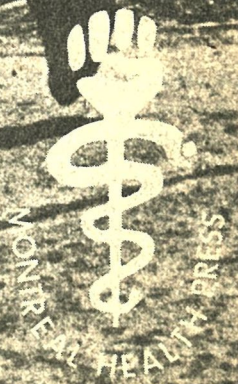




a book about sexual assault





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free

Written by Shirley Gardiner (part I) and Janet Torge (part II)
Researched by Shirley Gardiner and Marilyn Bicher
Edited by Marilyn Bicher, Donna Cherniak, Shirley Gardiner, Janet Torge
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part I introduction

The sexual assault of women has been a common feature of most societies in most historical periods. Countless women have been its victim and countless more are restricted by the fear of its occurrence. Potentially life threatening, and always a gross act of humiliation, sexual assault has been a hushed and secret experience for far too long. Like any social problem, it cannot be resolved until it is identified, understood, and challenged.

Sexual assault is experienced as both a social (public) problem and a personal (private) problem. Therefore, this book provides two kinds of information. Because it can be a terrifying and confusing problem for the individual, we provide practical information for the person faced with a sexual assault. Because rape is also a social problem, larger than the individuals concerned, we also provide information about sexual assault in society, how it relates to social structures, and how it functions in our society.

The following is a brief summary of **what** this book is about; **why** we have adopted this strategy; and **how** we have organized the information contained in this book.

WHAT?

We provide two kinds of information. One kind of information is of a theoretical nature. This section tries to answer questions such as: What beliefs about rape are reflected in attitudes and treatment of sexual assault victims and rapists? How do these beliefs affect the way a rape victim feels about herself, and the way police, doctors, lawyers and friends treat her? What are the implications of these beliefs? What are their assumptions about women and men and about the relations between the two? Are these beliefs valid? What are the functions of rape in society? Is rape an inevitable feature of the relations between women and men in society?

The other kind of information is of a practical nature. This section tries to answer questions such as: how to recognize a potential assault situation; how to deal with an actual assault; what to do when a sexual assault has occurred; how to deal with 'rape trauma'; what to expect and how to make decisions at the various stages of a sexual assault; how to give support to someone who has been sexually assaulted.

WHY?

Both practical and theoretical information is useful and necessary to challenge the continued existence of rape in our society. Practical information should help the rape victim and her friends deal with immediate concerns. Though these concerns may be short-term, they are also intense, important and personal. This kind of information deals with sexual assault as a 'private' problem.

Theoretical information helps us to understand how rape functions in society; how to challenge social norms that are restrictive or cruel to women. This kind of information deals with rape as a long-term, 'public' problem.

Both kinds of information are necessary to people who are interested in a social change. We believe that social change is both possible and desirable. Social change can be painfully slow because many features of society are involved. For example, to challenge the continued occurrence of rape in our society, we must not only examine and revise legal structures, we must also understand what role rape plays in economic and political structures; how rape helps to define property and allocate power; how individual attitudes are shaped by these structures. It is only when we have a broad understanding of what rape is a function of, and what role rape plays in society, that we can develop a strategy for effective progressive social change.

HOW?

The book is divided into two main sections:

Part I: This section provides theoretical information when sexual assault is a 'public' problem by examining popular beliefs implicit in the treatment of rape victims and rapists. We

1. isolate each belief;
2. show what the belief implies about men and women;
3. challenge the validity of each belief;
4. show how these beliefs originate historically in the different power and property relations between women and men, and how they are perpetuated in contemporary society.

Part II: This section provides practical information when sexual* assault is a 'private' problem. It should be useful to both potential and actual rape victims. The reader will find information which deals with recognizing a potential assault situation through to the various steps to consider when a sexual assault has occurred.

In compiling this book about sexual assault, we have tried to look at the broad variety of situations in which rapes occur. We could not confine ourselves solely to the narrow legal defini-

tions of rape since this would leave out most actual rape experiences. Unfortunately the way the legal definition of rape and sexual assault is applied, is entirely dependent on **who** the victim is. For example, a young woman who lives alone and who cannot prove that she was a virgin prior to being raped, will most likely have her rape report classified as "unfounded". On the other hand, a monogamously married woman of known respectability, or a young woman still living in her father's house, has a much greater chance of seeing her rape report classified as "founded". Legal codes continue to be applied in terms of property relations and not in terms of rape as it is commonly experienced. The following is a description of the broad variety of sexual assaults which we have used to compile the information contained in this book:

Gang Rape: Two or more people who sexually assault another person or persons. Gang rape is almost always planned. Sometimes a group of men will stalk a woman walking on the street, or a woman who is driving a car alone. Sometimes stag parties result in the gang rape of a woman or women. Many all-male organizations use gang or group rape as a means of initiating, subjugating or punishing women. Gang rape is also a means of establishing group masculinity and dominance. A man may be expected to participate in a gang rape in order to be initiated to an all-male group.

