

A Sisyphean Task: Anti-Rape Activism at the University of North Carolina at Chapel  
Hill, 1970s-1990s

By  
Margaret Foster

Senior Honors Thesis  
History Department  
University of North Carolina at Chapel Hill

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Approved:

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Dr. John Sweet, Thesis Advisor

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Dr. Rachel Seidman, Reader

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The learning process is something that you can incite, literally incite, like a riot.

— Audre Lorde, *Sister Outsider*

## **Introduction**

In 2010, attorney Wendy Murphy filed two Title IX complaints – one against Princeton University and one against Harvard Law School – with the Department of Education’s Office for Civil Rights (OCR). Murphy was the first lawyer to connect the federal law, which prohibits discrimination based on sex in institutions of education that receive federal funding, to campus sexual assault. The complaints triggered a wave of investigations against several other schools and impelled Vice President Joseph Biden and Secretary of Education Arne Duncan to introduce in 2011 the “Dear Colleague Letter,” which not only outlined all of the Title IX requirements that were applicable to sexual assault but also provided schools with comprehensive guidelines to reevaluate their sexual assault prevention and response policies. Three years later, the White House launched the “It’s On Us” campaign, aimed at inspiring all members of college campus communities to claim responsibility for preventing sexual assault, and motivating men in particular to become involved.<sup>1</sup>

Wendy Murphy’s expansion of Title IX interpretation and the subsequent calls to action from the federal government gave student activists and survivors a tool that had long been missing from the campus anti-rape movement – the power to hold their schools accountable and demand their right to a safe learning environment. But the Department of Education’s newly asserted dedication to Title IX enforcement and activists’ growing

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<sup>1</sup> Wendy Murphy, “Win In Harvard Case Will Ripple Across Campus,” Title IX On Campus, Accessed February 3, 2015, <http://title9.us/win-in-harvard-case-will-ripple-across-campus/>.

sense of empowerment revealed something else more troubling: universities and colleges across the country were, and are, not only woefully unequipped to handle sexual assault, but in many cases, downright hostile to the concept of such a responsibility. As of January 7, 2015, the Department of Education is investigating 97 Title IX violations at 94 colleges and universities.<sup>2</sup> The University of North Carolina at Chapel Hill is one of them.

Right now, we are living in a moment of unparalleled national recognition and discussion of the unquestionable prevalence of sexual assault on college campuses. Taking advantage of media coverage, social media, and Internet networking, student activists and survivors are engaging the public and doing everything in their power to ensure that this moment turns into a movement.<sup>3</sup> Very much at the center of this movement is UNC. UNC has been under OCR investigation since March of 2013, and two of its complainants, alumnae Andrea Pino and Annie Clark, are at the forefront of a new wave of anti-rape activism.<sup>4</sup> The question is, with activist pushback against universities and public attention on the issue having reached unusual intensity, what are we going to do now? In order to help answer that question, I pose my own historical inquiry: how did we get here, to this peculiar moment of anger, frustration, and confusion between students and their universities? How did we suddenly end up in this crisis and

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<sup>2</sup> Tyler Kinkade, "Barnard College Joins List of 94 Colleges Under Title IX Investigations," *Huffington Post*, 7 January 2015.

<sup>3</sup> End Rape On Campus, [endrapeoncampus.org](http://endrapeoncampus.org).

<sup>4</sup> Richard Pérez-Peña, "College Groups Connect to Fight Sexual Assault," *The New York Times*, 19 March 2013.

why have we seen almost no progress in ending sexual violence on college campuses, despite many efforts on the part of both students and administrators to do so?

The truth is that we should not be surprised by our current crisis; in fact, the current problem of sexual assault on campus has been fifty years in the making and its roots stretch back even further. Back in the late 1980s, UNC doctoral student Pamela Dean undertook a research project that revealed a recurrent pattern in the relationship between women and the University during the previous hundred years: “If Carolina was seldom hostile to women, it seldom gave them a high priority.”<sup>5</sup> Although the first incident that prompted Dean’s declaration of such a pattern—two female students were forced to gather twigs outside in the middle of the night and the middle of winter because the University had failed to provide their living quarters with any fire wood—occurred in 1921, she traced its recurrence throughout the next sixty years and indeed, I have found it to be a quite relevant, and accurate, description of the history of UNC’s anti-rape movement and the current relationship between women and the University. In my own analysis of the history of women at UNC, I will show that the trend we are seeing in sexual assault politics today – of student activists identifying a problem and pushing for action, followed by administrators attempting to respond to activists – actually began in the 1960s.

Over this same period—since the 1960s—historians have taught us quite a bit about sexual assault activism. There have been two broad (though often intersecting and

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<sup>5</sup> Pamela Dean, *Women On the Hill: A History of Women at the University of North Carolina* (Chapel Hill: Division of Student Affairs, University of North Carolina, 1987), 6.

overlapping) branches of scholarship: work on sexual assault activism and racism and work on sexual assault activism and feminism. Focusing on the post-Reconstruction South and writing in 1983, historian Jacquelyn Dowd Hall connected the history of rape with the history of lynching in the United States.<sup>6</sup> On the Civil Rights front, Danielle L. McGuire writing in 2010 and Estelle B. Freedman writing in 2013 brought to light, in their respective books, the oft-forgotten anti-rape work of black women between the end of the Civil War and the dawn of the Civil Rights Movement that challenged not only male supremacy, but white supremacy. Using the narratives of women like Rosa Parks, who ardently investigated the brutal gang rape of Recy Taylor, and Joanne Little, McGuire and Freedman traced the history and implications of rape as a highly racialized crime that both devalued black female bodies and demonized black males.<sup>7</sup> By examining the relationship between rape and racism, these historians contextualized many of the stereotypes that pervaded, and continue to pervade, American society and largely contributed to the popularity of the stranger rape myth.

Meanwhile, feminist scholars analyzed the anti-rape work of radical white activists in the wake of second-wave feminism. One of the most influential publications on sexual assault of the twentieth century, Susan Brownmiller's *Against Our Will* (1975) traced the history and implications of rape as a gendered crime, and specifically as man's

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<sup>6</sup> Jacquelyn Dowd Hall, "‘The Mind That Burns in Each Body’: Women, Rape, and Racial Violence," in *Powers of Desire: The Politics of Sexuality* (New York: Monthly Review Press, 1983), 328-349.

<sup>7</sup> Danielle L. McGuire, *At the Dark End of the Street: Black Women, Rape, and Resistance—A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power* (New York: Alfred A. Knopf, 2010); Estelle B. Freedman, *Redefining Rape: Sexual Violence in the Era of Suffrage and Segregation* (Cambridge: Harvard University Press, 2013).

most powerful tool for maintaining dominance and keeping women in a state of obedience, fear, and inferiority.<sup>8</sup> Building on Brownmiller's approach, other scholars like Maria Bevacqua extended the analysis of feminist anti-rape ideology and redefined rape in a way that connected the personal to the political and allowed women to begin addressing the larger gender inequalities and social structures that led to oppression in the form of sexual violence.<sup>9</sup> Though highly relevant and important, the work of these historians leaves out of the historiography of rape the endeavors of student activists against campus rape.

Informed by the historiographies both of sexual assault and of social movements, this study focuses specifically on sexual assault activism on college campuses because as pervasive and important as the issue of sexual assault has been in all areas of American society, college students experience sexual assault more intensely than most other subgroups in modern America—women are much more likely to be sexually assaulted at college than in other contexts.<sup>10</sup> In addition, colleges offer a unique opportunity to study the interplay of activists and authorities because students and administrators have specific relationships with each other within the context of institutions with long-term stability. I focus on activists because I'm particularly interested in how students articulated the problem of sexual assault, what strategies they promoted as solutions, and what responses

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<sup>8</sup> Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York: Simon and Schuster, 1975).

<sup>9</sup> Maria Bevacqua, *Rape on the Public Agenda: Feminism and the Politics of Sexual Assault* (Boston: Northeastern University Press, 2000).

<sup>10</sup> Mary P. Koss et al, "Sexual Experiences Survey: A Research Instrument Investigating Sexual Aggression and Victimization," *Journal of Consulting and Clinical Psychology* 55.2 (1987): 163.

their efforts elicited from their peers and from university officials. Furthermore, with experience in activism and knowledge of social issues, these students have been the most likely of their peers to both bring public attention to issues while in college and to continue applying their skills and passions to larger societal problems after college.

My research indicates that over the last half century, anti-rape activism at UNC went through four basic phases—each demonstrating a pattern of tension between students, activists and the University, all of whom were collectively struggling to define and address the issue of sexual assault. By examining these different waves of anti-rape activism at UNC, my thesis argues that inaccurate conceptions of campus rape and sexual assault led to ineffective solutions that did not address the problem in its entirety. Indeed, the current seeming lack of any serious or visible progress in combatting sexual violence at UNC is a result of the school's complicated history with rape and sexual assault: almost forty years of incorrectly diagnosing the problem, implementing superficial policies and security measures to combat the problem, failing to find a consistent definition of the problem, and failing to acknowledge and address the far-reaching roots of the problem. Thus, while the methods and goals of anti-rape activism have changed over the past four decades, the result – a continued sense of frustration and confusion preventing any substantial resolution – has stayed the same.

Beginning in the 1960s, a tension developed from two simultaneous changes that were occurring at UNC: sexual liberation and a very sudden and immense increase in the number of women entering the school as full-time students. Students and administrators were essentially silent on the issue of sexual assault until 1973, when local activist



Miriam Slifkin founded the Chapel Hill-Carrboro Rape Crisis Center (now the Orange County Rape Crisis Center) and established connections to students on campus. Chapter 1, though, looks at an earlier time – the period in which women first gained admission into UNC, became subject to the University’s austere social rules, and helped abolish those rules, as these were the factors that ultimately created the peculiar atmosphere of ambivalence that would plague UNC’s anti-rape movement throughout the following decades. Indeed, students and administrators during this time period inadvertently created an atmosphere ripe for sexual assault and victim-blaming when they dismantled the system of *in loco parentis*, failed to provide an alternative system of protection on which women could rely and in which they could trust, and continued the tradition of silence surrounding sexual assault reporting.

In the 1970s, feminists involved in the national anti-rape movement discussed rape as an inherently gendered act of violence and worked to address male dominance and patriarchy, provide extensive rape services in the form of crisis centers, and reform rape laws; students, however, were more concerned with framing rape and sexual assault as a danger of which all female students should be aware and informing women about how to prevent rape. Chapter 2, then, looks at how and why students, administrators, and the media framed the issue solely as stranger rape and how this specific definition shaped the rape awareness and prevention tactics that students during this time employed and endorsed. The chapter also analyzes the inherent flaws in the stranger rape model – namely that such a model both perpetuated rape myths and advocated for solutions that

did little to combat stranger rape and actually neglected the existence, and prevalence, of date and acquaintance rape.

Although it undoubtedly happened prior to the 1980s, no term for “date rape” existed until this time period. Chapter 3 examines the emergence of date rape as a nationally discussed issue and the implications that this new definition of rape had for both the national anti-rape movement and the student anti-rape movement. While rape prevention work in the previous decade could hardly be defined as activism, national recognition of date rape allowed students to link the broader anti-rape movement to campus rape and to begin organizing in new ways. This time period saw an important shift away from the stranger rape myth and violence prevention model and the development of critical new aspects of anti-rape activism, including peer education and victim support. However, the 1980s also saw a continuance of willful ignorance among students and administrators, who were able to understand the issue as date and acquaintance rape but could not confront the more emotionally and ideologically difficult solutions that such a problem would require. Thus, activists hindered much of their own progress by identifying the right problem – date rape – while continuing, for the most part, to address the wrong problem – stranger rape.

All of these actions and consequences culminated in the 1990s, when UNC finished institutionalizing most of the rape prevention programs and rape services that activists had created in the years prior. While the expansion of sexual assault responses seemingly resolved activists’ concerns from the previous decades, the University ultimately created more problems for itself when, in accordance with a national trend, it

began to adjudicate date rape cases in the student Honor Court. At the same time, activists began connecting date and acquaintance rape to a larger, systemic problem of rape culture. Chapter 4 explores the implications of this new rape culture rhetoric, which was met with a fierce national backlash, and University jurisdiction over sexual assault cases. In examining the controversial concept of rape culture, as well as the criminal justice system, the final chapter introduces many of the obstacles that students, activists, and survivors continue to face today.

While both rape and anti-rape activism on college campuses have become more visible in recent years, neither are new occurrences. Indeed, there is a complex history behind this issue and essential to understanding the current situation is acknowledging that history. Radical feminist Andrea Dworkin once wrote, “If grassroots activism is not documented, then it historically ceases to exist.”<sup>11</sup> Indeed, my job as a historian, and my ultimate goal in developing this project, is to give UNC’s anti-rape movement its rightful history and to provide current students, activists, and administrators with the knowledge they need to build on past successes and more importantly, learn from past mistakes.

### **Chapter One – Between a Rock and a Hard Place: Confronting Sexual Assault in the Age of Sexual Liberation**

In the Fall of 1973, Miriam Slifkin and Elaine Hilberman were driving to a University Women for Affirmative Action meeting together, as they regularly did, when Slifkin, who was President of Chapel Hill’s chapter of the National Organization for

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<sup>11</sup> Gold & Villari, *Just Sex*, xxii.

Women (NOW) at the time, mentioned that the national office was pushing for local chapters to look into opening rape crisis centers. She had spoken with several members of the local group about the possibility of starting a rape crisis center in Chapel Hill, but all of the women insisted that rape did not happen in their college town. However, Slifkin later recalled that Hilberman, a psychiatrist, knew differently: “She said, ‘Well you know, it’s a bigger problem than people realize. I learned in my practice, I accidentally asked a question that just opened the floodgates. And since then I’ve been asking this of women and I was amazed at how many women, at some time in their lives, had been sexually assaulted.’” With that information in hand, Slifkin requested that Hilberman speak at the next NOW meeting.<sup>12</sup>

Shortly thereafter, Hilberman was standing in the living room of Miriam Slifkin’s house in Chapel Hill, delivering a talk about how to help survivors of sexual assault deal with the aftermath. Slifkin’s home was often the meeting location for NOW, as the space was comfortable enough for the organization’s small membership. But tonight, the house was packed “wall-to-wall with people,” a “mob scene,” as Slifkin described it: “This room [the living room], the dining room, the hallway, and even into the hall, full of people. We opened the porch door; people were out there. It was incredible.” The unusually high turnout was due, in large part, to a string of rapes in the homes of three elderly women that shocked the residents of the seemingly peaceful town of Chapel Hill. As Slifkin explained, the attitude went from, “No, it doesn’t happen in Chapel Hill” to

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<sup>12</sup> Interview with Miriam Slifkin by Emily W. Madison, 17 October 1994 G-0150, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

“Hey, maybe it can happen in Chapel Hill.” After passing around a clipboard and asking women who were interested to sign up, the members of NOW formed a Rape Task Force based on guidelines from the national office, and just a few months later, the Task Force established the Chapel Hill-Carrboro Rape Crisis Center.<sup>13</sup>

Clearly, the lack of knowledge about rape in the community was a driving factor in the establishment of the Rape Crisis Center. But Slifkin’s decision was not only a response to a few publicized rapes in the community, it was also a response to rape on campus and to what Slifkin came to view as a lack of resources provided to students by the University in such incidents.

During the late 1960s and early 1970s, two changes were occurring in Chapel Hill simultaneously: a new sexual culture, brought on by the sexual revolution, was emerging and a huge influx of female students was being admitted to UNC. This combination of events led to a dangerous result; women arrived on campus with new social freedoms, but they continued to face the sexist attitudes left over from the system of *in loco parentis*. Without the protections of *in loco parentis*, and with no alternative system to offer them guidance and protection, women students were caught in an ambiguous place between embracing their newfound sexual liberation and acknowledging the very real and present danger of rape and sexual assault. At the same time, the University suddenly found itself uncertain about its future role in the lives of its students, especially women. While the Rape Crisis Center was an important catalyst in raising awareness about rape and the

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<sup>13</sup> Ibid.

available services, it was not on campus and it could not completely attend to everything – education, support, counseling, prevention – that the University was lacking.

### ***UNC in loco parentis***

*In loco parentis* – translated as ‘in the place of parents’ – and its application to university governance began with a Kentucky Supreme Court case in 1913 that upheld the doctrine after Berea College expelled several students for eating at restaurant that was not under the authority of the College. The decision stated, “College authorities stand *in loco parentis* concerning the physical and moral welfare, and mental training of the pupils, and we are unable to see why to that end they may not make any rule...for the government...of their pupils that a parent could make for the same purpose.”<sup>14</sup> Colleges and universities throughout the United States continued to rely heavily upon the doctrine of *in loco parentis* to justify their strict, and often arbitrary, rules and regulations concerning the welfare – both academic and non-academic – of their students until the 1960s, when the system finally met its demise.<sup>15</sup> With parents worried about safety and college officials concerned with propriety, the rules and regulations of *in loco parentis* were generally much stricter for women than they were for men, and as universities began admitting more women students, the long list of guidelines continued to grow.<sup>16</sup>

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<sup>14</sup> *Gott v. Berea College*, 156 Ky. 376, 161 S.W. 204 (1913)

<sup>15</sup> Philip Lee, “The Curious Life of *In Loco Parentis* at American Universities,” *Higher Education in Review* 8 (2011): 67.

<sup>16</sup> Lynn Peril, *College Girls: Bluestockings, Sex Kittens, and Coeds, Then and Now* (New York: W.W. Norton & Company, Ltd, 2006), 149-150.

Although the University of North Carolina at Chapel Hill enrolled its first female students (five of them) in 1897, the school did not open the entirety of its programs to undergraduate women until 1961. Just one year later, in 1962, 1,900 “coeds,” as the women were called, made up twenty-two percent of the student population.<sup>17</sup> As the number of women students continued to rise with each school year, the University was faced with a dilemma: the long-held system of *in loco parentis* was coming to an end at universities throughout the country, and UNC was not immune to the widespread protests and changes of the turbulent sixties, including the sexual revolution and the women’s liberation movement. Administrators now had to decide whether to continue enforcing the rules they had put in place to govern the growing number of women students, or to give in to the demands of the students to abolish these antiquated rules in the name of freedom and equality.

Nationally, male and female college students began advocating an end to *in loco parentis* in the early 1960s.<sup>18</sup> Although the structure of complex regulations had been in place for decades, several factors made the 1960s the optimal time for inciting change within the university system. Following the Second World War, the United States experienced an economic boom; combined with the GI Bill, increased economic mobility afforded more Americans the opportunity to attend college. Furthermore, a change in sexual attitudes began to emerge from a growing emphasis on national culture and a

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<sup>17</sup> Pamela Dean, *Women On the Hill: A History of Women at the University of North Carolina* (Chapel Hill: Division of Student Affairs, University of North Carolina at Chapel Hill, 1987), 16.

<sup>18</sup> Peril, *College Girls*, 171.

break from local traditions. The rebellious nature of the sexual revolution and anti-war protests, compounded by record-high numbers of students attending college, created an environment ripe for debate about privacy and student rights. As the sexual revolution and anti-war sentiment began to pervade college campuses, students began to challenge the existing university structure of control – *in loco parentis* – and to demand greater sexual freedom and equality between the sexes.<sup>19</sup>

As students and administrators across the nation began questioning the future of *in loco parentis*, so too did people at UNC-Chapel Hill. Based on the accounts of several former UNC faculty members and students, one could certainly argue that the University was operating with the best interests, and primarily the safety, of its women students in mind.<sup>20</sup> However, the women who were disproportionately affected by the rules of *in loco parentis* had reason to complain. According to Mary Turner Lane, the first director of UNC's Women's Studies Program, "All women at the University operated under a very rigid code of social requirements."<sup>21</sup> These requirements applied only to female students and were often much more rigid than the rules that men were encouraged to follow. Typical paretals included strict curfews, regular room inspections, a ban on drinking and smoking (both on campus and off campus), and the requirement that women

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<sup>19</sup> Beth Bailey, *Sex in the Heartland* (Cambridge, MA: Harvard University Press, 1999), 6, 137.

<sup>20</sup> Interview with Martha Deberry by Nancy Warren, 4 April 1991 L-0053, in the Southern Oral History Program Collection # 4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; Interview with Mary Turner Lane by Pamela Dean, 9 and 16 September 1986 L-0039, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill; Interview with James Cansler by Pamela Dean, 20 and 26 April and 10 May 1989 L-0066, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

<sup>21</sup> Interview with Mary Turner Lane.



sign in and out every time they left their dormitory, specifying any nighttime or weekend destinations or company.<sup>22</sup> At UNC, women were not permitted to visit an off-campus apartment without the presence of another couple until 1963, and with the exception of senior women and women over the age of 21, female students were required to live on campus in all-women dormitories until 1972.<sup>23</sup> Although men feared that stringent University oversight would soon extend to their own social privileges, men were, in fact, free to come and go as they pleased, so long as they did not try to meet with a woman in any place but her dorm's parlor.<sup>24</sup>

In her case study of sexual revolution at the University of Kansas, author Beth Bailey refers to the numerous ways in which universities governed the social lives of women as “parietals.” She argues that the “sexual double standard” that was present on college campuses meant that the burden of safety imposed by parietals fell on women students, because universities assumed that “freedom to come and go as he pleased would not put a young man at risk,” whereas a woman with the same freedom might become a “potential target for abduction or rape.”<sup>25</sup> University officials at UNC felt much the same; indeed, as Martha Deberry recalled in an interview about her work with Dean of Women Katherine Carmichael, “She says, ‘they want no rules and to stay out all night. But you know, a woman can’t walk out at 2:00 in the morning. . . . A man is much more

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<sup>22</sup> Peril, *College Girls*, 49.

