such as the wicks. As Salime describes, "[w]hether this new feminism takes the form of naked art, ...or apparently less provocative forms, we are witnessing the return of the oppressed: the body and sexuality" (18). Salime's rhetoric serves to validate both Kaur and Joshi as menstrual activists. While Kaur's photographs are stunning in their realistic depiction of life during a period, Joshi invokes an element of surprise by daring to use "sacred" cotton wicks to represent period blood. Joshi's role as an Indian woman living in India instantly makes her work more appalling to the society in which she lives than if Kaur, a Canadian resident, had engaged with the taboo in the same way.

Still, even Joshi maintains a Facebook page entitled “Megha Joshi Art,” which she uses to reach a wider audience. Although less apparent than in Kaur’s work, Joshi’s art also reflects privilege, even if simply because Joshi has the luxury of creating it, instead of worrying about proper plumbing.



Various untitled works by artist Mansi Bhaskar

Another Indian artist, Mansi Bhaskar, uses less literal depictions of periods in her microrebellious art, unlike the unflinching portrayals of vaginas and period blood by Joshi and Kaur. The drawings of the women are done in a classical Indian style often found in temple carvings. Keeping in mind the religious restrictions placed on Hindu women, Bhaskar’s work is a transgression in and of itself, just as it serves to reveal the taboo Indian society has created around menstruation. Often, this taboo results in young girls associating negative emotions with their periods, as Rajagopal explains in her study of women in Rajasthan: “Fear and panic is a dominant reaction reported by many girls in these studies at the time of their first periods” (306). Bhaskar tackles these negative emotions by highlighting symbols of menstruation, like a pad or a vagina, with vibrant rainbows. The bright array of colors is often associated with positive emotions, and just as Bhaskar strips away a physical barrier to reveal rainbow genitalia, she also strips away the associations between periods and fear. These positive images may help target young girls even better when one considers that Bhaskar disseminates her art under her Instagram name, “@sankibanjaaran,” evidence of some of the same privileges Kaur and Joshi experience. At the same time, she uses her privilege as a platform to comment on the lack of women’s voices in decisions concerning their bodies, which she represents in the first drawing with a pad covering the woman’s mouth. She follows Yagnik’s definition of positive framing, “[t]he framing of menstruation in the media as a health concern and a social

issue,” (629). By symbolizing the silencing of women’s voices in this way, Bhaskar succeeds in using her positive drawings to normalize periods in a context that is unique to women in India.

While they each share a different perspective, all three artists accomplish the task of normalizing the discourse around menstruation by presenting it in a new light. Be it Kaur’s choice to photograph around a home, Joshi’s decision to use cotton wicks found in a typical Hindu prayer room, or Bhaskar’s effort to use classical Indian designs, these three women create dissonance by placing the taboo physically and conceptually close to contexts that are familiar to Indians. This dissonance is turned into a positive association by making full use of the mere exposure effect, which is known in psychology as “a phenomenon where repeatedly presented stimuli are evaluated more positively than novel stimuli” (Inoue). In order to present this art repeatedly, all three women relied on the Internet and social media. In an era when so many people are constantly exposed to media online, it is possible to forget the inherent privilege in being able to create artwork, or even access it online. However, it is crucial to recognize that cyberspace remains inaccessible to some populations, such as the participants of the West Bengal and Rajasthan studies.

VI. WHY WE NEED A LARGER CANVAS: SHORTCOMINGS OF ART

The artworks created by Kaur, Joshi, and Bhaskar effectively normalize menstruation, but this begs the question of which demographic of women is able to join them in their microrebellions. India has earned its place in the developing world as a booming hub of technology and advancement, and has definitely benefitted from the rise in social media activism. In 2016, in response to India’s implementation of the Goods and Services Tax (GST) on luxury items, which also included sanitary pads, Indian feminists launched the #LahukaLagaan Twitter campaign (Fadnis 1111). The women who spearheaded the campaign led their own microrebellion using the tools of the modern age, projecting their voices to be heard by the government, as well as other women. This campaign allowed women to stand up for their beliefs in a display of social media activism. However, one must acknowledge that while India has made much progress, it also remains underdeveloped in many rural areas.

These rural areas are home to citizens who do not have access to basic amenities, much less the Internet, limiting the effectiveness of

social media activism. Because of this gap in the socioeconomic statuses of India's citizens, Fadnis criticizes the #LahukaLagaan campaign: "This is a serious shortcoming of the #LahukaLagaan campaign, which does not include views of the women most affected by the cost of sanitary napkins, because they are too poor to discuss the demerit of a couple of percentage points increase in tax on sanitary napkins which they could not even afford before the tax increase," (1113). This inability to participate in a positive Internet phenomenon limits those girls and women living in rural areas of India. Yasmin explains in her study of hygiene practices in West Bengal: "[t]here is significant relationship between hygienic practices followed and presence of continuous supply of water and presence of exclusive toilet of their family" [sic] (Yasmin 22). These women clearly did not have the resources to afford personal care; given this, an Internet connection and the luxury of participating in feminist microrebellions were certainly out of reach. Their access to art is limited to the carvings on the very temples that push away menstruating women, and there is no space in these women's lives to fit a positive frame around menstruation. These women are then effectively surrounded only by a negative frame, and are left unable to develop progressive opinions.

VII. CONCLUSION

While reliance on the Internet to distribute art can leave certain demographics of women out of the conversation, the creation and distribution of art in any form is still an effective tool to start a discussion that helps normalize menstruation. As Yagnik claims, it is only when menstruation becomes a larger societal issue that it reaches normalized framing (629). The art itself brings attention to social injustices and lapses in gender equality by using novel depictions of menstruation. However, the acknowledgment that artwork itself cannot empower those in underdeveloped areas further addresses the social injustices upon which normalized framing can begin to focus. Rupī Kaur, Megha Joshi, and Mansi Bhaskar successfully created their individual microrebellions, and in doing so, they have shown that Indian women have been able to use art as a tool to combat the taboo around menstruation. At the moment, art might be a brush that only the wealthy and privileged can paint with. However, with the door to new perceptions surrounding menstruation now open, those of lower socioeconomic status can begin to gain a platform upon which they can voice their concerns. While it is yet to be determined how

these artists and other women of privilege can effectively broaden the platform, this is ultimately a problem that has to be addressed through the lens of socioeconomic status and class struggles. After all, a woman in rural India who shamefully hides her period may not be inclined to create artwork with her blood, but there is hope that normalizing the conversation around menstruation will one day be able to empower her enough to purchase a pad.

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