War: Historically, sexual assault has been a common feature of war. Conquering soldiers have sexually assaulted countless women for retaliation and humiliation of the conquered society. Gruesome acts of violence have been imposed on women as warfare strategy to assert power over an enemy people.

Slavery: The rape of women slaves was a common feature of the early history of the United States. Such rapes served to establish and maintain the subjugation of a people. Through complete control over the reproductive lives of female slaves, the slaveholder ensured a constant supply of slave babies as well as the subordination of the enslaved people.

Marriage: Rape laws in most countries do not recognize rape within marriage. Most marriage laws stipulate the husband's conjugal rights. Legally, the wife does not have the right to say 'no'; she gives her consent once and for all in the marriage ceremony. Some men do physically beat and sexually assault their wives. However, most criminal codes clearly stipulate the definition of rape as an act perpetrated by someone "other than the woman's husband."

Date Rape: The vast majority of rapes occur in dating situations between people who know each other. E.J. Kanin's study, published in 1957 reports that 7/10 of the most violent episodes on campus involved young women in re-

gular dating situations; young women who were dating, pinned, or engaged. It is still common that a man will expect 'payment' at the end of a date. It is also common for a man to attempt to overcome what he perceives to be pseudo resistance in his date's refusal to have sexual intercourse with him. From our own investigation this is the most common (**and unreported**) rape situation.

Child Rape: We **do not** include the rape of children below the age of fourteen. Child rape is clearly a serious problem, but beyond the scope of this book.

Statutory Rape: We **do not** include information about statutory rape since it refers to sexual intercourse between two consenting people. The offense does not describe coercive sexual intercourse, but does refer to the age requisite to giving consent. In this sense, statutory rape dilutes the real meaning of sexual assault.



Allan Manus

popular beliefs about rape victims, rapists and rape

"The fear of sexual assault is a special fear; its intensity in women can best be likened to the male fear of castration."

Germaine Greer

All women, at various points in their lives, experience the fear of sexual assault. This fear can take many forms. It is the fear that sharpens a woman's wits when she is out late and unaccompanied. It is a fear that contributes to the maintenance of the traditional female role by inhibiting behaviour that carries risk of sexual assault. It is the fear of bodily harm and humiliation. It is also the fear of the social repercussions of a sexual assault: dishonour, low status, ostracism, ridicule, suspicion. Unlike other crimes of violence, victims of sexual assault are suspect for their role in the assault.

Still today, most people seem to believe that the primary responsibility for sexual assault lies with the woman; that it is up to her to avoid sexual assault. Such beliefs are deeply rooted in historical definitions of the nature of women and in those conditions in history which made women the property of men. Though the times have changed, old ways die hard. These conditions continue to exert a strong influence over our behaviour, over our minds, and they are evident in the popular beliefs we hold. This historical influence is particularly evident in the popular beliefs about victims of sexual assault and about the perpetrators of sexual assault.

As with most popular beliefs, those about rape are rarely challenged in any systematic or popular way. They tend to be accepted as general truths and as such, they are internalized by both women and men. They can exert a strong influence, predisposing the behaviour of people involved in a sexual assault — the victim, the rapist, the various institutions which deal with sexual assaults. The most common of these popular beliefs are the following:

About the Victim

1. It is not really possible to rape a non-consenting adult female.
2. Women ask to be raped (and probably enjoy it).
3. Only 'loose' women get raped; nice girls don't get raped.
4. Women commonly report rape that has not occurred.

About the Rapist

1. The man who rapes is mentally or emotionally disturbed (the psychopath stereotype).

It is important to note* that unlike the popular belief about the rapist, those about sexual assault victims extend to women in general. We will account for this difference in the pages that follow.

Much of the trauma experienced by the rape victim comes from the self-doubt and guilt engendered by these beliefs: Could she have prevented it? Did she ask for it? The man who rapes has also internalized these beliefs and is able, frequently, to emerge from the incident unscathed. Either he feels so removed from the common image of the rapist that he cannot see himself as one; or the law, largely constructed on the historical basis of these popular beliefs, lets him off scot free. The treatment of rape cases by the police and the medical profession is also influenced by the beliefs they carry regarding the victims and perpetrators of sexual assault.

People are not always conscious that they hold these beliefs. But they can be identified in the reactions of rape victims, rapists, police, medical profession, courts of law, and in the reactions of a victim's family and friends.