<sup>23</sup> Interview with Mary Turner Lane; Dean, *Women on the Hill*, 18.

<sup>24</sup> Dean, *Women On the Hill*, 12.

<sup>25</sup> Bailey, *Sex in the Heartland*, 78-79.

likely to be safe.” Deberry then went on to say that she “wouldn’t for anything in the world, unless it was an emergency, go out at that hour. There are women, you know, out there every night at 2:00 a.m...But I think they’re just taking humungous chances when they do it.”<sup>26</sup> Of course, the irony of the sexual double standard and statements like Carmichael’s was that the very men permitted to roam free because they could protect themselves were potentially the same men from which women supposedly needed protection. Students realized that “the University was much more interested in knowing where girls were at all times than where boys were,” and eventually began to protest the unjustness of a double standard. These protests prompted the University to begin making changes.<sup>27</sup>

### **The Beginning of the End**

The University dealt its initial blow to *in loco parentis* in 1967, when Chancellor Carlyle Sitterson called for the formation of a committee to investigate the possibility of replacing curfews with self-limiting hours for women.<sup>28</sup> Mary Turner Lane was a member of the self-limiting hours committee and recalled that it was largely a result of student grievances. For instance, infractions of the many rules and parietals resulted in a hearing before the Honor Court, with punishments being dealt to women students far more frequently than to men because men were subject to neither the same rules as

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<sup>26</sup> Interview with Martha Deberry.

<sup>27</sup> Interview with Mary Turner Lane.

<sup>28</sup> Interview with Mary Turner Lane. According to Turner Lane, a system of self-limiting hours would eliminate curfew and allow women to decide when they could come and go, and to do so without signing in or out.

women nor even the same Honor Council.<sup>29</sup> Students were no longer willing to comply with the amount of control being exerted by the University and its unequal treatment of men and women, and Chancellor Sitterson was making an effort to respond to their qualms; as Mary Turner Lane framed it: “The injustice of the system was such that many people recognized that it was time that we rethink it, and that we try to establish something that would be more equitable and that would reflect the fact that the University was moving away from *in loco parentis*.”<sup>30</sup>

As students and University officials deliberated over introducing a unified student government – in order to eliminate the double standard of justice that resulted in a disproportionate number of infractions against women – and self-limiting hours for women, Chancellor Sitterson established a second committee in 1968. Mary Turner Lane also served on this committee, which Sitterson tasked with studying the visitation privilege.<sup>31</sup> What set the debate over visiting privileges apart from the rest of the ongoing controversies over *in loco parentis* was the fact that the party with the most vested interest in the matter was not the women students; it was the men.

Although a change in the visitation rules would certainly affect women, according to James Cansler, who was Dean of Men at the time, “this was not necessarily a women’s issue. This was more a male issue. Men wanted this more than women did,” because,

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<sup>29</sup> In *Women on the Hill*, Pamela Dean states, “In a fifteen year period when twenty-two men were charged with assault and twenty-four with conducting panty raids, 240 women faced disciplinary procedures for excessive lateness and 117 for failure to sign-out” (12).

<sup>30</sup> Interview with Martha Deberry.

<sup>31</sup> Dean, *Women on the Hill*, 19.

“what we really were talking about was what was going to go on in men’s residence halls...It was more of a student freedom issue, and it was men who really were pursuing it.”<sup>32</sup> What’s ironic about the last sentence of Mr. Cansler’s statement is that men at Carolina already had almost complete freedom, so could that really have been their only motivation? Beth Bailey’s response to that question would probably be no; Mr. Cansler’s words perfectly illustrate her argument that although university officials often cited trust, responsibility, and greater equality as the reasons on which the decision to end *in loco parentis* was based at most colleges, sex was often the subtext and the underlying issue on the minds of many of the students, especially men, who were calling for change.<sup>33</sup>

### **The Last Line of Defense**

At some universities, deans of women were at the forefront of the movement to eliminate parietals and end university oversight of women students in the late 1950s and early 1960s.<sup>34</sup> However, the decline of *in loco parentis* played out quite differently at the University of North Carolina at Chapel Hill. Dean of Women Katherine Kennedy Carmichael did not lead a movement for change, but rather, she served as the vanguard of resistance. Katherine Carmichael embodied the concept of *in loco parentis* – like a mother, she was firm yet loving, critical yet encouraging, sometimes overbearing, but always well-intentioned. But while she was a tremendously important role model for women learning how to navigate a man’s world, Carmichael was also a woman of her

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<sup>32</sup> Interview with James Cansler.

<sup>33</sup> Bailey, *Sex in the Heartland*, 104.

<sup>34</sup> Kelly C. Sartorius, “Experimental Autonomy: Dean Emily Taylor and the Women’s Movement at the University of Kansas,” *Kansas History: A Journal of the Central Plains* 33 (2010): 3.

time – a woman whose own beliefs spoke to the the interplay between the attitudes formed by the inherently sexist rules of *in loco parentis*, the consequences of their abolishment, and the degree to which sexual assault was addressed or even acknowledged in the late 1960s and early 1970s at UNC-Chapel Hill.

Dean Carmichael epitomized the peculiar, and often paradoxical, position of successful women working in a men's world who were both champions for the advancement of women as well as staunch abiders of the status quo. She was an Alabama woman with a PhD who assumed her role as Dean of Women in 1946, when she “essentially forsook her teaching career to devote herself completely to Carolina women.”<sup>35</sup> Dean Cansler, as Dean of Men, worked closely with Dean Carmichael, whom he described as the “stereotypical finishing school dean.” Although Dean Carmichael's students loved her for most of her tenure, by the late 1960s, “they hated her insides.” While women viewed her protectiveness as thoughtful and motherly in the 40s and 50s, that affection turned to animosity when Dean Carmichael refused to accept the changes that were occurring on campus a decade later. Due to her adamant defense of *in loco parentis*, Dean Cansler lamented, “she was ridiculed...and left in the backwaters of cultural change, and she was lost on this campus the last five years she was here.”<sup>36</sup>

Students' criticisms of Dean Carmichael were not wholly inaccurate – the rules of *in loco parentis* were quickly becoming outdated in the wake of the sexual revolution, and in the wake of the women's liberation movement, their inequity was becoming

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<sup>35</sup> Dean, *Women on the Hill*, 17.

<sup>36</sup> Interview with James Cansler.

increasingly obvious and unacceptable. As a woman of her time, Dean Carmichael was ever aware of her students' reputations, but her adamancy in enforcing self-limiting hours and visitation privileges was not just based on her concern for propriety, it was also based on the very real possibility of assault, rape, and date rape.<sup>37</sup> Many of UNC's female students in the 1960s transferred to Carolina from women's colleges, where the threat of assault or rape was minimal, and most of them were unprepared for the risks that accompanied independent living.

Katherine Carmichael was not naïve, nor was she unobservant. While rape and sexual assault were not yet a part of the public discourse on campus, the Dean of Women knew better than anyone that the fact that such incidents were not spoken of did not mean they did not occur; as Pamela Dean noted in her discussion of Carmichael, "all who knew her agree that her concern for women students was strong and genuine...and also firmly grounded in her years of experience with college women and the problems and dangers they face."<sup>38</sup> However, while Dean Carmichael was undoubtedly aware of the possibility, and actual occurrence of sexual assault, as Miriam Slifkin recalled in an interview, she had no intention of making it a part of the public discourse on campus.<sup>39</sup> Indeed, Carmichael and her fellow administrators were largely responsible for women's lack of knowledge about sexual assault in the years following the demise of *in loco parentis* because of their absolute refusal to talk about it. The lack of any formal documentation

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<sup>37</sup> Dean, *Women on the Hill*, 18.

<sup>38</sup> Ibid.

<sup>39</sup> Interview with Miriam Slifkin.

of rapes and sexual assaults during this time period can also be attributed to the complete silence on the issue, and even to shame; because administrators were so fixated on women's reputations and proper behavior, if a woman did happen to get sexually assaulted, the possibility of being blamed for being out past curfew, in the company of a man in a forbidden location, or without supervision would certainly decrease the chances of her reporting the incident.

While perhaps the most outspoken, Dean Carmichael was not the only woman at the University who opposed change. Martha Deberry, who worked in the office of the Dean of Women, recalled in an interview that she too felt uncertain about what the changes would bring. Deberry explained that for many women students, the authority of the Dean of Women and the austerity of the rules to which they were subjected often acted as a scapegoat when women found themselves in uncomfortable or risky situations. Deberry recounted a story about a male student who was upset about a rule that his date had told him about the previous night. According to the student, his date informed him that the Dean of Women's office no longer permitted students to park in Kenan Woods. He complained to Deberry that the Dean of Women had no right to be involved in such an area. With social and intimate interaction being limited to a man or woman's dormitory parlor, cars offered students a private sexual space outside of the University's authority. While men like the student in Deberry's story may have been eager to take advantage of such sexual freedom, women like his date were not always ready or willing to do so. Furthermore, a place like Kenan Woods – a popular spot presumably chosen for its isolation – offered women little safety if they did reject their dates' advances. Deberry,

aware of such precarious situations, told the student that if he wanted girls on campus, he would have to accept the rules that came with them. She recalled, “There was no such rule. But if you have no rules...then you don’t have anything to fall back on.”<sup>40</sup>

Not all women were pleased with the University’s decision to eliminate *in loco parentis*, especially because they were not entirely sure that it was for their own benefit. Although Dean Cansler agreed with most of his peers that change had to occur, he also expressed regret over the eventual dissolution of the Dean of Women’s office. According to Cansler, “the principle leverage the University ever had with fraternities was the control of the Dean of Women over women students.” If a fraternity threw a party that was out of hand or if brothers violated visitation rules or kept women past curfew, then Dean Carmichael would ban women from that fraternity house for the rest of the year. As a result, the next year the men “would be on their knees begging for her to look at how good they were...that worked. But the moment that changed, the fraternities became, essentially, uncontrollable.” As Mr. Cansler verified in his interview, neither the North-American Interfraternity Conference nor the University at that point had (or have, to this day) any real control over the local fraternities.<sup>41</sup> This lack of oversight put fraternities in a place of privilege and impunity on campus, which author Peggy Reeves Sanday argues is one of the reasons why “entrenched sexual inequality” has existed on college campuses

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<sup>40</sup> Interview with Martha Deberry.

<sup>41</sup> Interview with James Cansler.



for so long and has created a dangerous atmosphere of sexual aggression within fraternities.<sup>42</sup>

Although the various regulations implemented in the name of women's safety did not entirely eliminate sexual assault, individuals like Katherine Carmichael were justified in believing that the system would at least create obstacles to prevent the prevalence of sexual assault on campus by giving women an excuse to escape potentially risky situations and by restricting men's access to women. Indeed, author Lynn Peril, who investigated campus *in loco parentis* rules at universities across the country dating back to the nineteenth century, found that such regulations "in most cases functioned as they were supposed to, and kept girls safe, if not occasionally restless."<sup>43</sup>

### **The End of an Era**

Despite resistance from administrators like Carmichael, student protests prevailed. Between 1963 and 1972, the University abolished its separate student governments for men and women and created one unified and coed entity, it abolished the Office of the Dean of Women, and Dean Sitterson's committees decided to replace curfews with self-limiting hours and to allow visitation in men and women's dorm rooms. By the early 1970s, the entire structure of *in loco parentis* had dissolved.<sup>44</sup>

Despite some initial apprehension, many women at UNC viewed the end of *in loco parentis* as a great victory: gone were the unjust suspensions and expulsions

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<sup>42</sup> Peggy Reeves Sanday, *Fraternity Gang Rape: Sex, Brotherhood and Privilege on Campus* (New York: NYU Press, 2007), 6.

<sup>43</sup> Peril, *College Girls*, 165.

<sup>44</sup> Dean, *Women on the Hill*, 16-22.

delivered by the Women's Honor Council; gone were the draconian dress codes; gone were the countless oppressive rules that monitored every aspect of a woman's life at Carolina. As former Campus Y Director Virginia Carson put it, the University's rules "went in the category of communism to us – just antiquated, so-last-century, stupid idea – and it all just went away...no dress code, no curfew, parietal hours...co-ed dorms – oh my God! What will happen next?"<sup>45</sup> As the University was struggling to control a number of crises, both local and national – from outcry over the Speaker Ban Law to Vietnam War protests to worker strikes – few would argue that the University was wrong to address one of the few controversies it could control. However, while the structure of *in loco parentis* and all of its enforcement mechanisms had faded, remnants of its legacy remained, among the most harmful being sexist attitudes toward women.

The words of Dean Carmichael and Dean Cansler illustrate the predicament in which many Carolina women found themselves in the early 1970s: while their peers were encouraging women students to embrace their newfound sexual freedom, the very same University officials who had granted that freedom were expressing doubt that women could handle such freedom. Katherine Carmichael may have been instrumental in helping women navigate the academic and social spheres of college, but her repeated allusion to women as "small, fragile and precious"<sup>46</sup> certainly did not help those women to assert their independence in a time when confronting change required a certain degree

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<sup>45</sup> Interview with Virginia Carson by Jennifer Donnally, 20 June 2008 L-0273, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

<sup>46</sup> Dean, *Women on the Hill*, 18.

of self-confidence. James Cansler evoked a similar sentiment when asked about Dean Carmichael's perception of women, stating that he was not defending her definition, but that women "are small and weak, relatively. And I think we all would say precious, and what I mean by that is of value. They're no different than the male students, but somehow the male students seem more able to take care of themselves."<sup>47</sup>

In the absence of the tangible protections of *in loco parentis*, women also faced the very real threat of rape and sexual assault, without an alternative system of control to offer them guidance in an unfamiliar and often frightening new environment. Indeed, in the 1971-1972 school year, during which the new self-limiting hours were officially implemented, the Summary of the Annual Report of the Dean of Women included, for the first time, a note about women's concerns with safety, noting, "Problems increased with campus security; more women reported attempted assaults during both fall and spring semesters," and that the Dean of Women's Office was working with student committees to "make women aware of the risk involved in walking on campus alone at night."<sup>48</sup> Of course, change was inevitable, but speaking over a decade after the fall of *in loco parentis*, Dean Cansler admitted to still having doubts about any real improvement for the state of women at UNC: "I'm not sure that young women are all that much better off...I doubt that they are any happier or healthier or more wholesome...I'm not even sure

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<sup>47</sup> Interview with James Cansler.

<sup>48</sup> Marianne Hitchcock and Julia Ann Jones, "Summary of the Annual Report of the Dean of Women," 1971-1972, Box 2, Collection 40125, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

they're freer...The incarceration now is largely one of fear and anxiety, and several other things of that sort. So I'm not sure much has been gained."<sup>49</sup>

Furthermore, with all of its scrutiny focused on women students at the time, what little supervision the University did claim over men perished along with *in loco parentis* once the University had essentially removed itself from all aspects of students' social lives. Dean Cansler noted that the "ballooning size of the student body" in the early 1970s caused depersonalization to "become more and more apparent."<sup>50</sup> This increasingly distant relationship between the University and the student body, compounded by sexist attitudes and a void in security, had serious implications for the women at Chapel Hill, who were left wondering how to reconcile their precarious new status on campus. Furthermore, if women did experience issues like rape or sexual assault, they no longer had a trusted official, like Dean Carmichael, to whom they could report the incident.

## Conclusion

When asked in an interview about when she became interested in rape and why she decided to establish a rape crisis center in Chapel Hill, Slifkin of course recalled the community tragedy of three elderly women being raped in their homes. However, she also described another incident that propelled her to action:

There was a woman on campus that was raped. And they wanted to hush it up, because the argument was that if parents knew that their daughters could get raped on this campus then they wouldn't want to send their

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<sup>49</sup> Interview with James Cansler.

<sup>50</sup> Ibid.

daughters to UNC. Which was kind of ironic at the time, because at the time they didn't necessarily want their daughters here. And the reason I learned about it was because, I think it was either the girl or her roommate, called me and said she's trying to get in touch with her parents and they don't want to let her. And I could never find out where the directive came from.<sup>51</sup>

Slifkin elaborated that the girl's house mother was unable to act because "she had a directive from a higher up person," and that when Slifkin tried to speak to Dean Carmichael herself, "everybody just gave [her] the bum's rush."<sup>52</sup> Despite the many parietals in place under *in loco parentis*, sexual assault evidently did happen, and although such restrictions undoubtedly decreased its prevalence, parietals ultimately created a false sense of safety and an even more dangerous shroud of silence and secrecy that in turn caused greater risk for women in the wake of *in loco parentis*' demise.

As the University gradually stripped away their powers of *in loco parentis* between 1963 and 1972, the student body, and especially the female student body, continued to grow: in 1963 there were just over 2,000 women students enrolled at UNC; by 1972 there were 6,500, making women over thirty percent of the student population.<sup>53</sup>

Seeing that rape and sexual assault were nonetheless not widely addressed issues on any college campuses at the time, and correctly assuming that University officials at Carolina would be even more reluctant to acknowledge the issue after surrendering their obligation to interfere in the social lives of their students, Slifkin decided to address the

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<sup>51</sup> Interview with Miriam Slifkin.

<sup>52</sup> Ibid.

<sup>53</sup> Dean, *Women on the Hill*, 16.

issue herself. Indeed, in the absence of services and general rape awareness on campus, Slifkin and the Rape Crisis Center served an important role as activist liaisons for students.

Even before the Rape Crisis Center formally opened, Slifkin responded to the request of the chair-woman of UNC's Association of Women Students (AWS), Jamie Ellis, that the Crisis Center staff give a presentation about rape at the school's orientation program that coming fall, as well as provide copies of the New Woman's Survival Catalogue for every woman student.<sup>54</sup> This correspondence marked the beginning of an important relationship between the Orange County Rape Crisis Center and the UNC student body, as well as the first efforts of students to publicize rape and sexual assault as a serious issue on campus.

Nonetheless, while the RCC was a valuable resource for women on campus, it was not an on-campus resource – an important difference for women who may not have had the means, the support, or the courage to go to an unfamiliar place off campus – and by the mid-1970s, the University was no closer to addressing the issue of rape and sexual assault itself. In addition, the success of student protests against *in loco parentis* overshadowed the consequences of dismantling the system, and so the majority of students did not view rape as a serious problem and were, for the most part, oblivious to or apathetic towards the rape awareness efforts and anti-rape activism of the RCC and the AWS in the early 1970s. The University's hesitancy to overstep boundaries in the wake

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<sup>54</sup> Miriam Slifkin to Jamie Ellis, 3 May 1974, Box 1, Folder 4, Miriam Slifkin Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University.

of dismantling *in loco parentis*, a campus culture of silence on sexual assault, as well as a fixation on the myth of stranger rape that emerged in the early 1970s, set a pattern of inadequate and reactionary University and students actions aimed at addressing rape and sexual assault on campus that would continue for over a decade.

**Chapter Two – “For every problem, there is a solution which is simple, neat, and wrong”:<sup>55</sup> Raising Awareness about Rape in an Age of Rape Myth Acceptance**

“He tried to rape me...I believe I’m going to faint.” In the summer of 1965, the University of North Carolina at Chapel Hill witnessed the first brutal murder and attempted rape of one of its students. At 12:30 p.m. on Friday, July 30, 21-year-old Suellen Evans was attacked in the Arboretum as she was walking back to Cobb Dormitory. Evans put up a struggle, but was stabbed in the neck and the heart and died shortly after two nuns and several students arrived on the scene upon hearing her screams. Stunned and heartbroken by the murder, the Chapel Hill and UNC community came together to find Evans’s killer. Two hundred students gathered to search the Arboretum for the murder weapon, the Chapel Hill Board of Alderman appropriated extra funds to allow the police department to expand its search for possible suspects, and local businessman Paul Robertson began collecting contributions for a reward fund.<sup>56</sup> But all efforts were to no

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<sup>55</sup> H.L. Mencken, quoted in Martin D. Schwartz and Walter S. DeKeserdy, *Sexual Assault on the College Campus: The Role of Male Peer Support* (Thousand Oaks, CA: Sage Publications, 1997), 137.

<sup>56</sup> Ernest Robl, “Prime suspect found, not charged,” *The Daily Tar Heel*, 5 August 1965, 1.

avail. Reporting on the murder in 1978, the *DTH* asserted that hundreds of leads and thirteen years later, the Chapel Hill police had yet to close the Evans case. Feelings of confusion, sadness and fear induced by a brutal crime and a lack of answers lingered still.<sup>57</sup> To this day, the case remains unsolved.