Contradictory popular beliefs can and do exist along side one another because they are not systematically confronted and challenged. For example, one can believe that adult females cannot really be raped if they don't want to be. At the same time, one can believe that rape is an inevitable feature of our society. One belief negates the existence of rape while the other views rape as inevitable. Regardless of their contradictory nature, these popular beliefs influence both individual and institutional responses to rape in our society.

In order to account for the effects of these beliefs, we shall examine what is implied by each one. We shall also examine their validity — how closely these beliefs correspond to the way sexual assault actually occurs. And to the extent that these beliefs depart from the evidence, we shall attempt to account for their continued existence.

popular beliefs about rape victims

We have listed four popular beliefs about victims of sexual assault. These are the beliefs that recur consistently in individual and institutional responses to rape in our society. Underlying these popular beliefs about the rape victim are questionable assumptions about the nature of women. Unlike the popular belief about the rapist, those beliefs about rape victims easily extend to women in general.

It is a fact that it is almost exclusively women who are the victims of sexual assault. It is also true that once a woman becomes a victim of sexual assault, regardless of the form of the assault, these beliefs are applied to her and it is up to her to prove them false. The only sure way for a woman to prove her virtue is to die resisting her attacker. Otherwise, she will confront some form of these beliefs in the reactions of her family and friends, in her own mind, in the medical treatment she receives, in the attitudes and questions of the police, and finally, should she pursue it, in the courts of law.

We will look at what is implied by each belief and examine its validity in terms of how rape commonly occurs. We will conclude with a look at the origins of these beliefs and the agents which serve to perpetuate them.

1. It is not really possible to rape a non-consenting adult female.

Implications

This belief implies that there is no such thing as sexual assault; that a woman must consent in order for sexual intercourse to take place. Acceptance of this belief belies the anatomy of women and men: as long as a man can have an erect penis and a woman a vagina (or any other orifice), forced entry is an unpleasant possibility. Sometimes foreign objects are used for penetration.

To accept this belief is to deal with rape in bad faith for it serves to absolve women from the fear of sexual assault by suggesting that they can avoid it if they really want to. It serves to absolve men from the responsibility of forced sexual intercourse on the grounds that the woman who truly wants to can do something to prevent it. It suggests that women must be severely beaten in order to prove resistance.

We were surprised in our talks with adolescents, to find an old and false counterpart to this belief still quite common: that a woman can somehow lock her legs in such a way as to avoid being penetrated. Though this belief was more common to boys, a substantial portion of the girls thought that they might be able to do this if faced with a sexual assault.

Police protocol during a report of a sexual assault is partially conditioned by this belief. While it is part of the job of the police to sort out the false claims from the true ones in a sexual assault report, the fervor with which this is frequently done actually prevents women from reporting the assault. Unlike any other crime of violence, rape has a disproportionate number of cases with dropped charges.

In legal circles, this popular belief is known as 'The Moving Target Theory' (you can't thread a moving needle). It has been used successfully in defences against rape charges. In one court case, the defence lawyer, holding a coke bottle, challenged the prosecuting lawyer to stick his pencil in the bottle. The defence lawyer proceeded to run around the court room with the bottle, making it impossible for the prosecuting lawyer to insert the pencil. The crude analogy between the coke bottle and vagina, the pencil and penis, was supposed to prove that the woman could not be penetrated if she truly did not want to be.

Perhaps the most devastating effects of this popular belief are felt by the rape victim herself. The personal implications of even a small degree of acceptance of this belief mean that the victim will be consumed with self-doubt, guilt, and to some extent, self-hatred. Such emotions make recovery from a rape incident all the more difficult. These feelings are reinforced by social attitudes and laws which require 'evidence of struggle'. A rape report is suspect to officials and even family and friends if the woman has not been severely beaten. We have spoken with a large number of rape victims who, even years after the assault, are plagued by self-doubt and guilt over not having been able to prevent the rape.

This is not the case for victims of other crimes of violence.

Is this popular belief valid?

It is indeed possible to rape a non-consenting adult female. The first and most obvious reason for this possibility is the anatomy of males and females. An erect penis is capable of penetrating any female orifice. This is a biological fact. The fact that the penis **can** be used this way is rooted in anatomy; that it **is** used for forceful

intercourse is rooted in culture — in the patriarchal structure and relations of society, and historically, in the material conditions of women. This will be examined later when we turn to the origins and perpetuation of these popular beliefs.