The murder of Suellen Evans was a seminal moment in UNC's history because it was the case on which the school's entire framework for future crime prevention was based. With much of today's most recent research on college rape and sexual assault pointing to a predominance of acquaintance and serial rape over stranger rape, it is easy to see the ineffectiveness of the policies and prevention efforts that universities and their students put into place in the mid-1970s and early-1980s.<sup>58</sup> Yet these policies were not completely incomprehensible. In the minds of UNC students and officials, there was a reason that ladies needed to beware; a 21-year-old woman was violently attacked in broad daylight, on campus, for no apparent reason. More than that, her assailant was presumed to be an intruder – an outsider to the once safe and sheltered campus of UNC – that the police were never able to apprehend.

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<sup>57</sup> Beverly Mills, "Campus murders: Killings at UNC, State remain unsolved," *Daily Tar Heel*, 31 January 1978, 4.

<sup>58</sup> The Research Triangle Institute's "College Sexual Assault Study," funded by the U.S. Department of Justice in 2007, found that of the sexual assault victims surveyed, the majority had been men they knew and not strangers (xviii); David Lisak and Paul M. Millers study, "Repeat Rape and Multiple Offending Among Undetected Rapists," published in *Violence and Victims* in 2002, found that only a small percentage of the men surveyed committed a majority of the rapes, and the men within that small percentage averaged 5.8 rapes each. Both of these studies point indicate a much higher prevalence of acquaintance rape and serial rape on college campuses than singular stranger rape.



A shocking tragedy that made headlines on papers across the state, it seems that the death of Suellen Evans put UNC on high alert. While University officials were undoubtedly concerned for the safety of their women students, they were concerned also with admissions numbers and donor funding. As Miriam Slifkin noted about the “cover up” of a rape on campus just a few years after the murder, parents would never send their daughters to UNC if they knew the risk of rape existed.<sup>59</sup> Students were likewise on high alert, haunted by an unsolved murder and the possibility of becoming the next Suellen Evans. Because Evans chose to take a short cut through an unkempt arboretum full of potential hiding places, for those involved in rape prevention in the years following the tragedy, she served as an example of what could happen to women who were not careful in all places and at all times of the day.

### **The Association for Women Students Takes On Stranger Danger**

It was 4 p.m. on a Tuesday – August 28, 1975 to be exact – when several freshman girls hesitantly entered Room 204 of the Carolina Union and began taking their seats.<sup>60</sup> It was Orientation Week, a week which, while generally filled with activities of fun and excitement, was recently beginning to include activities of warnings and precautions geared toward new students, and specifically female students. The event taking place on this particular Tuesday afternoon was of the latter type: a rape crisis presentation put on by the Chapel Hill-Carrboro Rape

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<sup>59</sup> Interview with Miriam Slifkin.

<sup>60</sup> “Freshman orientation schedule,” *The Daily Tar Heel*, 25 August 1975, sec. B, 7.

Crisis Center and the Association for Women Students (AWS). As the last few women took their seats, an older student turned on a projector and dimmed the lights, and a voiceover began: “Chapel Hill: The Southern Part of Heaven. A cosmopolitan village. One week here and you feel like you’ve lived here all your life. Rape: an ugly word. An act of violence. Aggression. Terror. It happens in big cities. It can’t happen to me, not here. Can it?”<sup>61</sup>

So began the slide presentation “Lady Beware,” a rape education project that former AWS chairpersons Jamie Ellis and Susan Case created in the summer of 1974. The language of the “Lady Beware” script was intentionally dramatic. Its purpose was, as the *Daily Tar Heel* put it, “to remind campus coeds that women are raped in Chapel Hill.” Jamie Ellis, too, noted that she and Susan Case photographed the slides that were used for the presentation in Chapel Hill in order to provide viewers with a “constant reminder that [rape] can happen here.”<sup>62</sup> Miriam Slifkin witnessed the community’s ignorance to and denial of rape before a string of local attacks against three elderly women devastated the town, and now the AWS was attempting to address that same ignorance and denial present within the student body.

“Lady Beware” was the apotheosis of UNC’s early anti-rape movement: with its cautionary title, sensational narration, and all-too-familiar images, it was a

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<sup>61</sup> Chapel Hill-Carrboro Rape Crisis Newsletter, March 1976, Box 8, Miriam Slifkin Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University.

<sup>62</sup> “Rape slide presentation,” *The Daily Tar Heel*, 25 August 1975, sec. A, 2.

successful scare tactic, a warning to “ladies” to beware of the world outside of their dorm rooms. For such was the theme of rape awareness in the 1970s: all women were potential rape victims, and every dark alley, unlit parking lot, dingy bar and wooded area was a potential danger zone. Thus, the majority of anti-rape work during this time was not so much organized activism as it was consciousness raising; students, health care workers, police officers and University officials aimed to prevent stranger rape by focusing on security, rape statistics and a rhetoric of fear.

“Lady Beware” was a pivotal moment in the history of anti-rape activism at UNC, as it was the first major effort by undergraduate students to address the issue of rape and sexual assault in Chapel Hill and to unite the women on campus through rape and sexual assault education and awareness. But the film was also a pivotal moment because it firmly established a definition of the problem: stranger rape - that is, an act of rape committed by an assailant unknown to the victim.

For over a decade, the Chapel Hill and University community continued to view rape as an external threat – a personal safety issue for women who did not take enough precautions. While the majority of rape awareness work during this time focused on a definition of the problem that everyone could agree upon, that definition ultimately led to solutions that often did more to perpetuate rape myths than to actually combat rape itself.

Although the AWS created “Lady Beware” primarily for orientation in the fall of 1975, student organizations, Resident Advisors and sororities continued to

screen the film throughout the semester, and AWS included it in all of their women's programs for at least another year.<sup>63</sup> The slideshow offered what was considered at the time to be helpful "do's and don'ts about responding to an attack."<sup>64</sup> But there was also an underlying implication that women would only have themselves to blame if they did not heed the warnings of "Lady Beware." Such an implication established another recurring theme that appeared throughout much of the University's and AWS's rape awareness efforts over the next decades: danger – rape in some form – was always present and women – victims – were responsible for reducing their own vulnerability.

In its 1972-1973 budget request, the Association for Women Students stated that the purpose of the association was to "involve women in life at this university in ways that will prepare them to be active concerned citizens of the world...to examine the status of women in society and at this university...to coordinate matters pertaining to the welfare of women students." As the premier organization for women on campus, and really, the only organization on campus devoted solely to women, the AWS was the primary resource for women on campus regarding the issues of rape and sexual assault. With consistent funding from Student Government and a wide breadth of connections to both on-campus and off-campus organizations, the AWS was able to act as an umbrella

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<sup>63</sup> Charlene Havnaer, "AWS to concentrate on ERA, rape, health," *The Daily Tar Heel*, 29 September 1976, 4.

<sup>64</sup> Chapel Hill-Carrboro Rape Crisis Newsletter, March 1976, Box 8, Miriam Slifkin Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University.

organization, and a middleman of sorts, attempting to provide women with the what they viewed as the necessary information to ensure their safety and success at UNC.

Throughout the 1970s and early 1980s, the AWS employed a variety of tactics to raise awareness about rape and sexual assault. One year after producing “Lady Beware,” undergraduate student Sallie Shuping and the AWS published a booklet entitled “Rape: A Sourcebook for Carolina Women.” By 1979, the AWS had already printed 1,600 copies and the organization was requesting funds for a third reprint of the booklet, indicating a high demand on campus for information on rape. Members of the association distributed the booklet to all dormitory Resident Advisors. In its request for printing funds, the AWS described the booklet as outlining “preventive measures, laws, statistics, the emergency reporting system, callbox locations, medical/therapeutic resources for victims, police and legal aid information.”<sup>65</sup> In a letter written to the UNC Campus Governing Council, Detective Maureen E. Kelly of the Carrboro Police Department urged the Student Government to continue providing funds for printing, stating, “The AWS booklet dealing with the topic of sexual assault is an excellent publication, particularly well suited to the student population. I have

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<sup>65</sup> Ibid.

often utilized and recommended this booklet, feeling it to be the best of its kind in this community.”<sup>66</sup>

The stated justification of the rape booklet – that “several rapes occurred in Chapel Hill last year [1978]” and that there existed an alarming “frequency of rape” as evidenced from an article in the *DTH* – indicates that women were less concerned about rape law reform and legal aid information than their own personal safety.<sup>67</sup> Indeed, in a *DTH* article about the AWS booklet, Chapel Hill Crime and Prevention Training officer R.V. Pendergraph seemed more inclined to offer women advice than information, stating, “Women should not walk alone in dimly lighted paths, should remain in the car with the doors locked if her car breaks down...and should have keys ready when reaching home” because the rapist “is waiting for the privacy to commit the act” and “a woman must not afford him that privacy.”<sup>68</sup> Although the rape booklet was certainly an important resource for a legitimate danger, the way in which individuals framed the issue – as evidenced by the language used in the booklet and by Mr. Pendergraph – set a tone of victim blaming that remained evident throughout much of the rape awareness work of the next several years.

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<sup>66</sup> Detective Maureen Kelly to UNC Campus Governing Council, March 26, 1979, Box 18, Collection 40169, Student Government of the University of North Carolina at Chapel Hill Records, 1919-2011, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

<sup>67</sup> Budget Request for the Association of Women Students, Box 18, Collection 40169, Student Government Records.

<sup>68</sup> Mary Anne Rhyne, “AWS booklet, police officer precautions to women: Rape danger increases at beginning of semester,” *The Daily Tar Heel*, 24 August 1978, D4.

## Rape Prevention Programs (for Women) Begin

With an influx of new students unfamiliar to the social environment of college, it is hardly surprising that Orientation Week witnessed the peak of rape awareness and rape prevention information in the late 1970s. As the AWS was encouraging young women to pick up a copy of its rape booklet during the first week of classes, the organization was also preparing for its co-sponsorship of the 1978-1979 Union Forum Committee opening lecture – a forum on rape prevention presented by Frederic Storaska, founder of the National Rape and Assault Prevention Center and author of *How to Say No to a Rapist...And Survive*.<sup>69</sup> Storaska's program, which was intended to provide women with hope rather than to instill them with fear, did indeed begin with a more sanguine message than that of "Lady Beware." Storaska admonished a society built on male dominance and aggression and asserted that only total equality between the sexes would make possible the end of all rape. He also dismissed prevalent rape myths, including the idea that women provoke rape, stating, "You could crawl around campus in a cardboard box and provoke some men...nothing justifies rape."<sup>70</sup> Despite Storaska's call for equality, however, he made no mention of the role of men in rape prevention. This lack of any parallel sexual assault education for men was not uncommon at the time.

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<sup>69</sup> "First Union forum on rape prevention," *The Daily Tar Heel*, 24 August 1978, C2.

<sup>70</sup> Susan Ladd, "Rape prevention: A humanistic approach to defuse a violent act," *Daily Tar Heel*, 31 August 1978, 1.

Storaska's program may have been well intentioned, but it quickly shifted from a presentation striving for usefulness to one striving for entertainment, with questionable recommendations backed by unsubstantiated evidence. Storaska's principal piece of advice for women in a rape situation was to treat the rapist like a human being, because "to fight the rapist you have to understand him." He insisted that women were "only limited by [their] imagination" and suggested such tactics as fondling the rapist, vomiting on the rapist, faking epilepsy or even something more serious: "Cancer, particularly leukemia, seems to work well," he explained to the audience.<sup>71</sup> In a letter written by a member of the Michigan Women's Task Force on Rape and reprinted in the 1975 Feminists Alliance Against Rape (FAAR) Newsletter, author Jan BenDor accused Storaska of a "dangerous fraud" for using "insulting and dangerous advice" that did indeed contradict previous research and victim testimony.<sup>72</sup> The letter also asserted that Storaska's fraud was being "unwittingly abetted by the speakers' programs of colleges and universities."<sup>73</sup> Such was the case at UNC. However, although the Carolina Union helped sponsor Storaska, so did the largest women's association

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<sup>71</sup> Ibid.

<sup>72</sup> In *Against Our Will*, Susan Brownmiller included in her chapter "Victims: The Crime" several testimonies of rape victims to demonstrate the varied behavior of women during the act of rape in order to disprove the notion that women are more likely to survive if they either fight back or submit to the rapist. Storaska encouraged women to both treat the rapist like a human and to get creative when attempting to stop the rape, but the testimonies in *Against Our Will* suggest that many women were too shocked to even comprehend their situation, let alone garner the mental capacity to outwit their rapist. Furthermore, women who thought submission would be their best way out were no luckier than those who fought back. For testimonial evidence (355-364).

<sup>73</sup> Jan BenDor, "How To Say NO To Storaska," Feminist Alliance Against Rape Newsletter Jan/Feb/Mar 1975, Archives of the Feminist Alliance Against Rape and Aegis Magazine on Ending Violence Against Women, [www.faar-aegis.org/JanFebMar\\_75/storaska\\_janfebmar75.html](http://www.faar-aegis.org/JanFebMar_75/storaska_janfebmar75.html).



on campus – three years after FAAR’s attempt to warn university women against doing so. Regardless of whether the Union and the AWS were aware of Storaska’s critics and still thought him an appropriate choice for the forum, or whether they were completely oblivious to such opinions, the decision to open the 1978-1979 lecture series with Storaska illustrated the school’s perception of rape as a University priority, but it also illustrated the University and the students’ inability to approach the problem with a more analytical lens than simply addressing the surface issue of women’s safety – from a man’s perspective nonetheless.

Much of the rape awareness and rape prevention work during this time consisted of a common theme – stranger rape – but it also had a tendency to send women mixed messages when it came to tactics and advice; while Fred Storaska was encouraging women to take control during a rape situation in 1978, two years later, an undergraduate student was encouraging women to rely on men for protection. In 1980, the AWS requested \$200 from Student Government to provide funding for a new student organization that had been formed to “combat the rising number of sexual assaults in the Chapel Hill area.”<sup>74</sup> Undergraduate Joe Buckner established the organization, which he named the Rape and Assault Prevention Escort (abbreviated as R.A.P.E.), after learning about several assaults on women on campus. The service began on the night of Sunday, February 3, and

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<sup>74</sup> RAPE Brochure, Box 14, Collection 40128, Carolina Union of the University of North Carolina at Chapel Hill Records, 1931-2012, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

received 10 calls. That semester, R.A.P.E. accrued 120 volunteers who escorted women to on-campus locations from 7 p.m. to 1 a.m., Sunday through Thursday.<sup>75</sup>

While “Lady Beware” and the AWS handbook on rape provided women with safety advice on how to avoid rape, R.A.P.E. offered a more tangible solution in the form of physical protection. According to a survey conducted by a Speech 55 class in the spring of 1980, 85 percent of students (taken from a sample of 230 students) were concerned with campus security and 71.5 percent of women admitted to restricting nighttime activities due to this concern. In that same survey, 85 percent of students deemed R.A.P.E. to be a valuable safety measure that should continue to operate on campus.<sup>76</sup> And indeed, by the following spring, the service had expanded to UNC’s South Campus and boasted a total of 455 volunteers who were now working on Friday and Saturday nights in addition to weeknights.<sup>77</sup> The service operated through the use of a central telephone number. When a woman called the number, a specific branch of R.A.P.E. would be contacted, based on the woman’s destination. The woman would then be given the name of her escort, who would greet her with his student ID upon arrival at her location. According to R.A.P.E.-South Campus director Bobby Jenkins, Resident Advisors were responsible for screening each R.A.P.E. escort as well as

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<sup>75</sup> Joey Holleman, “Escort service provides protection for women,” *The Daily Tar Heel*, 5 February 1980, 1.

<sup>76</sup> Melodee Alves, “Rape escort service expands,” *The Daily Tar Heel*, 17 April 1980, 1-2.

<sup>77</sup> Sherri Boles, “R.A.P.E. expands to South Campus,” *The Daily Tar Heel*, 21 September 1981, 4.

answering the phone and recording the time of the call, the name and location of the caller, and the name of the escort.<sup>78</sup>

Through word of mouth, coverage in the *DTH*, phone stickers, and pamphlets, R.A.P.E. became the most conspicuous and active rape prevention effort undertaken by students unwilling to wait for the University to respond to a growing concern on campus. As Joe Buckner told *DTH* staff writer Sherri Boles, R.A.P.E. was “a very good example of how UNC students can take a problem and solve it for themselves.”<sup>79</sup> Certainly, providing women with an alternative to walking alone at night was a commendable deed and an important example of early student anti-rape activism at UNC, but R.A.P.E. was not without its flaws. Although R.A.P.E. – which wisely changed its name to Students Averting Frightening Encounters, or SAFE, in 1987 – eventually opened its volunteer base to women and its clientele base to men, for seven years it actively recruited only male escorts for a service that was exclusively geared towards female students.<sup>80</sup> Aside from the discriminatory nature of such a model, it seems that R.A.P.E.’s officers failed to recognize the folly of attempting to prevent rape and assault of women by male strangers by placing women in the sole company of male strangers. With its emphasis on women’s safety and campus security, R.A.P.E.

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<sup>78</sup> Alves, “Rape escort service expands.”

<sup>79</sup> Boles, “R.A.P.E. expands to South Campus.”

<sup>80</sup> Until 1987, all of R.A.P.E.’s applications for University recognition stated that the purpose of the service was to provide women, not students, with an alternative to walking alone at night. It seems that with the realization that calling a rape prevention service RAPE was questionable to say the least, came the realization that all students should be protected from rape and assault.

fell under the type of campus rape response that scholars Martin D. Schwartz and Walter S. Dekeseredy describe in *Sexual Assault on the College Campus: The Role of Male Peer Support* as perpetuating the myth of stranger rape, sending women an “incorrect message about the places where they should be concerned,” and creating an “unhealthy dependence” on a system that was addressing a threat that was far less likely than that of date or acquaintance rape.<sup>81</sup>

Rape awareness and education at UNC in the mid- to late 1970s and early 1980s was not limited to students and student organizations. In 1981, the UNC Geography Department created the “UNC Coed Anxiety Map.” The map was based on data collected from a questionnaire filled out by 127 women students and highlighted the areas on campus that women feared most, in the hopes that the University would make safety improvements based on the responses. Figure 1 illustrates the areas on campus “where Coeds are uneasy being alone after dark,” with the Arboretum and Forest Theater being among the places of high anxiety.<sup>82</sup> Janet Colm, director of the Rape Crisis Center, and Sergeant W.L. Dunn noted that neither the Rape Crisis Center nor campus police had received any reports of rape on campus that year, but Geography Department Chairman Dr. Richard Kopec defended the value of such a map, stating, “These women’s perceptions are as real to them as information of an actual rape. To be afraid, real or imagined, is

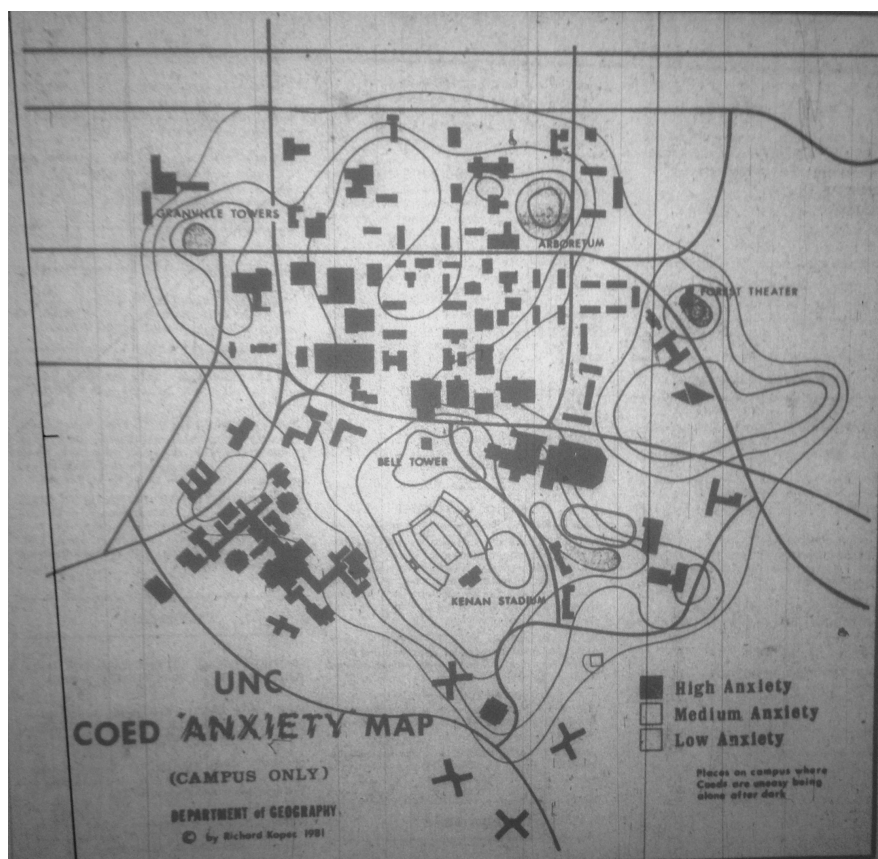
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<sup>81</sup> Dekeserdy, and Schwartz *Sexual Assault on the College Campus: The Role of Male Peer Support* (Thousand Oaks, CA: Sage Publications, 1997), 139.