A second reason for the invalidity of this belief lies in the socialization process. Most men receive physical training in strength and quickness and psychological training in assertiveness. Under what circumstances could a woman who is physically less trained in strength and quickness; psychologically trained to be passive, gentle and nurturing; socially trained to please others; and generally smaller in physical stature, hope to prevent a sexual assault? When carried to the extreme, socialized feminine and masculine roles make rape an act of conforming rather than one of deviance.

Eighty-seven per cent (87%) of rapists either carry a weapon or threaten the victim with violence or death. Few women are equipped to handle these situations. Physical resistance is sometimes dangerous, inciting the rapist to greater acts of violence. Many women submit when threatened with death. (Surely there is some wisdom in this.)

Approximately 50% of reported rapes are 'gang rapes' (two or more rapists on a single woman), a difficult situation to avert for a man, or a woman.

Though statistics on the proportion of 'date rapes' are not available because these rapes go largely unreported, the majority of the women we spoke to reported rape of this variety. Kamin's study of violence on the campus showed that 70% of the violent episodes occurred during dating situations. In these rapes, some degree of physical force is always used, but it is a social-psychological force which predominates.

The most common scenario depicting this type of rape involves a couple on a date or at a party. Usually there is some sexual play towards the end of the evening, verbal resistance from the woman, physical and verbal insistence from the male, followed by submission on the part of the woman. The rationale for submission varies. The woman may want to "get it over with"; she may be embarrassed to call for help; she may be the well-socialized woman who has been trained to be passive in male-female relations.

In many ways, date rapes are the most difficult to deal with. Though the woman may define the scene as a sexual assault, the man may truly see her final submission as evidence that she just wanted to be coaxed, perhaps even overpowered. It is unlikely that he will see his own behaviour as sexual assault. We know of one

such incident in which the participants emerged with completely opposed perceptions of what had transpired. During a party, the woman wandered into a bedroom where her date found her asleep. He did not heed her protests to his sexual advances. Eventually, unable to overpower him, she submitted to sexual intercourse. For her, submission was preferable to drawing the attention of the partying group to her difficult position. This would have meant loss of face, embarrassment, possibly even ridicule. She chose to submit to what she perceived as forced sexual intercourse and afterwards left the party, refusing to see him again. She defined the scenario as rape. In his mind, "the conquest" was just part of the fun.

Forty-eight per cent (48%) of reported rapes are between people who know each other in some way. Actually, the proportion is probably greater since most rapes between people who know each other go unreported, and therefore do not show up in statistics. Women are more likely to use verbal resistance as their sole defence against unwanted intercourse when the man in question is a friend or acquaintance. If verbal resistance is not convincing, a woman is likely to have difficulty screaming for help or turning the situation into a physical battle. Submission to coercive sexual intercourse is thus frequently seen as the easy way out. The fact that men may have a different perception in these instances renders the situation all the more complex, **and all the more likely to be repeated.**



Gloria F. Mallarone

2. Women ask for it... (and probably enjoy it).

Implications

Underlying this popular belief is the mystique which continues to surround female sexuality. Historically, definitions of female sexuality have undergone great fluctuations. Insatiable lust was a trait ascribed by the Roman Catholic patriarchs a few centuries ago. Proof of this trait seemed to lie in the fact that unlike the male, the female is biologically always receptive.

Masochism, made popular and prescriptive by prevalent interpretations of Freud, is another trait that has been ascribed to female sexuality. When applied to sexual assault, it would imply that some women enjoy being brutalized and having their lives endangered. Passivity, a cultural trait, is easily aligned, in many minds as a wish to be overpowered.

One of the crippling effects of this popular belief and the alleged sexual traits on which it is based, is that it requires women to severely curb their behaviour in order not to ask for sexual assault. Furthermore, it is not the woman, but the rapist who ultimately decides what behaviour constitutes asking for sexual assault. It is not at all uncommon that a woman walking alone at night, or waiting at a bus stop is defined as 'asking for it'.

Police procedures in rape cases are strongly influenced by this popular belief. If a woman has been sexually assaulted while hitch-hiking, while not wearing under-clothing, while on a date (to give but a few examples of behaviours that can be defined as 'asking for it'), the police will discourage legal pursuit of the offender. Even if the police are sympathetic to the woman's case, they know that in a court of law, it is not her perception of the assault which will predominate.

The message is clear and one that we all understand: the onus is on the woman to avoid behaviour that a man or men can interpret as an invitation for sexual assault, or take the consequences.