<sup>82</sup> The shading is difficult to see in the map that was reprinted in the *DTH*; although the buildings appear black, they do not represent areas of high anxiety. If one looks closely, there are elements of visible shading near the Arboretum, Forest Theater, Granville Towers, and the area to the right of Kenan Stadium.

still to be afraid.”<sup>83</sup> Dr. Kopec’s words were emblematic of the model of rape awareness that UNC students and administrators were so intent on using despite its evident ineffectiveness; that is, a model based on fear rather than fact.

**Figure 1. “UNC Coed Anxiety Map”**



Not surprisingly, Janet Colm – who, as a former member of NOW and director of the Rape Crisis Center at the time, was surely more tuned in to the national dialogue on rape that was beginning to move away from the movement’s initial fixation on sex-crazed, deviant stranger rapists – doubted the usefulness of the anxiety map, lamenting that, “all rape information seems to be oriented toward

<sup>83</sup> Beverly Weaver, “Rape threat: Map shows campus spots women fear,” *The Daily Tar Heel*, 29 September 1981, 1.

‘don’t walk alone at night’ when much of it occurs in situations where you feel safe.’”<sup>84</sup> But asking women about which places they feared most meant that the University could assuage their fears with quick and easy solutions, like installing more lights and cutting down hedges. The stranger rape/fear model satisfied students because they were able to convince themselves that rape was not a possibility as long as they were smart and cautious, and it satisfied the University because it freed the school from any institutional responsibility in cases of rape, as long as new safety measures were implemented every so often. The result though, of a naïve student body and a University too reluctant to confront the reality of rape, was an almost decade-long series of rape awareness projects that did more to allay imagined fear than to prevent actual rape.

The AWS rape booklet, the Fred Storaska lecture, the R.A.P.E. service, and the “UNC Coed Anxiety Map” represent a wide range of rape awareness tactics, but they all articulated the same message to UNC women students: rape happened in Chapel Hill. Such a message was not incorrect; rape did indeed happen to women in Chapel Hill, as it happened to women in towns and cities throughout the country. Rape was, as feminist Susan Griffin called it, “The All-American Crime.” Griffin, in labeling rape as such, was referring to the patriarchal system responsible for breeding an “atmosphere of violence” and male dominance that made rape so pervasive.<sup>85</sup> But as historian Maria Bevacqua notes

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<sup>84</sup> Ibid.

<sup>85</sup> Susan Griffin, “Rape: The All-American Crime,” *Ramparts Magazine*, September 1971, 26-35.

in her book *Rape on the Public Agenda*, feminists and activists involved in the national anti-rape movement had a much more comprehensive understanding of rape than did most people.<sup>86</sup> Thus, while the ubiquitous threat of rape had made individuals like Susan Griffin and Susan Brownmiller begin to question the nature of the rapist rather than the faults of the victim, the same could not be said of individuals in Chapel Hill, where the majority of rape awareness projects, beginning with “Lady Beware,” assumed the motives of the rapist – some sort of mental abnormality or sex addiction – and judged the actions of potential victims.

### **Rape in the Campus Media**

In the early 1970s, national media coverage of rape, which had previously focused almost exclusively on black men accused of rape against white women, shifted to episodic stories that brought attention to the “systematic and structural obstacles” that victims faced after reporting their rape, thematic stories that presented the victim’s account of the crime, and coverage of the national anti-rape movement.<sup>87</sup> Media coverage of rape in Chapel Hill was not quite as thorough, but as the primary news source for many UNC students throughout the 1970s and 1980s, the *Daily Tar Heel* was an especially important source of information regarding rape and sexual assault in Chapel Hill. The *DTH* regularly featured advertisements for the Rape Crisis Center (RCC), it often published articles written by RCC staff members, and it diligently reported rapes and sexual assaults

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<sup>86</sup> Bevacqua, *Rape on the Public Agenda*, 137.

<sup>87</sup> Bevacqua, *Rape on the Public Agenda*, 122-125.

that occurred in Chapel Hill and Carrboro. For many years, though, it also promoted the myth of stranger rape, contributed to an environment of fear by employing sensational language and highlighting violent attacks, and encouraged the University to implement superficial safety measures, all of which ultimately resulted in a false sense of security and the dissemination of misinformation when it came to rape and sexual assault.

On Sunday, September 9, 1973, a UNC freshman woman was kidnapped at knifepoint in the Bell Tower parking lot and then driven to Chatham County, where she was raped.<sup>88</sup> A week later, the *DTH* responded with an editorial entitled “Shorter hedge would be safer.” The article expressed frustration with the University’s lack of concern for student safety and suggested that the administration consider improving the lighting and trimming the shrubbery around the Bell Tower, because “removing this cover would curb these ghastly assaults.”<sup>89</sup> Four months later, a student was raped near Kenan Stadium, and *DTH* editor Susan Miller rebuked the administration for failing to consider the previously mentioned suggestions and continuing to address the threat of rape by merely sending out memos after the fact: “It is now quite obvious that the administration neither cares nor is inclined to take any positive steps to end the threat of attack on campus.”<sup>90</sup>

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<sup>88</sup> Lu Ann Jones, “UNC woman assaulted,” *The Daily Tar Heel*, 12 September 1973, 1.

<sup>89</sup> “Shorter hedge would be safer,” *The Daily Tar Heel*, 17 September 1973, 6.

<sup>90</sup> “Rape Memos won’t lessen administration’s guilt,” *The Daily Tar Heel*, 9 January 1974, 8.



What's interesting about Miller's Opinion is that she began the piece with an argument that was very much in line with the feminist anti-rape rhetoric at the time, that "women are raped for numerous and complicated reasons mostly relating to the sexist orientation of our society," but then she ended the piece by asking the University to take "more substantive steps...to end the increasing incident of rape."<sup>91</sup> These so-called substantive steps, however, once again included installing better lighting and trimming shrubs – substantive steps, perhaps, for the illusion of safety, but limited to the danger of attacks by non-campus community members, a danger that, despite the December 14 assault, was quite infrequent.<sup>92</sup> Indeed, in a letter to the editor written the following week, a woman scolded the *DTH* editor for doing a "grave disservice" by creating "in the minds of DTH readers a simplistic approach to control of crime via lighting and low shrubbery."<sup>93</sup> Although administrators and students across the country were

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<sup>91</sup> Ibid.

<sup>92</sup> Kent State University psychologist Mary Koss found in her 1985 study that women raped by a stranger are more likely to report the crime to the police, but that victims of what she called "hidden rape," that is the more than 50% of rape cases that are not reported to anyone, were much more likely to be raped by an acquaintance or romantic partner than a stranger. Mary P. Koss, "The Hidden Rape Victim: Personality, Attitudinal, and Situational Characteristics," *Psychology of Women Quarterly* 9 (1985): 193, 206.

<sup>93</sup> Sylvia King, Letter to the Editor, "Reader claims Tar Heel's rape editorial misinformed," *The Daily Tar Heel*, 14 January 1974, 6.

concerned primarily with improving security for women on campus, it seems that not all students bought into the effectiveness of fewer trees and more lights.<sup>94</sup>

The *Daily Tar Heel*'s coverage of rape not only upheld the stranger rape myth, but it also often featured one-sided rape prevention articles that focused solely on what steps women needed to take in their daily lives to avoid being raped, and continued the pattern of rape dialogue centered around a strange man lurking in the dark and waiting to pounce on his next oblivious victim. A 1974 front-page story entitled "Rape: Preventive steps can thwart increasing rate of assaults" began with a hypothetical tale about a girl named Kathi:

The lock on the back door of the dress shop clicked shut and Kathi walked to the parking lot, searching through her handbag for her car keys. That's when she heard the footsteps – heavy, shuffling, as if the person wore cumbersome hiking boots. Out of the corner of her eye, she saw the man in a ski mask reaching for her. She ran, but his shadow clung to her, his feet pounded the wet asphalt at her heels. She stumbled, fell, rolled against the curb and then lay mute. She didn't have a chance.<sup>95</sup>

The article reads like a pulp piece, but the author insisted, "The circumstances of the story are true." Despite rightly refuting the myth that women enticed rapists with immodest dress and behavior, the author then insinuated that women's

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<sup>94</sup> In a letter to the editor, Dean of Student Affairs Donald A. Boulton responded to the *Daily Tar Heel*'s editorial ("Boulton responds on rape, 11 January 1974), stating that campus "walking tours" had indeed resulted in increased lighting, a survey was sent to women students to ask which areas needed more lighting, bus schedules were sent to faculty members who taught evening classes, an escort program had been implemented by the Residence Hall Association (although it lasted less than a year), and warnings about the danger of waling alone at night were communicated through Resident Advisors, the *DTH* and the local radio. Despite these measures, the number of reported rapes and assaults did not noticeably decrease in the following months or years, presumably because they were addressing the wrong problem.

<sup>95</sup> Diane King, "Rape: Preventive steps can thwart increasing rates of assault," *The Daily Tar Heel*, 1 April 1974, 1-2.

increasing independence was actually a more likely factor in the recent rise in reports of rapes. By stating that attending nighttime lectures and labs women were putting themselves at greater risk of being assaulted, the author implied that women should not strive for greater independence but should instead restrict their movement and even their academics.<sup>96</sup>

The “Preventive steps” article did dispel the notion that there was only one type of rapist by citing research about “normal” men who rape, but the usefulness of the research presented was repeatedly overshadowed by bold and unsubstantiated assertions. Furthermore, the entire article was highly critical of its imaginary victim:

A little education would have helped Kathi keep her cool and know what to do when she was attacked. A little care could have prevented the situation entirely. Because she ignored or didn’t know the facts, she thought rape couldn’t happen to her. When it did, she could only submit to her own terror.<sup>97</sup>

It is an unfortunate and unfair reality that women have to take greater measures to insure safety, which is why the rape prevention steps outlined in this article, and in several articles afterward, were not necessarily wrong. But because such tactics were essentially the only form of rape awareness at the time, they may have done less to reduce rape at UNC than to spread fear, perpetuate sexist attitudes, and promote victim-blaming.

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<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

Even when the *DTH* was not publicizing rape awareness programs like Fred Storaska's lecture, its coverage of rape and sexual assault in the community bordered on the sensational and seemed to augment the idea that UNC was plagued by stranger rape. According to two November 1979 articles, the months of September, October, and November saw a rise in incidences of rape, attempted rape and sexual assault.<sup>98</sup> On campus, a man with a gun attacked a woman near Cobb Dormitory and two weeks later, a man wielding a block of wood with a blade attached to it attacked a woman near the Bell Tower.<sup>99</sup> Neither woman was raped, but the *DTH*'s emphasis on violence against women demonstrated a pattern during this time in which members of the campus community focused only on a specific danger to a specific potential victim and ignored all other possible dangers and victims. This narrowly defined concern often led to rape awareness information that instilled in women a feeling of fear, rather than confidence, empowerment, or even accurate information.

The *DTH* was undoubtedly an invaluable source of both rape awareness and student activism in the form of social commentary throughout the early years of the campus anti-rape movement. As the primary news source and student publication on campus, the *DTH* played a significant role in shaping students' opinions and perceptions of rape. Although stranger rape did, and does, happen,

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<sup>98</sup> Anne-Marie Downey, "Assaults in area: Attacks on women increase," *Daily Tar Heel*, 29 November 1979, 3.

<sup>99</sup> Debbie Daniel, "Student assaulted; rape, attacks rise," *Daily Tar Heel*, 16 November 1979, 1.

*The Daily Tar Heel's* and the University's preoccupation with the more easily identifiable and thus more easily avoidable rapist left students in a state of ignorance concerning the danger of acquaintance rape as well as the cultural and political roots of rape.

## **Conclusion**

National events have historically influenced local situations, and although Chapel Hill was still just a small town in the 1970s, it was not impervious to the happenings of the outside world: while groups like the New York Radical Feminists and the National Organization for Women (NOW) and individuals like Susan Brownmiller were creating a national rhetoric around rape and sexual assault, residents of Chapel Hill were listening and responding to that national rhetoric by tailoring it to their own perceptions of rape, and feminism, in the community.<sup>100</sup>

Local activist Miriam Slifkin and her leadership within NOW and the Rape Crisis Center illustrated Chapel Hill's alignment with the national anti-rape movement in terms of focusing on rape crisis centers and rape law reform.<sup>101</sup> However, though Chapel Hill was indeed becoming a cosmopolitan town, it was still a college town and thus somewhat insulated; while individuals like Miriam Slifkin had both the mindset and the resources to encompass a broader approach

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<sup>100</sup> The New York Radical Feminists was one of the first groups to have a speak-out against rape; NOW spearheaded the establishment of local rape crisis centers.

<sup>101</sup> Scholar Maria Bevaqua asserts in her book *Rape on the Public Agenda* that establishing rape crisis centers and changing rape laws were the "two major concerns of the [anti-rape] movement" (16).

to rape, students and administrators at UNC focused on a narrower definition of the problem that they could most easily (though not necessarily effectively) address. A college campus is a unique environment: it is essentially a microcosm of society, with its own set of policies, procedures and government, its own quasi-legal system in the form of the Student Code and Honor Court, its own police and security department, and its own housing. All of these things create a closed system that serves to protect both the physical safety of campus community members, as well as the reputation of the University. When incidents like the murder of Suellen Evans occur within the invisible borders of a college campus, they disrupt the equilibrium of the carefully controlled system, and the school must restore order as swiftly as possible. The closed-off and somewhat autonomous nature of a college campus explains why much of the rape awareness work of the time and its adherence to, rather than its condemnation of, rape myths, seemed to be in stark contrast to the national feminist goal of dispelling such myths and confronting the legal, racial, and cultural aspects of rape.

The murder of Suellen Evans was a tragedy. Of course, any university and its students would have taken similar actions to those that UNC took in the wake of a violent crime, and indeed, it would have been irresponsible of the University to not address stranger danger with such visible proof of the issue. However, the tragedy of one student's death does not excuse the extremely limited way in which the school continued to address rape and sexual assault for so many years. While those involved in raising awareness about rape and sexual assault in Chapel

Hill and on campus were well-intentioned in their efforts to bring light to a serious issue, they narrowly defined the problem in a way that placed sole responsibility on women and ignored a whole host of other real and present dangers, including date and acquaintance rape. As Susan Brownmiller criticized, in imposing “a special burden of caution on women...not only does the number of potential rapists on the loose remain constant, but the ultimate effect of rape upon the woman’s mental and emotional health has been accomplished *even without the act.*”<sup>102</sup>

Despite the nearsightedness of anti-rape activism in the 1970s, though, with various new studies and articles, the national dialogue on rape began to shift in the 1980s to a more serious discussion of alcohol, fraternities, uncomfortable dating situations, and the undetected rapists present on college campuses. As college students grew more concerned with this new category of rape, activists began to incorporate discussions of date and acquaintance rape into their rape awareness and prevention programs. But even as new evidence supporting the idea of a date rape epidemic emerged, UNC’s inability to fully confront the issue of rape continued. Students and administrators were able to acknowledge and discuss such issues as date rape, but they ultimately struggled to look past old and ineffective solutions more suited for stranger rape prevention.

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<sup>102</sup> Brownmiller, *Against Our Will*, 400.

### Chapter Three – “More common than left handedness or heart attacks or alcoholism”:<sup>103</sup> The Struggle to Acknowledge, Define and Prevent a Hidden Crime

Throughout the late 1970s and early 1980s, the Association for Women Students printed a women’s issues magazine called *SHE*.<sup>104</sup> In 1980, the magazine published an article entitled “Rape: Not Sex – Violence.” The piece featured an interview between author Lori Morrison and then director of the Rape Crisis Center, Janet Colm. Lori asked Janet what the stereotypical view of a rapist was and Janet responded:

White women have the stereotype of a black man who leaps out from behind the trashcan in a dark alley in New York City. There is also the stereotype of a young man who is very disturbed...Both of these do happen, but both of these types happen very seldom...By and large we’ve found from the women who call us, rapists almost always know the woman, are the same color as the woman and of the same economic class. The stereotype is very self-defeating, too, because the people we are concerned with aren’t necessarily the people we should be concerned with. That is one of the really frightening things, because any man could rape you. That’s one of the things women have to begin to deal with somehow.<sup>105</sup>

In one brief interview, Janet managed to refute the most common rape myths of the time and provide a far more accurate definition of rape – an act of power than can be committed by any man – that largely invalidated the perception of the problem that had

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<sup>103</sup> Robin Warshaw, *I Never Called It Rape: The Ms. Report on Recognizing, Fighting, and Surviving Date and Acquaintance Rape* (New York: Harper & Row, 1988), 11.

<sup>104</sup> In its 1979-1980 Budget Request Form, the Association for Women Students (AWS), describes *SHE* as a response to the increasing number of female students at UNC, stating, “*SHE* is here to give the needed depth and coverage that other student publications...can only scratch the surface of. For example, *SHE* has addressed tenure for female faculty members...where the women’s movement is headed...the questions and solutions to rape, stress and social position...*SHE* relates the advantages and disadvantages as a woman alone, in a group, at UNC and in society at large.” From 1979-1980 Budget Request for the Association of Women Students, Box 18, Collection 40169, Student Government Records.

<sup>105</sup> Lori Morrison, “Rape: Not Sex – Violence,” *SHE*, 1980, 17.



influenced the previous seven years of rape awareness and prevention work at UNC and in Chapel Hill.<sup>106</sup>

Accompanying Lori's interview with Janet Colm was a reprint of part of Marge Piercy's "Rape Poem," with a title added by *SHE* that stated, "Locking Our Doors Does Not Stop Rape. Understanding It Might."<sup>107</sup> The implication of the title is that the writers and editors of *SHE* were acknowledging the ineffectiveness of current rape prevention strategies that included telling women how to improve their own security and were advocating instead for a shift in tactics that had to first begin with redefining the problem and moving away from the stranger rape stereotype. Yet, just a year after this publication, the *DTH* featured on its front page the Geography Department's "Coed Anxiety Map," which clearly indicated a continued concern with an external threat.

The University's and the student body's lingering fear of attacks by strangers was perhaps due in part to the fact that Janet Colm's definition of rape did not yet have a name. Confronting a crime bereft of a narrowly-defined victim or perpetrator, a crime that could not yet be placed under a distinct category, posed a much greater challenge to the University than a clear-cut stranger rape; it was not always easy to determine motive in a stranger rape, but it was certainly easier to collect evidence and to place blame.

However, Janet Colm's warnings were finally and formally given a name in 1982 when

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<sup>106</sup> Importantly, Colm also finally called attention to a contributing factor to UNC's previous stranger-danger rape prevention model that had yet to be addressed outright: race. Although rape awareness sources like the *DTH* were not overtly racist, beginning with coverage of the Evans murder in 1965, staff writers generally only noted the race of the suspected rapist if he was African American, thereby perpetuating not just the myth of the stranger rapist, but of the black stranger rapist.

<sup>107</sup> Ibid.

*Ms.* magazine published an article examining the epidemic of campus date rape.<sup>108</sup>

Although students and administrators continued to struggle to seriously address the issue, their efforts became progressively stronger throughout the 1980s and, in fact, reached a peak in the years following a second *Ms.* publication about date rape and a subsequent book in 1985 and 1988, respectively.

Scholar Maria Bevacqua asserts that students and activists did not develop new organizing methods until the campus rape epidemic was linked to a broader public recognition of date and acquaintance rape, well after the national anti-rape movement began.<sup>109</sup> This trend indeed held true at UNC, where students shifted their focus from general rape awareness and safety precautions for women to creating a campus dialogue about the prevalence of date rape and the importance of victim support and services; peer presentations, annual Rape Awareness Weeks, Take Back the Night marches, and lectures by some of the nation's leading anti-rape activists emerged as the most common methods of activism.

Thus, while much of the rape awareness and anti-rape activism of the previous decade was defined by the legacy of fear left by a local tragedy, UNC witnessed a change in both the discourse and tactics surrounding rape and anti-rape activism in the 1980s, when its students and staff were finally able to acknowledge both the importance of

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<sup>108</sup> As stated in Jodi Gold and Susan Villari's book *Just Sex: Students Rewrite the Rules on Sex, Violence, Equality and Activism*, the article, entitled "Date Rape: A Campus Epidemic," "is credited as the first instance of date rape hitting the mainstream media" (6). The term was, in fact, first published in Susan Brownmiller's *Against Our Will* (257). But while Brownmiller's book was both groundbreaking and widely-read, it did not have anywhere near the young readership of *Ms.* magazine at the time, nor did it specifically address the phenomenon on college campuses.

<sup>109</sup> Bevacqua, *Rape on the Public Agenda*, 164.

listening and responding to the national conversation on rape, as well as the danger of believing the long-held perception of Chapel Hill as a town exempt from violent crime. Merely acknowledging a new problem, however, would prove to be insufficient, as the campus community was essentially unable to turn that acknowledgement into substantial action.