The legal defence of the offender usually relies heavily on this popular belief. Should a rape victim press charges which result in a trial, she will be faced with some form of accusation of inviting the assault, either through her behaviour or her appearance. The defence strategy in capitalizing on this popular belief sometimes involves selecting female jurors, usually of a class or lifestyle different from the rape victim and thus unable to identify with her behaviour. (This is particularly true if the of-



Tom Levitt

fender is a young man, who a woman juror may identify with a son.) This strategy has frequently met with success because a woman who accepts and lives by the double standard, of curbing her behaviour to avoid places or situations of potential sexual assault, will usually condemn the rape victim for being in the wrong place at the wrong time — something she, herself would not do.

This popular belief functions as an instrument of control over the behaviour of women. Though the cost of greater freedom of movement for women does involve greater risk of sexual assault, **it is not true that women who take these risks are consciously or unconsciously asking to be sexually assaulted.** It is also not true that the woman who conforms to the traditional code of behaviour for women will be free of the danger of sexual assault. It is true, however, that a woman who has been sexually assaulted will be plagued with the self-doubt engendered by this belief; that she will scrutinize her behaviour and appearance for signs of "asking for it".

Rape fantasies are sometimes used as proof that women want and enjoy rape. A person who is fantasizing is in complete control of the actions of the actors in her fantasy. This is the crucial difference between a rape fantasy and a rape reality. To confuse the two is ridiculous.

Is this popular belief valid?

The effects and implications of traits ascribed to female sexuality are far-reaching. Neither biological receptivity nor socialized passivity can logically be construed as a desire to be sexually assaulted. Though Freud may indeed have found masochistic traits in the psychology of late nineteenth century European women, there is no good reason to prescribe this trait to the general population of contemporary women.

34.6% of reported rapes occur in the rape victim's home.
6.7% of reported rapes occur in the home of the rapist.
14.0% of reported rapes are perpetrated by close personal friends of the victim.

Women do not ask to be sexually assaulted. Nor do they enjoy forced intercourse. To believe that they do is to misunderstand the nature of rape. Sexual assault always involves brutality — sometimes physical, sometimes psychological, sometimes only threatened, but always present.

Many sexual assaults involve women who are virgins, women asleep in their homes, women who permit entry to a man guised as a repairman or in need of a telephone. In other words, the second of the popular beliefs about rape victims does not account for rape as it actually occurs.

It is a social injustice to put the onus on the woman to avoid rape through restricting her freedom of movement. This injustice was perceptively noted by Prime Minister, Golda Meir. When her all-male cabinet proposed a curfew on Israeli women to curb an outbreak of rapes, she answered:

"But it is the men who are attacking the women. If there is to be a curfew, let the men stay home."

In all other crimes, it is the perpetrator of the crime and not the victim, who is penalized.

3. Only 'loose' women get raped; nice girls don't get raped.

Implications

Like the preceding popular beliefs, this one invokes the double standard and functions to curb freedom of movement for women. It implies that if a woman will conform to social definitions of 'nice girl' behaviour, she will be free of the danger of sexual assault. This is false.

This belief also implies that there is some commonly understood way to define what is 'loose' and what is nice. Yet 'looseness' can encompass a wide range of behaviour and appearances. It can apply to a woman who does not wear a bra; a woman who has had premarital sex; a woman who hitch-hikes; a woman who is on the street at night unaccompanied. Some of these behaviours are expressions of freedom of movement. Some are simply necessary to keep a job. Nurses and waitresses, for example, are frequently out late and unaccompanied. Sales women often travel alone.

Many of these indicators of 'looseness' are not visually perceptible. We must question not only why 'loose' women are deserving of sexual assault, we must also question what gets defined as 'loose'. At present, the definition of 'loose' behaviour and appearance is at the discretion of the rapist, and later of the police and the legal system. The rape victim, though she may understand that certain behaviours (eg. hitch-hiking) carry greater risk, has no part in establishing what is 'loose'. Furthermore, it is frequently the case that once a woman has been sexually assaulted, the definition of her virtue changes. The rape itself may define her morality as 'loose': she must be thus if she was raped.

This popular belief is implicit in police questioning of the rape victim. Though it is the responsibility of the police to collect all relevant details in any crime, the type of questions asked attempt to establish whether the victim precipitated the crime through 'loose' behaviour or appearance. In a robbery, no one suspects the victim of precipitating the crime by having money in his or her possession.

We know of a case in which the victim of a sexual assault, a former drug addict, left the scene of the rape and went directly to a nearby police station. She was sure that prompt action on her part would lead to the apprehension of the rapist. She was cut and bruised and had a clear description of the rapist and of his car. The police began filing the report but stopped when they noticed the traces of her former addiction — the tracks on her arms. It was use-

less to pursue the case, they suggested sympathetically. She would have no credibility in court. Her former addiction defined her as 'loose' and therefore deserving of assault.