### **Date Rape Hits the National Media – and UNC Students Respond**

In 1981, a Kent State psychologist named Mary Koss created the “Sexual Experiences Survey,” a survey that “could be used as an alternative approach to sampling in rape research.” According to Koss, the most typical method of obtaining rape statistics was through police and rape crisis center records, which did not reflect an accurate estimate of the scope of rape, due to the extremely low percentage of reporting. Koss’s goal in administering 12 yes-no questions that “referred explicitly to sexual intercourse associated with various degrees of coercion, threat, and force” directly to 3,862 university students was to uncover the “existence of many hidden victims and undetected offenders.”<sup>110</sup> Koss’s research was groundbreaking in two ways: it offered an alternative method of sampling that could give a more accurate representation of rape in the United States, and it revealed the prevalence of a heretofore unknown, or at least unacknowledged, type of crime: rape by an acquaintance.

In October 1982, freelance writer Karen Barrett reported on Koss’s initial findings – that acquaintance rape was just as common, if not more, than stranger rape – for *Ms.*

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<sup>110</sup> Mary P. Koss, “Sexual Experiences Survey: A Research Instrument Investigating Sexual Aggression and Victimization,” *Journal of Consulting and Clinical Psychology* 50.3 (1982): 455-457.

magazine in an article titled “Date Rape: A Campus Epidemic?”<sup>111</sup> By the time *Ms.* published Barrett’s article on date rape, the magazine had become a feminist landmark and one of the most widely read publications by young women in the United States.<sup>112</sup> Although Susan Brownmiller had used the term date rape as early as 1974, *Against Our Will* was, by and large, a book of an older generation; it was emblematic of second-wave feminism, but lacked readership among college-age women. *Ms.* magazine, on the other hand, targeted college-age women. Although the magazine “was not on the cutting edge of the anti-rape effort,” as Bevacqua points out, it did bring a much higher degree of national attention to the anti-rape movement.<sup>113</sup> Furthermore, Koss chose university students specifically for her sample pool because they were in the “high-risk age and occupational group for reported rape.”<sup>114</sup> Thus, while more seasoned feminists, like Miriam Slifkin and the women of NOW, were able to advance the goals of the early anti-rape movement by opening rape crisis centers and advocating rape law reform, the movement became much more accessible to college students once “feminists made logical connections between college life and the phenomenon of date rape.”<sup>115</sup>

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<sup>111</sup> Karen Barrett, “Date Rape: A Campus Epidemic?” *Ms.*, September 1982, 48-51, 130.

<sup>112</sup> “HerStory: 1971 – Present,” *Ms. Magazine*, accessed January 8, 2015, <http://www.msmagazine.com/about.asp>. Gloria Steinem and Letty Cottin Pogrebin founded *Ms.* in 1971 and its “one-shot” test sample, which was published as an insert in *New York Magazine*, sold out (300,000 copies) in eight days.

<sup>113</sup> Bevacqua, *Rape on the Public Agenda*, 49.

<sup>114</sup> Koss, “Sexual Experiences Survey,” 455.

<sup>115</sup> Bevacqua, *Rape on the Public Agenda*, 164.

In her 1982 article, Karen Barrett noted that anti-rape programs were a “recent innovation” at most schools and that the ones that did exist were “geared to stranger rape, often to treatment of victims rather than prevention.” This is not surprising, given that Barrett’s story was really the first attempt to publicly shed light on the issue with both research and personal stories from students with whom she spoke at the University of Connecticut.<sup>116</sup> For many university students then, there was not enough information, nor was there yet any readily available language, to openly address an issue like acquaintance rape. As Ellen Sweet, who wrote for *Ms.* in the 1970s and 1980s, noted in a recent paper about date rape, even though publications throughout the country began addressing the issue, “they tended to put the term in quotation marks, as if it were still suspect.”<sup>117</sup> Such skepticism could account for why programs like R.A.P.E. at UNC continued to dominate anti-rape efforts in the early 1980s.

The growing discussion around date rape that researchers and feminists were leading seemed to finally take hold at UNC on March 14, 1984, when the Association for Women Students put together UNC’s first Rape Awareness Day. Members of AWS passed out red ribbons in the Pit and displayed them in areas on campus where rapes were known or thought to have taken place. Unlike previous awareness programs though, the AWS made it clear that the focus was not on stranger rape, but rather date and acquaintance rape. Program coordinator Margie Walker told the *DTH* that the majority of

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<sup>116</sup> Barrett, “Date Rape: A Campus Epidemic?” 50-51.

<sup>117</sup> Ellen Sweet, “Date Rape: Naming, Publicizing, and Fighting a Pandemic,” (paper presented at A Revolutionary Moment: Women’s Liberation in the late 1960s and early 1970s, Boston University, March 17 – March 29, 2014).

ribbons were placed in dormitories, “because the majority of rapes that occur here are date, or acquaintance, rapes.” Walker further stated that she hoped the day of awareness would encourage students to address the lack of reporting when it comes to rape, and offer advice on how to better support rape victims.<sup>118</sup> This type of anti-rape activism still lacked any preventative components, but unlike the more victim-blaming language of rape awareness work in the 1970s, UNC’s first Rape Awareness Day and the way that the AWS promoted it signified an effort on the part of students to acknowledge date rape as a serious issue and to shift the campus attitude toward a more victim supportive environment.

As soon as *Ms.* published the 1982 article on date rape, the editors applied for and received a grant from the Center for the Prevention and Control of Rape at the National Institute of Mental Health so that they could work with Mary Koss to expand her study on date rape. Ellen Sweet coordinated the *Ms.* Magazine Campus Project on Sexual Assault between 1982 and 1985, reported the findings in an article for the magazine titled “Date Rape: The Story of an Epidemic and Those Who Deny It” in October 1985, and obtained a contract for a book – *I Never Called It Rape: The Ms. Report on Recognizing, Fighting and Surviving Date and Acquaintance Rape* – that writer Robin Warshaw published in 1988.<sup>119</sup>

While many people had been hesitant to use the term date rape in previous years, after the publication of Sweet’s article and Warshaw’s book, activists, and especially

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<sup>118</sup> Heather Hay, “AWS raises awareness of rape,” *The Daily Tar Heel*, 15 March 1984, 3.

<sup>119</sup> Sweet, “Date Rape: Naming, Publicizing, and Fighting a Pandemic.”

student activists, became more confident in shifting their organizing methods and goals once they had the statistics to support their cause.<sup>120</sup> The most widely cited, and most widely debated, statistic that came from Koss's study was that of the more than 3,000 undergraduate women surveyed, one in four had been the victims of rape or attempted rape; furthermore, 84 percent of the women who had been raped knew their assailant.<sup>121</sup> Sweet admitted that statistics would not solve the issue of date rape, but that "they could help bring it out in the open." According to Sweet, the hope of women who worked on the project was that "the reaction of 'we can't believe it's happening on our campus' [would] be followed by 'what can we do about it – now.'"<sup>122</sup>

Indeed, that reaction took place on UNC's campus five months after Sweet published her article when the Carolina Union Human Relations Committee expanded the school's usual day-long rape awareness program into a much more comprehensive event called "Confronting Rape: A Week of Awareness."<sup>123</sup> Considering UNC's long and well-known history as an activist campus, "Confronting Rape" was by no means groundbreaking, but it did include two new peer education programs – a mock date rape trial and a film screening of "Rape Culture" held at the Delta Kappa Epsilon fraternity house – that were intended to give students a better understanding of both the legal and

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<sup>120</sup> Ibid.

<sup>121</sup> Warshaw, *I Never Called It Rape*, 11.

<sup>122</sup> Ellen Sweet, "Date Rape: The Story of an Epidemic and Those Who Deny It," *Ms.*, October 1985, 58.

<sup>123</sup> "Films, programs, speakers scheduled for rape awareness series, April 7-10," *The Daily Tar Heel*, 7 April 1986, 3.

social aspects of date rape, communication between sexual partners, and the concept of rape culture.<sup>124</sup>

Although both programs were admirable attempts to push students to think more deeply about the complexities of rape and its connection to campus social and party culture, neither of them were actually very successful in achieving that goal. The mock trial, which had an attendance of less than 200 people, was a well-intentioned concept in terms of presenting students with a realistic scenario of date rape on a college campus, but when the school revived the mock trial years later, it actually had the unintentional result of scaring women and leaving them with “doubts about coming forth in the event of a rape.”<sup>125</sup> The movie screening, too, seemed to fall short of its potential. Presumably, the intention of the Panhellenic and Intrafraternity Councils in hosting the event was to ensure that rape awareness information was specifically reaching members of the Greek community, but only about 20 people attended the movie discussion and while the movie itself examined how sexual violence against women portrayed in media and objectification of women in advertising impact rape, it made no connection between Greek life and rape culture.<sup>126</sup> There is no indication that Greek leaders made any

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<sup>124</sup> Mike Gunzenhauser, “Mock trial examines date rape: She says forced, he says willing,” *The Daily Tar Heel*, 9 April 1986, 1; Mitra Lotfi, “Fraternity hosts Rape Awareness movie, discussion,” *The Daily Tar Heel*, 11 April 1986, 3.

<sup>125</sup> Kristen Gardner, “Rape Awareness Week features a mock trial of date rape case,” *The Daily Tar Heel*, 10 February 1987, 3; “Jury divided i mock date-rape trial decision,” *The Daily Tar Heel*, 3 March 1993, 1.

<sup>126</sup> Mitra Lotfi, “Fraternity hosts Rape Awareness movie, discussion,” *The Daily Tar Heel*, 11 April 1986, 3.



subsequent attempts to host rape awareness or prevention events or trainings tailored to the Greek community.

### **A Problem Grave Enough to Beget a New Organization**

In August 1986, undergraduate students established UNC's first organization aimed specifically at addressing rape and sexual assault on campus, the Rape Action Project. The purpose of the organization was to "unite the best resources on campus and in the community in order to decrease the incidence of rape for students, faculty and staff," and to "evaluate current safety measure and safety programs on campus...to supplement these with new strategies for reducing incidences of rape."<sup>127</sup> Between 1986 and 1990, the organization had a small but dedicated membership of 20-25 students that were committed to goals of security, victim support, and peer education.<sup>128</sup>

In an effort to shift student attitudes away from the rape awareness information of the previous decade that had a tendency instill women with fear, Rape Action Project launched the first major attempt on campus to reframe perceptions of rape, challenging both how the crime was imagined and what types of responses were appropriate. In February 1987, Rape Action Project joined the Union Human Relations Committee and the Campus Y Women's Forum to organize the school's second Rape Awareness Week, this time with an even greater emphasis on date rape and the cultural and political roots of

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<sup>127</sup> Rape Action Project, Officially Recognized Student Organization Application Form, Box 14, Collection # 40128, Carolina Union of the University of North Carolina at Chapel Hill Records, 1931-2012, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

<sup>128</sup> Rape Action Project, Characterization Forms, Box 19, Collection # 40169, Student Government Records.

rape. Women's Forum member Polly Guthrie explained that they designed the program to benefit both women and men, "since it is an issue that concerns both of the sexes."<sup>129</sup>

The program, however, did little to realize Guthrie's hopes for inclusivity. Although the week of awareness included a date rape presentation in Hinton James, a dramatization of a date rape trial, and a film screening of the documentary "Rate it X," a "bitingly funny and disarming journey through the landscape of American sexism," the overall message still seemed to place most of the burden of rape prevention on women.<sup>130</sup> Demonstrating a commitment to date rape awareness, organizers chose Laura X, who was, at the time, a leading activist in the movement to make date and marital rape a crime in all 50 states and the director of the National Clearinghouse on Marital and Date Rape, as the program's keynote lecturer. Laura X, who changed her last name to signify "the anonymity of women's history," spoke to UNC students about the common motives behind date and marital rape and emphasized the importance of teaching women how to feel empowered by learning how to confidently say "No." Referencing data from Student Health Services, *DTH* staff writer Tom Camp, in his coverage of the lecture, stated, "Twenty-five percent of the female students who came in for some medical problem responded 'Yes' to the questions, 'Have you ever been involved in unwanted sex?'" indicating that date rape was "a serious problem on the UNC campus."<sup>131</sup>

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<sup>129</sup> Mark Folk, "Lectures, mock trial to raise rape awareness," *The Daily Tar Heel*, 2 February 1987, 3.

<sup>130</sup> "Rate It X," PBS, POV, accessed January 13, 2015, <http://www.pbs.org/pov/rateitx/>.

<sup>131</sup> Tom Camp, "Speaker decries marital, date rape," *The Daily Tar Heel*, 13 February 1987, 1.

Much like the decision to invite Fred Storaska to speak in 1978, in choosing Laura X as the keynote speaker, student organizations and the Union were responding to the concerns of the student body. This time, though, the concern was date rape, not stranger rape, and the speaker was a distinguished scholar and feminist whose views were much more in line with the national anti-rape movement. However, while Laura X's advice to women — to learn how to say "No" to dates who feel entitled to sex and not worry about their feelings — was far less ridiculous than that of Storaska, her lecture failed to address men and their role in preventing rape, and specifically, not to act on that sense of entitlement in the first place.<sup>132</sup>

Later that semester, Rape Action Project made the first attempt of activists to actually gauge how successful rape awareness and prevention efforts on campus actually were, by conducting a survey of "campus attitudes toward rape." Of the students surveyed, 70 percent of women and 50 percent of men considered rape to be an issue on campus, 80 percent of women and 40 percent of men believed that the *DTH* needed more coverage of rape, and over 50 percent of students could not recall ever receiving information about rape during their time at UNC.<sup>133</sup> To someone reading these statistics in 1987, it would seem that the University was doing an inadequate job of informing students about rape. Based on the scarcity of year-round rape awareness programs and the relatively recentness of Rape Action Project, it is true that UNC did not have the more

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<sup>132</sup> Ibid.

<sup>133</sup> Barbara Linn, "Student survey explores campus attitudes toward rape: Students think rape issue important, but few receive information about it," *The Daily Tar Heel*, 15 April 1987, 1, 3.

extensive activist campaigns of schools like Stanford or Cornell.<sup>134</sup> However, there was, in fact, more information available than students claimed. In 1985, the Office of the Dean of Students, Campus Security, the OCRCC and Student Health Services all worked to revise a campus booklet of seven different pamphlets entitled *Dealing With Rape and Sexual Assault at UNC-CH*, which was available at the OCRCC, campus police offices, the Office of the Dean of Students, Student Health Services, and the Union.<sup>135</sup>

Furthermore, the 1986 and 1987 Rape Awareness Weeks were highly publicized and between 1980 and 1987, the *DTH* published at least 50 articles about rape or sexual assault. Thus, while the findings of the survey did indicate the need for more action regarding rape prevention, it was also indicative of a problem that continues to plague student activists today, that is, the difficulty of reaching all students, not just the most socially aware, with information on rape and sexual assault.

The importance of Rape Action Project's survey was that it provided the organization with information to take to UNC officials. In an attempt to bridge the gap between students and administrators and to increase communication between the two, Rape Action Project met with UNC officials throughout the month of April, including the UNC director of security services, the vice chancellor of business and finances, the associate vice chancellor of facilities and management, and the associate director of University Housing. Lucy McClellan, a member of Rape Action Project, expressed her

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<sup>134</sup> In Ellen Sweet's *Ms.* article, she lists several colleges where "ideas and innovations in acquaintance rape prevention" were taking place as of 1985.

<sup>135</sup> Rachel Stroud, "Rape prevention booklet updated," *The Daily Tar Heel*, 6 November 1985, 3.

desire to speak particularly to campus police officers, who “were trained 20 years ago when date and acquaintance rape was not an important issue,” so that the officers could “listen to the concerns and comment of the campus community” and “express their own concerns about rape.”<sup>136</sup>

Rather than simply taking stranger danger advice from predominately male superiors and peers as in previous years, the women of Rape Action Project took matters into their own hands in order to hold the University more accountable for the actions it was, and wasn't, taking to address rape on campus. McClellan's comments about the importance of speaking directly to UNC officials represents one of the more unique aspects of Rape Action Project, which was its focus on community and peer education. The meetings allowed the organization to push their peer presentation on date and acquaintance rape, which included a film on date rape and a question and answer session offered to student groups, dormitories and Greek organizations. Rape Action Project chairwoman Amy Kittner emphasized the importance of “students talking to students,” stating that it “makes the problem seem more real and helps students to understand that they are not alone.” The presentations were equally beneficial for men, many of whom Kittner said had “not realized that what [they'd] been doing falls under legal sanction and could be called rape.”<sup>137</sup>

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<sup>136</sup> Barbara Linn, “Student survey explores campus attitudes toward rape: UNC officials discuss improvements in campus security, rape awareness,” *The Daily Tar Heel*, 15 April 1987, 1, 4.

<sup>137</sup> Dana Primm, “Group educates public about date and acquaintance rape,” *The Daily Tar Heel*, 1 November 1988, 4.

However, while Rape Action Project's effort to increase student input and peer education was an important first step in creating more effective ways to combat rape, its demands for improved lighting, student patrols, and an off-campus shuttle bus – unquestionably important security measures – were somewhat counterproductive because they detracted from the organization's focus on date and acquaintance rape, and contributed to a reinforcement of old rape myths. Nonetheless, Rape Action Project did represent an important divergence from rape awareness attitudes of the previous decade. Anne Bowden, who was associate dean for the Office of the Dean of Students when the *DTH* announced the establishment of Rape Action Project, explained the overarching purpose of the organization, stating, "Our goal is not to light up the campus like the Fourth of July... The long-term solution of rape goes way beyond physical changes into attitudinal changes."<sup>138</sup> While Rape Action Project was a small organization with limited resources to implement any immediate change on campus, the group served as an important transition from misinformed and sexist rape awareness to real activism aimed at changing the campus perception of rape as solely a woman's problem and holding both students and officials accountable for rape prevention at UNC — a trend that it would, in fact, continue into the 1990s.

**Conclusion: "However we dress, wherever we go, yes means yes, no means no!"<sup>139</sup>**

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<sup>138</sup> Kerstin Coyle, "Long-term rape awareness program to strive for end to 'rape culture' attitudes," *The Daily Tar Heel*, 24 April 1986, 5.

<sup>139</sup> Brenda Campbell, "Community marches from women's safety," *The Daily Tar Heel*, 14 April 1988, 1, 5.

When the University implemented self-limiting hours in 1968, Dean of Women Katherine Carmichael expressed her uneasiness by remarking on her hope that “the University would always recognize women as the fragile flowers they truly were.”<sup>140</sup> Exactly twenty years later, the women of UNC set out to defy the notion of female frailty and vulnerability by marching through campus to reclaim the night. On the evening of April 13, 150 students and Chapel Hill residents gathered in Coker Arboretum to begin the Campus Y Women’s Forum’s first Take Back the Night march.<sup>141</sup> Originating in Europe as a discussion of women’s safety on public streets, the Take Back the Night movement reached the United States in 1975, with a march in Philadelphia that was held after the murder of a young woman who was walking home alone after work. Beginning in the 1970s, universities, women’s centers, and rape crisis centers sponsored Take Back the Night events across the country, with the goal of “eliminating sexual and domestic violence in all forms.”<sup>142</sup>

Chanting the phrase, “However we dress, wherever we go, yes means yes, no means no,” participants marched down Franklin and Columbia Streets, through campus, past the sites of actual and potential sexual assaults, and ended in the Pit, where they listened to performers, speakers, and a recitation of Marge Piercy’s poem “Rape:” There is no difference between rape and being pushed down a flight of cement steps...Except

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<sup>140</sup> Interview with Mary Turner Lane by Pamela Dean, 9 and 16 September 1986 L-0039, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

<sup>141</sup> Brenda Campbell, “Community marches for women’s safety,” *The Daily Tar Heel*, 14 April 1988, 1.

<sup>142</sup> “About Take Back the Night,” Take Back the Night Foundation, accessed January 14, 2015, <http://take-backthenight.org/about-tbtn/>.

the wounds bleed on the inside.”<sup>143</sup> The anti-rape movement at UNC, while existent, had been relatively quiet over the past several years; Take Back the Night allowed women to join in solidarity, to create a space of open discussion, to find their voices and to publicly, and loudly, express their refusal to live in fear of becoming a victim of sexual violence. Take Back the Night was, at that point, UNC’s largest show of support for survivors and its strongest effort to publicize rape and sexual assault on campus.

Although the rally was an important show of female power, it was also highly emblematic of the regressive nature of the school’s anti-rape activists throughout the 1980s. In an article published in the *DTH*, Jaye Sitton, the co-chairwoman of the group that organized UNC’s first march, stated that its goal was to “provide support for every woman who is victimized because we can’t walk through places like the arboretum.”<sup>144</sup> Presumably, Sitton referred to the arboretum specifically because of the notoriety it gained after the Evans murder. And indeed, after gathering at the arboretum, participants marched to the Morehead Planetarium, chanting “Remember Sharon Stewart,” a graduate student who was abducted, raped and murdered in 1985.<sup>145</sup> The deaths of Evans and Stewart were certainly tragedies, but by placing the young women at the center of Take Back the Night and highlighting the most feared areas on campus, the march became regressive, doing more to sensationalize violent attacks and to re-legitimize the perception of stranger rape as “real rape” and dead women as real victims than to

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<sup>143</sup> Campbell, “Community marches for women’s safety.”