The legal defence of the rapist relies heavily on this popular belief. Still, in most American States and in Canada until 1976, the sexual history of the rape victim has been relevant evidence in a rape trial. If the woman has had premarital sex, if she has had lovers, and if the defence lawyer discovers this, the defence is armed with ammunition that rarely fails. It is frequently sufficient to establish that the rape victim is 'loose' to secure a 'not guilty' verdict for the defendant. It is as though once a woman has consented to sexual intercourse outside of marriage, she has consented to have sexual intercourse with anyone thereafter. This belief, though not spelled out in the legal code, is functional in legal practice.

The belief that only 'loose' women are raped, appears to contradict the belief that it is not really possible to rape a non-consenting adult female. In fact, the two beliefs coincide. Neither acknowledges rape: if a woman is judged to be 'loose', she does not have the right, according to social mores and most legal practice, to give or to refuse consent. Hence the sexual assault may not be perceived as such, either by the rapist, or the police, or the legal institutions. She alone may perceive the event as a sexual assault.

Is this popular belief valid?

It is possible to disprove this popular belief by documenting the proportion of reported sexual assault victims who were virgins, who were monogamously married women, who were religious sisters in service of the church; female sexual assault victims who range in age from six months to ninety years. None of these could realistically be perceived as 'loose' women and fair game for sexual assault. But this misses the most important point: that while virtue as it has been traditionally defined, is no guarantee of freedom from sexual assault, **whatever the morality of the woman in question, social justice demands that a woman's consent is necessary for each act of sexual intercourse**, whatever her appearance, whatever her behaviour, and regardless of her sexual history.

However, the question of consent is not an easy one. Though many women desire sexual intimacy, there is a risk of unpleasant social repercussions for consent freely and directly given. They may be labelled "an easy lay", "loose", "promiscuous", "immoral". Social

mores do not permit free and direct expression of female sexuality. The man faced with this situation may be expected to overcome pseudo-resistance, absolving the woman from the moral responsibility for sexual intercourse. His behaviour may actually be understood as chivalrous by both parties. This situation arises out of the social restrictions placed on female sexuality. In order to challenge this belief, we must also challenge these restrictions.

The beliefs that surround the rape victim originate in patriarchal ideology in which women have had little input and which does not acknowledge the changing role of women in society. Since the rebirth of the Women's Movement in the 1960's, women have been vociferous and influential in challenging traditional sex roles and their restrictions on behaviour. Feminists have also challenged the male prerogative to define what is 'loose' behaviour, what consent consists of and what sexual assault is.

However, these changes are slow and uneven. Women who depart from traditional female behaviour, seeking greater freedom and new lifestyles, can still be judged 'loose' or immoral and inviting of sexual assault. The unfortunate price of greater freedom of movement is often greater risk.

For example, there are many more women today who use hitch-hiking as a means of travel than there were a few decades ago. Though a woman using this means of transportation is concerned with its use value, it is quite common that she will be picked up by a man or men who view her hitch-hiking as a sign that she is 'loose' and assume sexual rights because of this. Unfortunately, there is a fairly good chance that these assumptions will be supported in a court of law.

The New York Times, Sunday, July 31, 1977, carried a report in which Californian Justice Compton, ruling against charges brought by a woman hitch-hiker, espoused this view: "... a woman who enters a man's car advertises that she has less concern for the consequences than the average female." A group of women vociferously disagreed and made the following important point: "Instead of warning women that they should avoid hitch-hiking, the judge should have told men that women hitch-hikers are in their cars for transportation, not sex."



Storme Bourget - update

4. Women commonly report rape that has not occurred.

Implications

This popular belief implies that women have a vindictive and untrustworthy nature. It encourages great skepticism in rape accusations, evidenced in police treatment which in turn, reflects legal procedures. The initial premise, regardless of the physical condition of the victim, is to question if indeed a sexual assault has occurred; if the woman enjoyed it; if she precipitated the assault; if she is calling it rape because she did not have an orgasm, or because the man is no longer interested in her, and other such ulterior motives.

In trials of rape, the defence lawyer, capitalizing on this popular belief, will attempt to establish the rape scenario as one of passion for both parties. It is difficult to dismiss this image of sexual assault. It coincides with the way in which the media, especially some recent films, have portrayed rape: passionate resistance, culminating in erotic surrender and submission. This is an image that exists in fantasies, but does not exist in reality for women. It testifies to the sexual socialization of males in our society, in which eroticism and conquest are often inextricably linked.

Is this popular belief valid?