<sup>144</sup> Ibid.

<sup>145</sup> Karen Entriiken, “Cross-campus march to raise rape awareness,” *The Daily Tar Heel*, 13 April 1989, 1.



seriously address students' concerns about date rape.<sup>146</sup> Many people found – and still find – the issue of date rape to be frustratingly ambiguous, and any potential solutions even more so; thus more targeted methods of activism, like Take Back the Night, allowed students to continue fighting sexual violence – because stranger rape did happen – without having to confront something as problematic, and prevalent, as acquaintance rape.

The 1982 and 1985 *Ms.* articles on date rape ushered in a period of heightened activism on college campuses by acknowledging the prevalence of a serious issue that clearly resonated with students. As an issue that had not yet been studied to the extent that stranger rape had, simply raising consciousness was an important first step in changing people's attitudes toward rape. However, at UNC, raising consciousness was not just the first step, for a long time it was the only step. At a school where increased lighting and escort services for years prevailed as the most common response to concerns about rape, the idea that nice men could be rapists and girls who avoided walking alone at night could get raped was not easy to swallow; thus, while students voiced their concern about the existence of date rape on campus, they remained, for the most part, silent on how to address it, ultimately falling back on solutions geared toward stranger rape. This behavior was in large part a strategy for minimizing both institutional responsibility and personal responsibility because, as Bevacqua so aptly puts it, “to recognize the reality of acquaintance rape would be to acknowledge that the problem of sexual attacks existed

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<sup>146</sup> With her book *Real Rape*, Susan Estrich became one of the first scholars to criticize the law's treatment and the public's perception of violent stranger rape as the only legitimate, and prosecutable, form of rape; Susan Estrich, *Real Rape* (Cambridge, MA: Harvard University Press, 1987).

within the university and that campus life itself perhaps fostered and excused assaultive behavior.”<sup>147</sup>

While the efforts of anti-rape activists like the members of Rape Action Project were vital to making the problem of date rape known to and discussed among the student body, merely acknowledging a problem can become a problem itself if that acknowledgment does not lead to direct action. By opening the dialogue around sex and consent, however, the activists of the 1980s paved the way for the activists in coming years to begin questioning the structural causes of sexual violence and addressing the concept of rape culture. As activists would find, though, students and the public would be no more receptive to the concept of rape culture than they were to a date rape epidemic.

#### **Chapter Four – New Tactics, Same Result: The Inadequacies of Criminal Justice and Rape Culture Rhetoric**

In 1995, UNC made national headlines when the *New York Times* reported on the public disclosure of a fraternity pledge-recruitment letter that read “like raunchy ramblings at an out-of-hand keg party.”<sup>148</sup> In an effort to recruit potential pledges, the brothers of Phi Gamma Delta circulated a calendar of events among a group of about forty students. The letter did indeed read like “raunchy ramblings,” as evidenced by

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<sup>147</sup> Bevacqua, *Rape on the Public Agenda*, 166.

<sup>148</sup> Mike Allen, “Scorned Women Punish a Carolina Fraternity,” *The New York Times*, 11 November 1995, 7, Box 16, Folder 467, Collection 40126, Campus Y of the University of North Carolina at Chapel Hill Records, 1860-2005, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

Thursday's description: "The Nathan Shepard Band are booked to play sets of aphrodisiacal tunes guaranteed to generate potent sex energy from any women from the Chi-Omega heat."<sup>149</sup> Tuesday's description, however, went further than mere obscenity, as it included a number of crude nicknames, vulgar slang, and allusions to adulterous and deceptive behavior:

Tuesday: Be sure not to miss the steamiest night of Rush where Twice as Nice, two of North Carolina's hottest and most talented dancers entice you. Whip cream and rubber gloves are optional. We'll see if Jay "Golden Tongue" Parker will once again perform his oral duties with Ashley. We will also see if Garrett "my nose smells like pussy" Perdue tries to elude his suspecting girlfriend as she and other fine Chapel Hill ladies come over for late night with DJ Dean.<sup>150</sup>

The lewd language was the least of the fraternity's trouble, though, when the document was made public. Undoubtedly, Phi Gamma Delta had not intended for the letter to reach the eyes of the public, and while it is unclear who was responsible for the initial exposure, it indeed reached far beyond its designated audience. By the end of the week, the Office of Greek Affairs, the Office of the Dean of Students, and the Student Attorney General's Office all possessed copies; the campus feminist organization, People Organizing for Women's Empowerment and Rights (POWER), had copied and disseminated the memo at a Take Back the Night march; and *The Daily Tar Heel* had published it on the front page of the paper.<sup>151</sup> Thus, a large portion of the student body,

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<sup>149</sup> Phi Gamma Delta Rush Letter, Box 14, Folder 612, Collection 40169, Student Government Records.

<sup>150</sup> Ibid.

<sup>151</sup> Suzanne Jacovec, "Lewd Rush Memo Provokes Outrage," *The Daily Tar Heel*, 9 November 1995, 1.

staff, and faculty read it. Especially troubling was the fact that the authors had quickly gone from inappropriate jokes to extremely problematic and misogynistic suggestions when they alluded not only to alcohol abuse, but also to date rape:

Wednesday: The forecast calls for a 99% chance of getting beaver from one of the many new beautiful Pi-Phi sorority pledges as they stumble around the dance floor in a drunken stupor bordering on the brink of alcohol poisoning.<sup>152</sup>

While it was not unusual for students to drink at fraternity parties, the language used in this letter held dangerous implications, as the authors had crossed a too-often blurred line between using alcohol as a social lubricant and using alcohol as a means for taking advantage of those it incapacitates. Based on the word choice, it seems that the intentions of the Phi Gamma Delta brothers were of the latter.

At UNC, the Phi Gamma Delta letter and the ensuing outrage that resulted from its public exposure were the embodiment of a new trend in anti-rape activism in the 1990s: rape culture. Writing in 2000, Maria Bevacqua defined rape culture as a culture in which “sexual assault is tolerated, violent and sexual images are intertwined, women are blamed for being raped, sexist attitudes prevail, and male sexual privilege goes unquestioned.”<sup>153</sup> Rape culture appealed to activists as a target of anti-rape activism because it allowed them to expand their agenda and address broader problems, like sexism and patriarchy, that previous activism had ignored. Furthermore, with many of the older rape prevention tactics being institutionalized by the University at the outset of

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<sup>152</sup> Phi Gamma Delta Rush Letter, Student Government Records.

<sup>153</sup> Bevacqua, *Rape on the Public Agenda*, 9.

the 1990s, activists lost the distinct role that they had previously held in the anti-rape movement and thus assumed the concept of rape culture as the new central issue around which to protest.

The rape culture critique, however, elicited a powerful backlash from a number of academics that quickly rose to prominence in the media. These academics argued that date rape was neither an epidemic nor a symptom of rape culture, but rather it was part of a widespread hysteria rooted in a more general fear of sex and regret, a tool for feminists to blame men for what should be a woman's own personal responsibility. That an entire society could be complicit in creating and maintaining an atmosphere conducive to rape and sexual assault was a deeply unsettling notion, and one that was likely to produce far more questions than it would solutions. Thus, people like Stephanie Gutmann, Katie Roiphe, Neil Gilbert, Camille Paglia, and Christina-Hoff Sommers lent validation to the disbelief of those who had doubted both the prevalence of date and acquaintance rape and the societal implications of such an epidemic ever since Mary Koss's one in four statistic called attention to the issue a decade earlier.<sup>154</sup>

Student activists at UNC were successful in shifting the campus dialogue on sexual assault away from individual cases of violence by calling attention to the systemic violence caused by rape culture, but ultimately, the campus anti-rape movement at UNC reached a state of quiescence by the late 1990s and early 2000s; the county continued to be hesitant in prosecuting date rape cases and while the University tried to be proactive in

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<sup>154</sup> Peggy Reeves Sanday, *A Woman Scorned: Acquaintance Rape on Trial* (New York: Doubleday, 1996), 239-264.

taking over jurisdiction, the Honor Court remained deeply flawed and ill-equipped to handle such cases effectively. Furthermore, as activists raised awareness of rape culture, national critics denied its existence. Thus, the 1990s saw the emergence of new activist mobilization around and University response to sexual assault, but no actual resolution of the problem.

### **Date Rape on Trial at the County Court and the UNC Honor Court**

After the arrest of two UNC students in October 1987 who were charged with the rape of another student at a fraternity house, officials agreed that acquaintance rape was a “campus-wide concern.”<sup>155</sup> An Orange-Chatham District Judge dropped the charges against one of the two men, but the other man stood trial in December of that year. Assistant district attorney Patricia DeVine prosecuted the case, which resulted in the defendant pleading no contest to sexual assault, after plea-bargaining down from second-degree rape. A judge sentenced the student to two years in prison, “suspended under supervised probation, a \$200 fine, and...25 hours of community service.” The *Daily Tar Heel* lamented that such a punishment was “just a tap on the wrist,” and that “the case [was] a disgrace to this university, but not nearly as disgraceful as the message that the Orange County Superior Court sent to the community” with such an “inexcusable” sentence.<sup>156</sup> Dissatisfied with the county’s handling of date rape prosecution, one student responded by proposing changes to Honor Court policy – a gesture that created an

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<sup>155</sup> Kristen Gardner, “Acquaintance rape is a campus-wide concern, officials say,” *The Daily Tar Heel*, 29 October 1987, 1.

<sup>156</sup> “Just a tap on the wrist,” *The Daily Tar Heel*, 9 June 1988, 16.

evident tension between the way in which sexual assault cases were treated by state and county criminal justice systems and the way they were treated by the University's honor code system.

In 1988 Student Attorney General David Fountain prompted an effort to amend the Instrument of Student Judicial Governance in order to allow sexual assault victims who reported their cases to the University to have closed hearings. Fountain hoped that increasing privacy by eliminating the possibility of the victim having to give testimony in a public hearing would encourage more victims to report their rapes.<sup>157</sup> Because date rape and sexual assault were not actually specifically outlined as violations of the Honor Code, though, Fountain's proposal held no weight. His advocacy did, however, push Student Congress to pass an amendment in 1989 that made date rape and sexual harassment an official infraction under the Instrument.<sup>158</sup> A month after the Faculty Council's vote of approval, Chancellor Hardin finalized the ratification of the amendment, thereby granting formal jurisdiction over date rape to the UNC Honor Court.<sup>159</sup> The addition of a date rape amendment was an important win for activists who were exploring new avenues of reform after facing the grim reality of prosecuting date rape in a criminal court and the frustration of advocating for changes in state law.

The amendment included an addition to the Instrument that defined "engaging in sexual intercourse without one party's consent" as a Student Code offense grouped with

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<sup>157</sup> "Closed rape hearings needed," *The Daily Tar Heel*, 24 March 1988, 10.

<sup>158</sup> Amy Wajda, "Date rape may be a Student Code offense," *The Daily Tar Heel*, 27 February 1989, 1.

<sup>159</sup> Jennifer Wing, "Chancellor approves date rape amendment," *The Daily Tar Heel*, 27 March 1989, 1.

“provisions concerning physical assault and infliction of mental anguish.” Because the Honor Court could only hear cases in which a student was accused of such an offense, the addition was a direct response to date rape on campus. The amendment also included Fountain’s proposal for the right of a victim reporting a date rape to request a closed student court hearing, in addition to the right to request a support person that would not be directly involved with the hearing.<sup>160</sup> Although the policy change was a student-led initiative, many students, including members of the Honor Court, did not feel confident that a student court was capable of handling such a difficult and controversial issue.<sup>161</sup>

As the University Honor Court was attempting to find its footing with sexual assault prosecution, Orange-Chatham County District Attorney Carl Fox was becoming the target of a growing activist backlash as a result of a highly public date rape case that ended in acquittal. “Carl Fox Tells Rapists How to Do It,” read one of the signs held by one of about twenty protesters that stood outside of the Orange-Chatham County District Attorney’s Chapel Hill office in the summer of 1992. The activists were “hoping to launch a University-wide movement toward date-rape awareness,” and they were starting with Fox and his newly announced guidelines for the handling of rape cases in court. The small group of protesters called themselves the Committee for the Prosecution of Acquaintance Rape and formed the group in direct response to Fox’s guidelines. Activists claimed their criticism was not a “personal crusade” against Fox, whose hands,

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<sup>160</sup> Wajda, “Date rape may be a Student Code offnses.”

<sup>161</sup> Wing, “Chancellor approves date rape amendment.”



one could argue, were tied by vague and lacking legal definitions, but they did believe that he was “definitely in a position to help change the laws.”<sup>162</sup>

Months before the protest outside of his office, Carl Fox had taken on the case of Carmen Edward Catullo, a UNC wrestler who had been indicted for second-degree rape.<sup>163</sup> Almost five months after Catullo’s indictment, an Orange County Superior Court jury found the student not guilty of second-degree rape.<sup>164</sup> The media had followed, and one could argue sensationalized, Catullo’s case closely from the beginning and so Catullo’s acquittal was a disheartening loss for Fox, whose name had appeared in the papers almost as frequently as Catullo’s. Despite the fact that Catullo’s accuser “had not screamed or fought with Catullo,” Fox nonetheless accepted the case because the victim “had not consented to have sex with him and had asked to be taken home.”<sup>165</sup> In light of Catullo’s acquittal, however, Fox’s reputation and ability to win cases seemed to become the attorney’s priority, rather than his duty to victims, as he soon after announced that he would no longer pursue prosecution of date rape “without strong evidence that force was used in the crime.”<sup>166</sup> Understandably, rape victims and anti-rape activists were not pleased with Fox’s decision.

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<sup>162</sup> Anna Griffin, “Group criticizes rape guidelines,” *The Daily Tar Heel*, 25 June 1995, 3.

<sup>163</sup> Warren Hynes, “Student indicted for second-degree rape,” *The Daily Tar Heel*, 6 November 1991, 1.

<sup>164</sup> Warren Hynes, “Jury finds Catullo not guilty of rape charge,” *The Daily Tar Heel*, 30 March 1992, 1.

<sup>165</sup> Hynes, “Student indicted for second-degree rape.”

<sup>166</sup> “D.A. should be cautious with rape-case policy,” *The Daily Tar Heel*, 18 May 1992.

Following his announcement, Fox issued a set of guidelines for “determining whether an acquaintance rape is prosecutable.” Quoted in the *Chapel Hill Newspaper*, Fox described his guidelines: “There has to be either evidence of force, a threat, coercion or intimidation that caused the victim to fear. A victim can’t just lie back and let it happen.”<sup>167</sup> According to Missy Dubs, a UNC student and member of the Committee for the Prosecution of Acquaintance Rape, the Chapel Hill police would not make any arrests for acquaintance rape unless Fox’s guidelines, were met.<sup>168</sup> Dubs condemned Fox for “[denying] women equal protection under the law” and essentially advising men on how to get away with date rape.<sup>169</sup> Another UNC student noted that while date rape cases were admittedly difficult to prosecute, Fox’s guidelines were problematic in two ways: they created “the potential to ignore less flagrant violations of the law” that didn’t involve a stranger with a knife, and they stood to discourage reporting because “the idea of coming forward to face strict scrutiny and doubt...may keep women in silence.”<sup>170</sup> Furthermore, Fox’s guidelines ignored the condition of the state’s second-degree rape statute that stated, “consent may not be inferred from a person who is mentally incapacitated or physically helpless.”<sup>171</sup> Thus, if a woman were raped after being

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<sup>167</sup> “Cold day for rape victims,” *Chapel Hill Newspaper*, 7 May 1992.

<sup>168</sup> Acquaintance rape case guidelines, Box 16, Folder 468, Collection 40126, Campus Y Records.

<sup>169</sup> Missy Dubs, “Group set to protest Fox’s date rape case guidelines,” *The Daily Tar Heel*, 18 June 1992, 6.

<sup>170</sup> “D.A. should be cautious with rape-case policy.”

<sup>171</sup> “Present laws should apply to date rape,” *The Daily Tar Heel*, 1 April 1992, 10.

incapacitated by alcohol or Rohypnol, she would likely have been physically unable to abide by Fox's first two guidelines.

After several months of protests and criticism, however, Carl Fox decided to revise his acquaintance rape prosecution guidelines, admitting that they "might have been too narrow." Fox met with a number of women's organizations to garner input on the new guidelines, which stated that a victim did not have to fight her attacker to meet the law's definition of force, she only had to say no or "any other unambiguous word or phrase" in order to "communicate her lack of consent." Expressing regret for his previous guidelines, Fox stated, "We shouldn't insist that rape victims fight with their assailants... there's absolutely no reason to hold rape victims to a higher standard than victims of other crimes."<sup>172</sup>

Along with his new guidelines, Fox organized a public forum to discuss his proposal of introducing a third-degree rape charge to the legislature.<sup>173</sup> Under North Carolina law, a person could be convicted of either first-degree rape, defined as "intercourse by force and against the will of the victim" with "use of a deadly weapon, infliction of serious personal injury" or second-degree rape, also defined as intercourse by force, but without use of a deadly weapon. The statute for second-degree rape also stated, "consent may not be inferred from a person who is mentally incapacitated or

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<sup>172</sup> Jackie Hershkowitz, "DA revises guidelines for rape prosecutions," *The Daily Tar Heel*, 17 November 1992, 1.

<sup>173</sup> Gerri Baer, "DA Carl Fox studies date rape laws, proposed creating additional charge," *The Daily Tar Heel*, 9 July 1992, 1.

physically helpless.”<sup>174</sup> Supporters of Fox’s proposal argued that the current wording of the law made it especially difficult to prosecute date rape cases because “force can come in many forms,” many of which do not “leave cuts and bruises,” particularly when the accuser and the accused are acquainted.<sup>175</sup> Other people thought that a new category of rape would be a “Band-aid [solution] slapped over societal problems that [would] not be solved by changing the rule book.” Instead, one student argued, treating date as real rape, rather than a lesser crime, and “educating society and jurors about the broader forms of force” was the better solution.<sup>176</sup>

Although the legislature did not add third-degree rape to the North Carolina general statute, the Carl Fox controversy was a partial win for activists, who not only persuaded the DA to end his moratorium on date rape prosecution, but also catalyzed a county-wide discussion about proving the use of force versus a lack of consent – an important distinction that would become the crux of many university sexual assault policies and future activist campaigns. The protests against Fox, however, also revealed the tendency of student anti-rape activists at the time to direct their actions at the wrong target. Feminist activists of the previous generation had realized early on that rape law reform was integral to the broader anti-rape agenda; most states, including North Carolina, in the 1970s and 80s were still operating under the common law definition of rape that limited prosecution to vaginal penetration and required physical evidence of

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<sup>174</sup> “Present laws should apply to date rape.”

<sup>175</sup> “D.A. should be cautious with rape-case policy.”

<sup>176</sup> “Present laws should apply to date rape.”

resistance, early activists hoped to redefine rape by first changing the legislation responsible for perpetuating the myth that men will assume women want to be raped unless they resist to the greatest extent possible.<sup>177</sup> Members of the Committee for the Prosecution of Acquaintance Rape, on the other hand, were instead targeting the interpreter of the law, Carl Fox, who despite being somewhat coarse in his refusal to prosecute straightforward cases of rape, was not wrong in pointing out that activists would be better spending their time targeting legislators and the laws themselves. Thus, while these activists were right to assume that Fox's guidelines would likely dissuade victims from reporting or pursuing prosecution, they failed to realize that victims might already be dissuaded from pursuing prosecution by the potential publicity of going to trial and the unlikelihood of receiving justice under an antiquated and inherently sexist rape law.

After witnessing the obstacles involved in taking a sexual assault case to a county prosecutor, activists turned their focus back to the Honor Court, in an effort to improve the only other alternative for victims seeking legal justice. In February 1993 the student activist group Women Against Rape (WAR) wrote a letter to the student judicial branch criticizing "the shortcomings of pursuing sexual assault cases through the student judicial system rather than a criminal court."<sup>178</sup> These shortcomings included the fact that cases were investigated and heard by students rather than trained attorneys, that the victim could only be present for her own testimony and cross examination, and that

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<sup>177</sup> Bevacqua, *Rape on the Public Agenda*, 58-59, 88-101.

<sup>178</sup> Everett Arnold, "Honor Court rape policy may get reforms," *The Daily Tar Heel*, 24 February 1993, 1.

victims might be persuaded not to also file charges in a criminal court, even if it meant that their assailant would be likely to receive lighter sanctions, if any, from the Honor Court.<sup>179</sup> Rape Action Project co-chair Melinda Manning told the *DTH* that an Honor Court trial might offer a victim more privacy. But Women Against Rape co-chair Ruth Campbell, who had met with each of the three women who had thus far chosen to pursue an Honor Court trial for sexual assault, stated, “Not one woman that’s gone through the Honor Court process or has taken a case to it has recommended [going through the students courts].” After revising WAR’s letter, the Honor Court began giving copies to women who were considering pursuing a sexual assault case through the student judiciary so that they would be informed of all available options.<sup>180</sup>

WAR’s letter further prompted the Committee on Student Conduct to recommend two Honor Court reforms: implementing a version of the “rape shield” law used in criminal courts that would “restrict use of information about the victim’s sexual history,” and allowing the victim to be present throughout the entire hearing, rather than just her own testimony and her cross-examination by the defense. Despite activists’ attempts to advocate for more victims’ rights, though, chief justice of the Honor Court Jennifer Backes emphasized, “The system’s first priority is to the defendant’s rights” and added, “the Honor Court’s purpose [is] justice, not providing emotional support.” Still, the amendments would be sent to the Faculty Council for approval.<sup>181</sup> In its current form, the

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<sup>179</sup> Scott Ballew, “Letters criticize UNC Honor Court rape procedure,” *The Daily Tar Heel*, 18 February 1993, 1.