Crime statistics reveal that rape has the same false accusation rate as other crimes of violence. Two per cent (2%) of the total accusations are later found to be false. Women do not make false accusations of rape any more than are made for murder or armed robbery. However, unlike other crimes of violence, rape has anywhere from 5 to 100 **unreported** cases for every **one** that is reported. The overwhelming majority of rape victims do not report the assault to the police, do not seek medical attention, and even more rarely seek justice in the courts.

Clearly, the more important question is not if women report rape that has not occurred, but rather why so many rape victims do not report the assault?

One reason for the low reporting rate of sexual assault is the frequent uselessness of the report. Unless the woman has been brutally assaulted by the stereotypic psychopathic rapist, or unless she can prove that she was a virgin at the time of the assault (or a monogamously married woman of known respectability), reporting the assault entails a gruelling continuation of an experience she wants to forget. It is frequently a painful exercise in futility. Most women are well aware of this process.

A recurring theme in reports from victims of sexual assault, alongside their humiliation and anger over the injustice done to them, is self-doubt and guilt over not having been able to prevent the rape. This is especially common if the assault occurred under circumstances in which the woman was breaking the code of behaviour traditionally prescribed for women, or if the assault was perpetrated by someone known to her. This indicates that women are no more immune to these popular beliefs than anyone else. A woman's self-doubt about precipitating the assault is another reason for the lack of reporting of sexual assault cases.

Fear of public exposure or public humiliation is another deterrent to seeking legal justice in rape cases. A rape victim may be harassed, ostracized, even ridiculed. The label may stick with her throughout her life. In many cultures, rape victims are banished. This was the case for Bengali women after the 1971 war with Pakistan. During the war, the rape of enemy women was part of the warfare strategy. When the war was over, these victims of sexual assault were no longer welcome in their homes or in their communities. Even the government's attempt to rectify the situation by making these rape victims national heroines was not effective in combatting the deeply ingrained social view

of the rape victim as a shameful example of dishonour, of used goods.

In Canada and in the United States, it is not uncommon for a known rape victim to receive anonymous phone calls suggesting sexual encounters. We have spoken with women who report such calls from the police, from court clerks, and from members of their communities.

Given all these obstacles, it should not be surprising that rape has the lowest conviction rate of all crimes of violence. The low conviction rate points to yet another problem: the suitability of the punishment to the crime. The fact that a rape conviction carries a life sentence in most countries is a strong deterrent for most juries to find the defendant guilty. Even if a life sentence means eligibility for parole within ten to fifteen years, and even if there have been serious injuries to the victim, the life sentence is inappropriate and only serves to deter most juries from reaching a guilty verdict. One must remember that a rape trial is a carefully orchestrated scenario, in which the defence lawyer grooms the defendant to look like the all-Canadian, or all-American man. This image does not correspond with the popular belief that a true rapist is a 'psycho'. At the same time, an image of the rape victim as temptress, or 'loose' is created by the defence. Juries prefer

to forgive the indiscretion of the man (boys will be boys) rather than to invoke the life sentence.

The definition of what a sexual assault consists of, and of what behaviour and appearance are deemed precipitous, are made first by the rapist, then by the police, and finally, by the lawyers, judge and jury in a rape trial. It is assumed that the police and the legal system equally represent all persons in society. Yet, in sexual assault cases, it is neither the woman's intent (for example, hitch-hiking for transportation, not sex), nor her interest, which affects police protocol, legal procedures and convictions.

In isolating these popular beliefs about victims of sexual assault, we have tried to make explicit their underlying implications and effects. There is an almost total lack of correspondence between these beliefs and rape as it actually occurs. These beliefs continue to exist in spite of this and in spite of the fact that they themselves appear as almost insurmountable obstacles in resolving rape as a social problem.

We will show in the section that follows, that these beliefs do not depend on the evidence, but rather on the patriarchal structure and relations of society, and on the material conditions which made women the property of men.



Stephanie Colvey

patriarchal ideology refers to a world view; the social construction of reality based on the male authority structure, prescribing male dominance and male prerogative as a law of nature.

The law which does not recognize rape within marriage is an example of patriarchal ideology in our legal code. Putting the difficulty of proof aside, it means that a husband has the legal prerogative to force sexual intercourse with his wife any time he chooses. She cannot bring a rape charge against him, because rape within marriage, in legal terms, cannot exist.

When a woman is accused of precipitating a sexual assault ("asking for it"), it is not how she sees her own behaviour, but how others define it that counts. This is another example of what we mean by patriarchal ideology.