<sup>180</sup> Arnold, “Honor Court rape policy may get reforms.”

<sup>181</sup> *Ibid.*

rape shield amendment excluded the victim from the panel that decided on the admissibility of evidence concerning the victim's sexual history, and thus, did not receive endorsement from WAR's Rape Awareness Subcommittee on Honor Court Reform.<sup>182</sup> Despite activists' requests for revision, however, both amendments passed.<sup>183</sup>

Student activists continued to focus their attention on Honor Court policy when the University chose not to expel Reggie Harris after the UNC track star plead no contest – meaning an admission of guilt in exchange for a plea bargain – to a charge of second-degree rape.<sup>184</sup> In response to the University's decision, members of WAR and Students Organized Movement Against Discrimination circulated a petition on campus “calling for all students convicted of sexual assault to be expelled from the University.”<sup>185</sup> Activists were concerned that the University currently treated each sexual assault case individually rather than having an automatic policy of expulsion in the case of a conviction. As co-founder of Students Organized Movement Against Discrimination Matt Stiegler noted in a guest column for the *DTH*, “This university is concerned enough about rape to keep all the residence halls on campus locked to the outside 24 hours per day. Yet as they lock out potential rapists, they are locking in known, convicted rapists.” Stiegler further argued that current University policy was especially dangerous considering “convicted rapists

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<sup>182</sup> Holly Stepp, “Faculty group OKs rape amendments,” *The Daily Tar Heel*, 22 March 1993, 1.

<sup>183</sup> Phuong Ly, “UNC Court Improves Rape Trial Process,” *The Daily Tar Heel*, 2 February 1994, 1.

<sup>184</sup> Brad Short, “Harris reinstatement repealed,” *The Daily Tar Heel*, 23 March 1993, 1.

<sup>185</sup> James Lewis, “Students circulate petition demanding UNC rape policy,” *The Daily Tar Heel*, 25 March 1993, 1.

are three to four times more likely than the general population to rape again.”<sup>186</sup> As a compromise, Student Congress passed an amended version of the resolution, which encouraged the University to order a minimum sanction of indefinite suspension of any student convicted of sexual assault, whether by the Orange County Superior Court or the UNC Honor Court.<sup>187</sup> Although the decision signified Student Congress’s effort to send a message to potential rapists that rape would not be tolerated on UNC’s campus, the resolution simply encouraged a minimum sanction; it did not include a mechanism for enforcement.

Many students, however, still supported the handling of sexual assault cases within the University. Chief among the cited advantages of going through the Honor Court was the unfortunate reality that prosecuting date and acquaintance rape in criminal court was – and still is – extremely difficult. As Orange County District Attorney Carl Fox lamented, “The law requires proof that actual force was involved – that means some kind of evidence that threats or fear of threat was used by the attacker.”<sup>188</sup> Most universities that were implementing new rape procedures, on the other hand, required a lower standard of evidence than a criminal court.<sup>189</sup> Fox further stated that in criminal court, a victim’s behavior “is as much on trial as the defendant’s,” and thus, staying within the University system would “[keep] the accuser out of the public eye.” Along

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<sup>186</sup> Matt Stiegler, “Convicted rapists have no place in co-ed UNC,” *The Daily Tar Heel*, 30 March 1993.

<sup>187</sup> James Lewis, “Congress favors strict rape policies,” *The Daily Tar Heel*, 31 March 1993, 1.

<sup>188</sup> Alisa DeMao, “College rape codes becoming more common,” *The Daily Tar Heel*, 24 April 1992, 1.

<sup>189</sup> Alisa De Mao, “Universities reconsider rape procedures,” *The Daily Tar Heel*, 23 April 1992, 1.



with privacy, the Honor Court also provided victims that had reservations about incarcerating an acquaintance with alternative punishments, such as academic suspension.<sup>190</sup> Former director of the Orange County Rape Crisis Center Margaret Henderson asked herself in 1992 why the University would want to begin addressing such a complex issue and remembered one of her staff members explaining that “in a lot of cases, all the victim wants is for the accused to admit doing wrong, apologize for it, and then not be around...And if student court is a way for that to happen,” she was “all for it.”<sup>191</sup>

Margaret Henderson also had her reservations about the student court system, though, noting that unlike the OCRCC, the University had not yet fully institutionalized its response mechanisms to sexual assault cases.<sup>192</sup> And indeed, the system was not without its flaws. A UNC student who chose to press charges against her rapist in the Honor Court told the *DTH*, “It’s been almost as hard to get over how I was victimized by the Honor Court than getting over how I was victimized by the rape itself.”<sup>193</sup> Indeed, victims at universities across the country reported feeling unsatisfied after pursuing their cases through university judiciary boards.<sup>194</sup> Although activists were largely responsibly

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<sup>190</sup> Rebecah Moore, “Honor Court rape policy questioned,” *The Daily Tar Heel*, 22 April 1992, 1.

<sup>191</sup> Interview with Margaret Henderson by Sarah-Kathryn Bryan, 15 July 2013 U-1005, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

<sup>192</sup> *Ibid.*

<sup>193</sup> Moore, “Honor Court rape policy questioned.”

<sup>194</sup> Warshaw, *I Never Called It Rape*, 147.

for pushing universities to reform their rape procedures, Marybeth Roden, the assistant director of the Rape Treatment Center at the Santa Monica Hospital Medical Center, Janice Butler, director of the Women's Resource Center at Bucknell University, and Rebecca Falco, coordinator of Sexual Assault Support Services at Duke University, argued that another reason for the upsurge of new university policies regarding sexual assault was that schools were "becoming more sensitive to the legal risks in having students accused of campus rape" because they were "scared about being sued."<sup>195</sup> In many people's minds, justice for victims had less to do with student honor court reforms than did universities' liability and reputations. As one UNC student phrased it, "a private remedy is appealing to victims, but cloaking cases in the honor system's shroud of secrecy keeps issues of rape in the dark and out of the public eye."<sup>196</sup>

By 1997, the UNC Honor Court had been involved in a total of eight cases in eight years. In the five cases that occurred between 1993 and 1997, only one defendant received sanctions. Members of WAR and Rape Action Project had pushed for Honor Court reforms largely because of the traumatizing effect on victims and the difficulty of prosecuting date rape cases in criminal court, but such problems still existed within UNC's Honor Court. Although the Honor Court was quicker and quieter than criminal court, Student Attorney General Charles Harris admitted, "It's harder to get a conviction here than at most universities because UNC requires a higher standard of proof."<sup>197</sup>

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<sup>195</sup> DeMao, "College rape codes becoming more common."

<sup>196</sup> "Honor system fails rape victims," *The Daily Tar Heel*, 24 February 1993.

<sup>197</sup> Challiss E. McDonough, "After rape, decisions still remain," *The Daily Tar Heel*, 21 November 1997.

In pursuing policy reforms, the University and activists were addressing the issue of date rape from what they determined to be a more feasible approach than that of changing students' attitudes. But while these legal changes may have provided some victims with a more tolerable alternative to criminal court and perhaps a sense of justice, one could argue that the student court's policy of "[going] to the maximum to protect the rights of the accused student," did little to deter potential rapists on campus and actually did more to dissuade victims from reporting their rapes.<sup>198</sup> Furthermore, activists advocating for the Honor Court seemed not to realize that there was a rather significant flaw in this option: UNC did not have a formal sexual assault policy.

In 1990, Congress enacted the Campus Security Act, requiring all colleges to "collect, publish, and distribute in an annual campus security report to students a comprehensive set of campus crimes statistics for the previous year." In 1992, the Campus Sexual Assault Victims' Bill of Rights amended the act to further require each school to "state in its annual security report its policy on sexual assault and its disciplinary hearing procedures for sex offenses."<sup>199</sup> The problem with the federal law, which was eventually renamed the Jeanne Clery Act, was that most schools treated it as a "paper tiger," because the Department of Education did not even attempt to enforce it until the late 1990s.<sup>200</sup> Thus, many schools added sexual assault to their student codes but ignored the second requirement altogether. Although an important first step, this

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<sup>198</sup>Ibid.

<sup>199</sup> Gold & Villari, *Just Sex*, 219.

<sup>200</sup> Gold & Villari, *Just Sex*, 220.

addition meant only that sexual assault could be punished in the same way that other student code violations were punishable; there would be a hearing and possible sanctions, and the case would be settled. But many administrators failed, or refused, to acknowledge that sexual assault was not the same as plagiarism and that providing the most basic adjudication process may have been in the best interest of the University – not to mention the accused – but was certainly not in the best interest of the victim.

As recent scandals involving mishandlings of sexual assault cases by university administrations – including UNC’s – demonstrate, sexual assault cases are extremely difficult and complex cases to handle even when schools are equipped with Title IX coordinators, Title IX offices, and comprehensive sexual assault policies. As it began adjudicating sexual assault cases in the 1990s, the UNC Honor Court did have the Orange Country Rape Crisis Center as a resource. However, neither students nor administrators possessed the specialized knowledge or training required to handle the sensitivities and complexities involved in sexual assault cases. Furthermore, the University did not yet have a women’s center to offer counseling or referrals for victims and there was no institutionalized procedure specifically for sexual assault that the University could follow. Thus, in many ways, making date rape an official offense seemed nothing more than a thinly veiled effort on the part of the University to assuage the frustration of students who were demanding some kind of greater institutional response to rape than blue lights. And while the University’s decision may indeed have been a genuine attempt to quickly respond to students’ concern about the date rape epidemic, the lack of foresight involved

in adding a policy but no procedure indicates that the school was motivated not by any moral obligation, but rather by expediency.

### **Student Activists Address Date Rape In the Context of Rape Culture**

Throughout the 1970s and 1980s, early anti-rape activists played a major role in raising awareness about rape and sexual assault on campus. Although their activism was not always successful, nor necessarily feminist or inclusive, they did draw attention to a major issue that had long been ignored in previous decades. In the 1990s, however, universities stepped in and responded to the issue by institutionalizing many of their students' projects and services.<sup>201</sup> At UNC, Student Health Services emphasized its ability to provide counseling and other services to victims of sexual violence that were likely more thorough and professional (at least in their eyes) than those of the Rape Action Project; the Student Affairs Committee of Student Government worked with the University to hold more lighting tours, to take over SAFE Escort, to expand the P-to-P campus shuttle service, and to ensure that all resident advisors were trained in subjects of student safety, including date and acquaintance rape; and Student Government began co-sponsoring women's groups' events like Rape Awareness Weeks and Take Back the Night marches.<sup>202</sup> Most prominently, the University began adjudicating sexual assault cases through the Honor Court.

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<sup>201</sup> Gold and Villari, *Just Sex*, 3.

<sup>202</sup> Student Government Minutes of the Committee on Student Issues, 9 July 1990; SAFE Escort Meeting Minutes; Women's Issues Committee of Student Government; Student Affairs Activity Log, Fall 1995; Calvin Cunningham Goals '96; Box 14, Folder 605, Collection 40169, Student Government of the University of North Carolina at Chapel Hill Records.

As rape awareness became a part of the campus landscape – in the form of blue lights, call boxes, and trimmed hedges – and a part of campus culture – in the form of annual awareness weeks, marches, and now Honor Court policy – activists had to create new tactics and campaigns, as well as a new way to frame the issue, in order to reaffirm their role in preventing students’ tendency to forget that rape or sexual assault was a problem on campus until a highly publicized or particularly violent incident occurred. Thus, activists were determined to stress not only the prevalence of date rape on campus, but also the idea that it was a collective problem and not an individual one. Unlike in previous decades, activists were now broadening their approach to the problem by highlighting the complicity of each individual in creating, or at least maintaining, attitudes that perpetuated an atmosphere conducive to sexual violence and the responsibility of each individual in recognizing and dismantling the cultural roots of rape and sexual assault.

In March 1993 the Campus Y, in collaboration with the Rape Action Project and several other campus organizations and academic departments, sponsored a “24-hour vigil and symposium” proclaimed the UNC Rape-Free Zone.<sup>203</sup> The purpose of the Zone was threefold: continue to raise awareness about rape and sexual violence; educate the student body on the causes of sexual violence as well as potential solutions; and “empower not only survivors of actual violence, but the everyday victims of fear and an

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<sup>203</sup> UNC Rape-Free Zone Bulletin, 5 March 1993, Box 16, Collection 40126, Campus Y of the University of North Carolina at Chapel Hill Records, University Archives, Wilson Library, University of North Carolina at Chapel Hill.

oppressive environment.”<sup>204</sup> The Rape-Free Zone initiative was hoping to do what other anti-rape organizations and activists had failed to do in the past: address and discuss how to change the systems of power and oppression responsible for creating rape-accepting attitudes and behaviors.

Organizers of the consciousness-raising program established the Zone in Polk Place, “the symbolic heart of the University.”<sup>205</sup> The Carolina Clothesline – an idea that organizers based off the National Clothesline Project that the Cape Cod Women’s Agenda started in 1990 to symbolize both the prevalence of sexual violence against women and the individual experience of each survivor – cordoned off the safe space within Polk Place, in order to “catch people’s eyes,” Rape-Free Zone Co-Chair Jenny Youngblood told the *DTH*.<sup>206</sup> She added, ““Even if they don’t step foot inside of the zone, the whole thing just raises the issue of sexual violence...whether you support the issue or not, you’re forced to think about it.””<sup>207</sup> Frustrated by the historically low attendance of and participation in rape awareness events on campus, leaders of the Rape-Free Zone were taking new approaches to engage all members of the campus community, and particularly those who were otherwise unlikely to be involved in anti-rape activism.

Aside from creating a change in rhetoric, the Rape-Free Zone was distinct from prior anti-rape programs in that it was a hugely collaborative and comprehensive project;

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<sup>204</sup> Rape-Free Zone Untitled Summary, Box 16, Collection 40126, Campus Y Records.

<sup>205</sup> “Rape-Free Zone aims to empower students,” *The Daily Tar Heel*, 22 March 1993, 1.

<sup>206</sup> Clothesline Project Pamphlet, Box 16, Collection 40126, Campus Y Records.

<sup>207</sup> Phuong Ly, “Rape-Free Zone to kick off at noon,” *The Daily Tar Heel*, 25 March 1993, 1.

the Rape-Free Zone was not the product of a single feminist group on campus, nor was it targeting a specific population on campus, nor was it sending a narrow message about sexual violence. The goal of the event was to “make every single student aware of the problem [of sexual violence], not just the socially conscious ones,” and this concept of unity and collective recognition was evident in the symposium’s wide range of sponsors and speakers.<sup>208</sup> Chancellor Hardin spoke first, encouraging “all members of the University to put forth the common message that sexual violence is unacceptable,” and feminist lawyer Gloria Allred concluded the day, by urging students to “[use] the legal and political system to create a climate of change.”<sup>209</sup>

Like many of the anti-rape events that had been held at UNC in the past, the Rape-Free Zone consisted of various programs centered on sexual violence. These programs, however, differed from those of previous years because they addressed topics that had thus far been largely ignored, even by the most devoted anti-rape activists. The scheduling of programs such as Women in the Media, Racism and Rape, Communicating to Men About Sex Marital Rape and the Law, Presentation on Pornography, and Male Rape Survivors signified an important shift from anti-rape activism focused on stranger rape and white female victims to activism focused on acquaintance and marital rape, victims of all races, ages, and genders, and how things like pornography and the media fostered an environment tolerant of sexism, sexual assault, and victim-blaming.<sup>210</sup> A

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<sup>208</sup> UNC Rape-Free Zone Bulletin, Box 16, Collection 40126, Campus Y Records.

<sup>209</sup> Paul Hardin, Letter to the Editor, *The Daily Tar Heel*, 24 March 1993; Phuong Ly, “Feminist lawyer Gloria Allred to urge audience to fight sexual violence,” *The Daily Tar Heel*, 24 March 1993, 1.

<sup>210</sup> UNC Rape-Free Zone Bulletin, Box 16, Collection 40126, Campus Y Records.



summary from the Campus Y encapsulated this new emphasis on rape as a broader issue of social justice:

The Rape-Free Zone attempts to address rape and other forms of sexual violence from a broad perspective, providing information on how racism and sexism create an atmosphere particularly conducive to sexual violence. The Zone serves all types of survivors, regardless of gender, race, sexual orientation or age and breaks down stereotypes about victim and perpetrators. Organizers recognize that an understanding of rape and the creation of viable solutions is dependent on educating the public that rape is a product of our society and does not occur in a vacuum...the Rape-Free Zone serves to confront injustice manifested sexually and is committed to preserving the dignity of survivors and empowering people to change social structure.<sup>211</sup>

Although such ideas seem hardly revolutionary today, previous advocates at UNC had yet to frame rape as a social justice issue, or indeed as an issue that went beyond each individual victim. By thus doing so, the Rape-Free Zone acted as a catalyst to create a more extensive and inclusive campus dialogue on rape and rape culture.

The conversation linking date rape to rape culture continued with the release of Phi Gamma Delta's rush letter in 1995. After passing out the letter during Rape Awareness Week and reading it aloud at a Take Back the Night rally, members of People Organized for Women's Empowerment and Rights co-sponsored a speak-out with the Women's Issues Network in order to provide an open forum for students to share their opinions about the incident. More than a response to the letter, though, organizers also held the speak-out as "a facilitator intended to change misogynist behavior on campus

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<sup>211</sup> Rape-Free Zone Untitled Summary, Box 16, Collection 40126, Campus Y Records.

and in society.”<sup>212</sup> Many students were angry with the brothers of Phi Gamma Delta, including the thirty or so that protested outside of the fraternity shouting “Phi Gam is a sham,” but most people on campus recognized the letters as a manifestation of a much larger problem – sexism and misogyny and their relation to sexual violence – that extended far beyond the walls of one fraternity.<sup>213</sup>

In the days following the release of the letter, the *DTH* served an important role as a space for students to continue a discussion about the letter and its implications. Many students were in fact more outraged by the way that the University handled the letter than they were by the letter itself. Indeed, the *DTH* editorial board criticized administrators for their silence in the immediate wake of the letter’s discovery, which was days, and possibly weeks, before its circulation around campus. The board went on to admonish the sororities mentioned in the letter for their failure to file any sort of formal complaint, and to also admonish the many students who were less offended by the letter than they were amused, stating that those “who did not condemn [the letter] for so long have condoned prostitution and rape, no ifs, ands or buts.”<sup>214</sup>

To most people on campus, it was evident that Phi Gamma Delta was not the first, and likely not the last, fraternity to exhibit such behavior, but it was the first one at UNC to get caught. Consequently, the University had no choice but to use the incident as an example; Study Body President Calvin Cunningham and Vice President Amy Swan

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<sup>212</sup> Bronwen Clark, “POWER, WIN Sponsoring Speakout Today,” *The Daily Tar Heel*, 16 November 1995.

<sup>213</sup> Sharif Durhams, “Crowd of Protestors Gathers at Fraternity,” *The Daily Tar Heel*, 15 November 1995, 1.

<sup>214</sup> “Much More Than a Letter,” *The Daily Tar Heel*, 13 November 1995, 10.

issued a press release stating that they expected “the fraternity rush memo to be used as an educational tool to unite our campus against misogynistic attitudes and reckless abuse of alcohol.” They further stated, “These attitudes are not unique to UNC-CH. This letter is symptomatic of a larger problem that we are committed to solving in a united effort with the Greek community and the University at large.”<sup>215</sup> They did not, however, elaborate further on what the student government perceived to be the larger problem, or what specific efforts would be made to solve it. Although the statement condemned the fraternity’s problematic behavior, it seems that many people on campus were hesitant to bring up sexual assault and date rape specifically, even though there was a direct mention of such actions in the letter.

The University did eventually respond to the letter, but it did not “set a precedent so that such attitudes or behavior in the future [would] be met with serious consequences” as members of the Women’s Issue Networks had advocated.<sup>216</sup> Instead, the members of Phi Gamma Delta were “chastised” by the Panhellenic Council and Intrafraternity Council, they issued letters of apologies to the sororities and “promised that such behavior [would] not happen again,” the University placed the fraternity on probation for one year and required the chapter to implement programs on sexual harassment and alcohol abuse, as well as a service project to benefit the Orange County Rape Crisis

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<sup>215</sup> Student Government Condemns Fraternity Letter, Box 14, Folder 607, Collection 40169, Student Government Records.

<sup>216</sup> “Now Is UNC’s Time to Examine Sex and Violence,” *The Daily Tar Heel*, 15 November 1995.

Center, and the Office of Greek Affairs promised “further investigation.”<sup>217</sup> In other words, the fraternity arguably received the bare minimum in terms of punishment. Furthermore, following the aftermath of the controversy, the Intrafraternity Council elected one of the Phi Gamma Delta rush co-chairs that signed the memo as the IFC treasurer.<sup>218</sup> The decision raised questions about the IFC’s credibility, but also ultimately signified that the Greek community, and the student body in general, were ready to move on from the incident. Thus, while the letter certainly supported activists’ claim that a rape culture did indeed exist on campus, the majority of students, as well as the University, were reluctant to do more than acknowledge the problem.

### **Date Rape Epidemic or Date Rape Hysteria?**

As anti-rape activists at UNC were using various methods to address what Ellen Sweet had referred to in her 1985 *Ms.* article as a date rape epidemic, nationally, the concept was receiving serious backlash from politicians, scholars, and the media. Although the resistance to anti-rape activism in some ways actually reinvigorated the movement by sparking a national debate, it also helped to create a sense of malaise among college students – both activists, who were struggling to find a solution to the date rape epidemic, and also the rest of the student body, who was growing weary of being accused by feminists of either being guilty of date rape or being guilty of condoning date rape.

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<sup>217</sup> Statement Concerning Phi Gamma Delta Fraternity, Office of Greek Affairs, 3 November, Box 14, Folder 612, Collection 40169, Student Government Records.

<sup>218</sup> James Lewis, “IFC Election Raises Questions About Fraternity Governance,” *The Daily Tar Heel*, 16 November 1995, 1.

The most notorious critic of the decade was Katie Roiphe, who wrote a widely publicized book in 1993 about her experiences with anti-rape activism at Princeton, called *The Morning After: Sex, Fear, and Feminism on Campus*. Roiphe's criticism of the anti-rape movement was scathing: she denounced speak-outs as outlets for self-congratulation, accused survivors' stories of either being false or "sounding programmed and automatic," and put the word 'survivors' in quotation marks because "to call date-rape victims 'survivors,' like survivors of a fire, a plane crash, or the Holocaust, is to compare rape to death."<sup>219</sup> Roiphe's argument was essentially that anti-rape activists were over-reacting, that there was not a widespread date rape epidemic, but rather widespread date rape hysteria caused by a more "general fear" of sexual experimentation and of AIDS: "Students have lost their faith in the simplicity of the sexual encounter," she contended, "in the do-what-you-want-and-don't-worry-about-it mentality."<sup>220</sup> Roiphe believed that anti-rape feminists were undermining the feminist movement of her mother's generation by creating a new identity for women, one of "passivity and victimhood."<sup>221</sup>

Roiphe was not the only participant in the "crusade against anti-rape activism."<sup>222</sup> Three years earlier, journalist Stephanie Gutmann wrote an article for the libertarian magazine *Reason*, in which she argued that feminists' preoccupation with date rape "casts

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<sup>219</sup> Katie Roiphe, *The Morning After: Sex, Fear, and Feminism on Campus* (Boston: Little, Brown and Company, 1993), 80.

<sup>220</sup> Roiphe, *The Morning After*, 11-19.

<sup>221</sup> Roiphe, *The Morning After*, 172.

<sup>222</sup> Sanday, *A Woman Scorned*, 239.

women as eternal victims, undermines personal responsibility...fosters unrealistic fear and distrust.”<sup>223</sup> Academic Camille Paglia went so far as to offer a biological defense of rape, arguing that feminism had “put young women in danger by hiding the truth about sex from them.” “Women will always be in sexual danger,” she explained, because “hunt, pursuit, and capture are biologically programmed into male sexuality,” and thus, “every woman must take personal responsibility for her sexuality, which is nature’s red flame.”<sup>224</sup> In her 1994 book, *Who Stole Feminism*, author and scholar Christina Hoff-Sommers added an economic perspective to the backlash, stating, “the fact that college women continue to get a disproportionate and ever-growing share of the very scarce public resources allocated for rape prevention and for aid to rape victims underscores how disproportionately powerful and *self-preoccupied* the campus feminists are.”<sup>225</sup> Hoff-Sommers’ claim in particular implies that some critics of anti-rape feminists found fault in the over-ambition of their date rape/rape culture agenda and its growing influence on university agendas, as evidenced by the national trend in student court reforms.

Much of the feminist backlash arguments were flawed in that they were based on anecdotal evidence and misconstrued statistics from studies like that of Mary Koss, failed to offer alternative findings, and also failed to offer any alternative solutions to the current feminist activism they so despised. As Maria Bevacqua wrote, Roiphe, Sommers,

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<sup>223</sup> Stephanie Gutmann, “‘It Sounds Like I Raped You!’ How Date-Rape ‘Education’ Fosters Confusion, Undermines Personal Responsibility, and Trivializes Sexual Violence,” *Reason*, July 1990, 20.

<sup>224</sup> Camille Paglia, *Sex, Art, and American Culture: Essays* (New York: Vintage Books, 1992), 50-53.

<sup>225</sup> Christina Hoff-Sommers, *Who Stole Feminism?: How Women Have Betrayed Women* (New York: Simon & Schuster, 1994), 221

and Paglia offered “a wealth of criticism and a dearth of solutions.”<sup>226</sup> But the real danger of the backlash was how quickly it took the nation by storm and “thrust into the limelight” women like Roiphe and Paglia, who suddenly became the nation’s leading experts on date rape.<sup>227</sup> Through all of the national headlines and interviews and talk show appearances, the leaders of the anti-rape backlash confirmed what the many rape truthers and victim blamers already believed – that date rape was not an epidemic, and certainly was not symptomatic of a broader rape culture, but rather it was part of a feminist agenda, a way for college women to excuse their own regrettable actions and garner more resources for their movement.

The stardom of these outspoken critics of anti-rape activism was relatively short-lived and the likes of Katie Roiphe and Camille Paglia eventually faded into obscurity – although they remain the primary source of validation for those who still deny the existence of a date rape problem on college campuses – but, their accusations were bold and loud, much more so than the quiet peer education work of many anti-rape activists across the country. Thus, at a time when activists were not only continuing to raise awareness about the prevalence of date rape, but were also attempting to call attention to the controversial idea of rape culture, and the conditions on college campuses that helped fuel such a culture, the media was questioning their motives and criticizing their tactics and therefore adding to the many difficulties that activists already faced in

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<sup>226</sup> Bevacqua, *Rape on the Public Agenda*, 190.

<sup>227</sup> Sanday, *A Woman Scorned*, 244.

advancing their movement. Thus, while critics did not put an end to anti-rape activism entirely, they greatly discredited the movement for much of the general public.<sup>228</sup>

## Conclusion

Despite the criticism forming against the anti-rape movement, activists continued to fight what they knew to be a very real problem. Authors and activists Jodi Gold and Susan Villari argue in their book about the student movement against campus sexual violence that peer education was the “student activism of the nineties.” Indeed, Gold and Villari provide a number of examples of student organizations across the country that aimed to prevent rape through institutionalized peer education programs, many of which began as collaborative efforts between students and administrators from women’s centers and campus health services.<sup>229</sup> Thus, with the Rape Action Project, an organization that worked with the Chapel Hill Police, the Orange County Rape Crisis Center, the Residence Hall Association, and Student Health Services to educate students, faculty, and staff on date and acquaintance rape through peer presentations starting in 1986, UNC was very much in line with, if not ahead of the curve on, on student anti-rape activism.

Unlike many of the organizations that Gold and Villari mention, though, Rape Action Project had a relatively short reach in terms of the frequency and attendance of its presentations. While peer education groups at schools like the University of Pennsylvania were gaining momentum and participating in national student conferences against campus sexual violence, Rape Action Project was dissolving, and by 1995, the

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<sup>228</sup> Bevacqua, *Rape on the Public Agenda*, 191.

<sup>229</sup> Gold and Villari, *Just Sex*, 145-154.



organization ceased to exist.<sup>230</sup> Groups like Women Against Rape – which later became Advocates for Victims of Sexual Violence – and Advocates for Sexual Assault Prevention emerged as organizations with similar goals, but neither of them lasted longer than three years.<sup>231</sup> With constant name and leadership changes, a lack of consistent goals, and a rather small influence on campus, peer education was not the student activism of the nineties at UNC.

At UNC, student activists struggled to stay relevant and to maintain an active role in the movement against sexual violence as the school took on many of their previous safety and prevention efforts and victim services. In assuming rhetoric framed around rape culture, activists did break the silence on important issues that heretofore had not been acknowledged as connected to sexual violence on campus. By holding Take Back the Night marches and organizing 24-Hour Rape-Free zones, activists ensured that sexual assault on campus did not fade from the minds of students, and indeed, the conversation on rape culture persisted, mostly through the *DTH*, for years. However, much like activists in the 1980s who acknowledged date rape but struggled to find solutions for preventing it, activists in the 1990s successfully shed light on the issue of rape culture but struggled to offer any concrete changes. But with lawyer Wendy Murphy's expansion of Title IX in 2010, the Department of Education's issuance of the Dear Colleague Letter in 2011, and the rise of survivor activists and Internet activism, a new wave of anti-rape

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<sup>230</sup> Rape Action Project Application for University Recognition, 1994, Box 14, Collection 40128, Student Union Records.

<sup>231</sup> Advocates for Victims of Sexual Assault Application for University Recognition, 1994; Advocates for Sexual Assault Prevention Application for University Recognition, 1998, Box 4, Collection 40128, Student Union Records.

activism began to emerge – and the inadequacies of the University’s sexual assault response procedure began to become even more evident.

### **Research Implications and Conclusions**

The current anti-rape movement at UNC is as much a product of its own history as it is a chance to change that history. Based on recent and unprecedented levels of media coverage, and conversations I have had with peers, it seems to be a common assumption that the current crisis of shockingly high numbers of campus sexual assaults across the nation and subsequent events of student activism is a new phenomenon. At the same time, people are also wondering how such a widespread problem was able to get so out of control so quickly, how no one knew what was happening. The reality, however, is that this is not a new phenomenon and people did know what was happening – universities, activists, and survivors knew of the extent of campus rape as early as the 1980s, and knew of its existence since colleges became coeducational. Indeed, while not nearly as visible as the movements for civil rights or women’s liberation, the student anti-rape movement has been active – in ebbs and flows – since the 1970s.

It is these ebbs and flows, however, which account for the seeming lack of progress over the last forty years. At UNC each period of activism came with some degree of progress, but also a greater degree of setbacks. To be sure, the work of these activists was, in many ways, limited by the times in which they were living. Research on campus sexual assault was much more scarce in 1980 than it is today, neither activists nor administrators had yet realized the legal implications of sexual assault on a college

campus in regards to the Clery Act and Title IX, and the Internet was not a readily available tool that could be used to connect survivors, break the silence and shame caused by isolation, and turn individual cases of sexual assault into a nationwide collective consciousness. Despite such limitations, these activists were important victim advocates who did much to create their own spaces of support and trust on campus.

Nonetheless, activists and administrators failed to adequately address rape on campus because from the beginning, they tried to simplify an extremely complex and difficult problem. In the 1960s administrators emphasized female propriety and the immorality of illicit sex, essentially obscuring the possibility (and believability) of rape and denying it any place in a female students' multitude of concerns. In the 1970s both students and the University acknowledged the existence of rape in Chapel Hill, but their narrow definition of the problem and equally narrow range of solutions excluded all other perpetrators besides deranged strangers and all other victims besides incautious women. In the 1980s, students focused on what they believed to be an increase of date rape on campus and even introduced the idea of peer education, but ultimately settled for solutions that avoided any serious change in campus ideologies concerning rape and the social structures that contributed to its prevalence. Finally, in the 1990s, activists began to address date rape as one of the many results of a broader rape culture, rather than an act that occurred in a vacuum, but the potential implications of such an overarching and systemic problem was met with widespread backlash and a sense of ambivalence among students, activists, and administrators – all of whom wanted to combat date rape, but many of whom did not want to do so in a way that would also entail acknowledging and

confronting rape culture, which even itself did not provide a complete analysis of the problem and thus could not offer a comprehensive solution.

Over forty years later, we still find ourselves in a place of ambivalence. To be sure, we have made a lot of progress over the past decade: the University has, in the past few years, rolled out a new sexual assault policy that is more explicit, inclusive, and accessible than previous policies. It has also created a comprehensive website with resources and information about sexual and interpersonal violence as well as a course on violence prevention. It has required all students, faculty and staff to complete a mandatory sexual harassment and sexual violence module and hired a Title IX Coordinator as well as a Gender Violence Services Coordinator, both of whom are on campus. Activists and administrators too have successfully implemented and grown programs like Project Dinah, focused on safety and empowerment, the UNC Men's Project, aimed at increasing men's involvement in violence prevention, HAVEN (Helping Advocates for Violence Ending Now), which trains students, faculty, and staff to be allies to individuals who have experienced sexual or interpersonal violence, One Act, a bystander intervention program that teaches students how to take preventive action when they witness signs of violence and harassment, and One Act for Greeks, which tailors the One Act program for members of the Greek community. Many of these actions, though, were taken only after the school's administration and Honor Court came under fire for mishandling sexual assault cases and mistreating survivors in the process. And although sexual assault cases no longer involve student investigators or councils, the University's

response and prevention policies continue to suffer from changes in Title IX staff, lack of reporting from survivors, and a sense distrust of the system among survivors.

I was a sophomore at UNC when an outspoken survivor made headlines with her accounts about her traumatic experience with the Honor Court in 2012. As a feminist, and simply as a student, I was deeply unsettled by subsequent claims against the school made by Pino, Clarke, and former Dean of Students Melinda Manning. As an activist, I was proud to witness the protests and pushback that came in the wake of these controversies. And as a history major, I suspected that this evidently national crisis did not emerge overnight. I undertook this project because I wanted to find out the history of an issue about which I cared deeply – because one of the greatest merits of history is its ability to inform the present. Thus, while I cannot offer any definitive solutions for the future of anti-rape activism and rape prevention, I have offered an analysis of the past that provides insight into some of the factors that created our current stew of problems.

Throughout the 1960s, before rape even became a part of public dialogue, the responsibility to avoid situations that could lead to rape fell on women. When rape did emerge as a national issue in the 1970s and 1980s, most anti-rape activism at UNC continued to focus solely on what women could do, rather than on what men and the University could do, to prevent rape. Even in the 1990s, when activists began focusing on leading peer education and talking about sexism, misogyny, and rape culture with the entire student body, such rhetoric did more to alienate male students than to encourage them to become involved in the movement to end sexual violence on campus. Putting the burden of rape prevention on women is easier than examining other individuals, social

groups, and institutions on campus that should also be held responsible because in the case that rape does happen, such a system allows for victim-blaming, rather than a closer examination of collective complicity.

However, in looking at the history of UNC's anti-rape movement, a number of patterns become evident, one of which was activists' and administrators' tendency to ignore elements of the campus rape problem that could neither be conveniently nor easily addressed, including the idea of collective complicity. Such a tendency can be avoided today, starting with taking a closer look at recent research that has been spearheaded by clinical psychologist and former professor Dr. David Lisak. While it does not discredit the notion of rape culture in our society, Lisak's research does indicate that the idea that all men could be rapists, an idea supported by rape culture theory, is not necessarily correct. In fact, Lisak's studies suggest that the majority of campus rapes are committed by an extremely small percentage of men, most of whom are serial rapists. In 2002, Lisak and Paul Miller interviewed 1,882 men, 120 of whom self-reported acts that "met legal definitions of rape or attempted rape," for which they had never been prosecuted. The majority of the 120 men were "repeat rapists," averaging 5.8 rapes each.<sup>232</sup> Below is part of the transcript from an interview that Lisak conducted with a pre-law fraternity brother for his study; the man is responding to Lisak's question about what happened in a specific occasion that the subject had referred to in the study questionnaire:

The naïve ones were the easiest and they'd be the ones we would target...I had this girl staked out, I picked her out in one of my classes, you know, I

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<sup>232</sup> David Lisak and Paul M. Miller, "Repeat Rape and Multiple Offending Among Undetected Rapists," *Violence and Victims* 17.1 (2002): 73.

worked on her. She was all prepped. I was watching for her, you know, and the minute she walked in the door of the party, I was on her... We started drinking together and I could tell she was nervous... she started to get plastered in just a few minutes, so I started making my moves on her... I asked her if she wanted to go up to my room... Actually it wasn't my room... We'd set aside a few rooms, bring the girls up once they were ready... she was really woozy by this time, so I brought up another drink... I started working her blouse off... at some point she started saying things like, 'I don't want to do this right away,' or something like that. I just kept working on her clothes. And she started squirming, but that actually helped because her blouse came off easier... She tried to push me off so I pushed her back down... It pissed me off that she played along the whole way and then decided to squirm out of it like that at the end... At some point she stopped squirming. I don't know, maybe she passed out... I fucked her... I had my arms across her chest like this [motions], that's how I did it... I got dressed and went back to the party... She left.<sup>233</sup>

This interview, and Lisak's research in general, has significant implications for today's anti-rape efforts, as it points to several elements of campus rape that were not addressed by previous anti-rape activists and that should be addressed now. These elements include institutions, like fraternities and sororities, that allow rapists to remain "undetected" by promoting silence and victim-blaming, a campus party culture that produces several risk factors for sexual assault, and alcohol, which is the leading weapon used in the most common form of rape—incapacitated sexual assault.<sup>234</sup> Furthermore, Lisak's research signifies the importance of reporting, if not publicly identifying (or shaming), rapists in order to prevent them from raping again—rapists are able to become serial rapists

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<sup>233</sup> David Lisak, "The Undetected Rapist: Dr. David Lisak Interviews 'Frank,' a Pre-Law Student," *National Judicial Education Program* video, 6:00, 2000. The National Judicial Education Program used the transcript from Lisak's interview with a pre-law student to film a reenactment of the interview.

<sup>234</sup> Christopher P. Krebs et al., "The Campus Sexual Assault (CSA) Study," National Institute of Justice, 2007.

because on a college campus they can expect impunity,<sup>235</sup> not just from school honor courts, but from their own peers and the veil of secrecy that often dominates the campus party culture.

The idea that everyone in the UNC community – fraternity brothers, sorority sisters, athletes, leaders in student government, professors, and other administrators – is in some way complicit in sustaining an environment that breeds sexual assault, blames victims, and hides rapists is highly uncomfortable. But when the Greek system allows fraternities to have a monopoly on alcohol and parties, when sororities keep knowledge of known rapists within their own social circles, when students do not condemn a party culture that encourages binge drinking and hook-ups and ostracizes those who do not wish to partake in such norms, and when administrators ask survivors inappropriate questions about their dress and behavior or encourage other staff members to misreport sexual assault numbers, it becomes clear that activists and survivors cannot be the only catalysts for change on this campus. Indeed, as my historical inquiry has shown, refusing to confront the complexities of an issue makes failing to solve it inevitable; a historical tendency to avoid tackling the issue of campus rape head-on is why we are still dealing with this epidemic today.

The problem, however, is that this historical tendency of avoidance makes it difficult to imagine what tackling the issue head-on would even look like. Indeed, while Lisak's findings could have a lot of implications for the future of anti-rape activism and university rape prevention and response policies, I have not seen any attempt to replicate

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<sup>235</sup> Compared to its almost 200 sexual assault complaints, UNC has zero expulsions for sexual assault. *The Hunting Ground*, film, directed by Kirby Dick (2015; New York, NY: Radius-TWC).



his research—a fact that points to a broader issue of uncertainty when it comes to rape and sexual assault. As my own research has shown, campus rape has been a widespread problem since the 1980s, and yet, there is still an incredible dearth of concrete knowledge of the issue because there are so many aspects of it that have not been investigated and analyzed. By documenting the past, my project has informed the present situation at UNC in regards to sexual assault and sexual assault activism, but is that history unique to UNC? What would examining the histories of anti-rape activism at other colleges and universities reveal? Are there schools that haven't experienced a campus rape epidemic or have learned to successfully handle sexual assault complaints? What factors have made some campuses more vulnerable to rape and sexual assault and less receptive to anti-rape activism—size of study body, gender ratios, a social scene dominated by the Greek community, regional location, presence of a campus rape crisis center or women's center? In order to solve a problem, you must understand it, and the best way to understand campus rape is to continue to study it.

Fighting to ensure that the University is held accountable for its actions (or inaction) regarding sexual assault investigations and that the physical and mental well being of survivors is made a University priority, and working to create spaces where bystanders can gain the confidence to become involved and survivors can feel empowered to speak out are all necessary steps for creating a safer campus. But many of the practices, traditions, behaviors, and institutions on campus that condone, if not contribute to, an environment conducive to sexual assault remain unquestioned and unchallenged. Changing the way that we address campus rape and beginning to actually

combat it will require more than blue lights and Take Back the Night marches, more than one month a year to raise awareness, more than promises from the University to improve its policies, and certainly more than a few dedicated groups of activists; it will require sacrifices and serious commitment from every member of the campus community. We have made progress in the past fifty years, but I hope that shining a light on all of the progress we have not made will push us to strive for more.

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