Freud's work, frequently interpreted as a prescription for the superiority of the male, a superiority vested in the penis, is a rich description of European patriarchal society at the turn of the century. It is also a description of the effects of patriarchal ideology on sexuality and on the subconscious.

Western forms of patriarchal thought were provided first by religious patriarchs. Their perception of the nature of women centers around two archetypes of woman: virgin and whore. The virgin archetype of woman is an ideal image. She is chaste, virginal, loving and otherworldly.

The victim of a sexual assault who dies resisting her assailant, or who commits suicide following the assault, represents the virgin archetype of woman. Her death is absolute proof of her saintly virtue. The Vatican canonized one such woman just a few years ago. The woman had been raped in the mid-19th century. After the rape, she took her own life. In 1970, the Roman Catholic patriarchs resurrected the incident and the woman to sainthood. The suicide, normally a terrible sin, was seen as an exemplary and absolute virtue on the part of the woman. (For some rape victims, death has been preferable to living with the social repercussions of a rape. However, this was not how these patriarchs viewed suicide.)

The second archetype of woman, the whore, refers to the Eve image and represents an object of temptation for men. The literature suggests that this may be the reason woman was placed on this earth — to tempt and test the virtue of men. The woman who survives a sexual assault and who does not take her own life following the assault is likely to find herself aligned with this archetype of woman. The following is a description of the nature of this woman taken from the writing of a 14th century Dominican:

origins and perpetuation of these beliefs

We will begin by looking at the source of these beliefs, at patriarchal ideology as it has been espoused through religious teachings. We will then turn to the material conditions of women in history, those conditions which made women the property of men. Following this, we will consider the ways in which these beliefs are perpetuated and reinforced in our society today.

Patriarchal ideology

Popular beliefs about rape victims carry certain assumptions about the nature of women. They are modern day versions of age old thought. Religious patriarchs were, for many centuries, uncontested authorities in defining the nature of women. Though the religious patriarchs were not the sole authorities in history to define the nature of women, we will deal mainly with their ideas about women, as an example of patriarchal ideology.

Patriarchy is a form of social organization of society marked by the supremacy of the male head of the family. This male authority structure includes the legal, or socially recognized, dependence of wives and children. Usually patriarchy includes the reckoning of descent and inheritance through the male line. Social organization around principles of patriarchy is ancient, pervasive, still present, and often assumed to be natural law.

Patriarchal ideology refers to both the manner and content of thinking within this form of social organization. It encompasses the integrated assertions, theories and aims of patriarchy and espouses a body of concepts about human life and culture. In its deepest sense,

"If the woman wantonly adorned to capture sould, the garland upon her head is as a single code of fire-brand of Hell to kindle men with that fire; so too the horns of another, so the bare neck, so the brooch upon the breast, so with all the curious finery of the whole of their body. What else does it seem or could be said of it save that each is a spark breathing out Hell-fire, which this wretched incendiary of the Devil breaths so effectually... that, in a single day by her dancing or her perambulation through the town, she inflames with the fire of lust — it may be — twenty of those who behold her, damning the sould who God has created and redeemed at such a cost for their salvation. For this very purpose the Devil thus adorns these females, sending them forth through the town as his apostles, replete with every iniquity, malice, fornication."

The roots of the first three popular beliefs about rape victims can be found in these patriarchal archetypes of woman. The virgin-saint archetype and the evil temptress archetype coincide with the 'loose woman and 'nice girl' dichotomy. The former is regarded as immoral and sexual. It is not a long step to the conclusion that such women ask to be raped. The possibility of a non-consenting adult female evaporates in the very definition of woman, since consent is part and parcel of her lustful nature.

While patriarchs of the Old Testament were also concerned with the question of consent in rape, they did allow that under certain circumstances, rape could occur:

"If a damsel that is a virgin be betrothed unto a husband and a man find her in the city and lie with her; Then ye shall bring them both unto the gate of that city, and ye shall stone them with stones that they die; — But if a man find a betrothed damsel in the field, and the man force her, and lie with her: then the man only that lay with her shall die."

Not to idealize the situation, the Old Testament patriarchs limited the accepted definition of rape to betrothed virgins and to rape that took place outside the city walls. It was assumed that a woman could scream for help and get it, within the city walls.

Within this same tradition, we can find the root of the fourth popular belief — that women commonly report rape that has not occurred. The story of Potiphar's wife, taken from the Old Testament provides one such example. She lusted after her husband's employee, Joseph. When he rejected her advances, she accused him of rape. Joseph, innocent of the crime, was thrown into the dungeon. It is from such stories that the skepticism implied in the popular belief above is derived, as are such sayings as, "Hell hath no fury as a woman scorned."

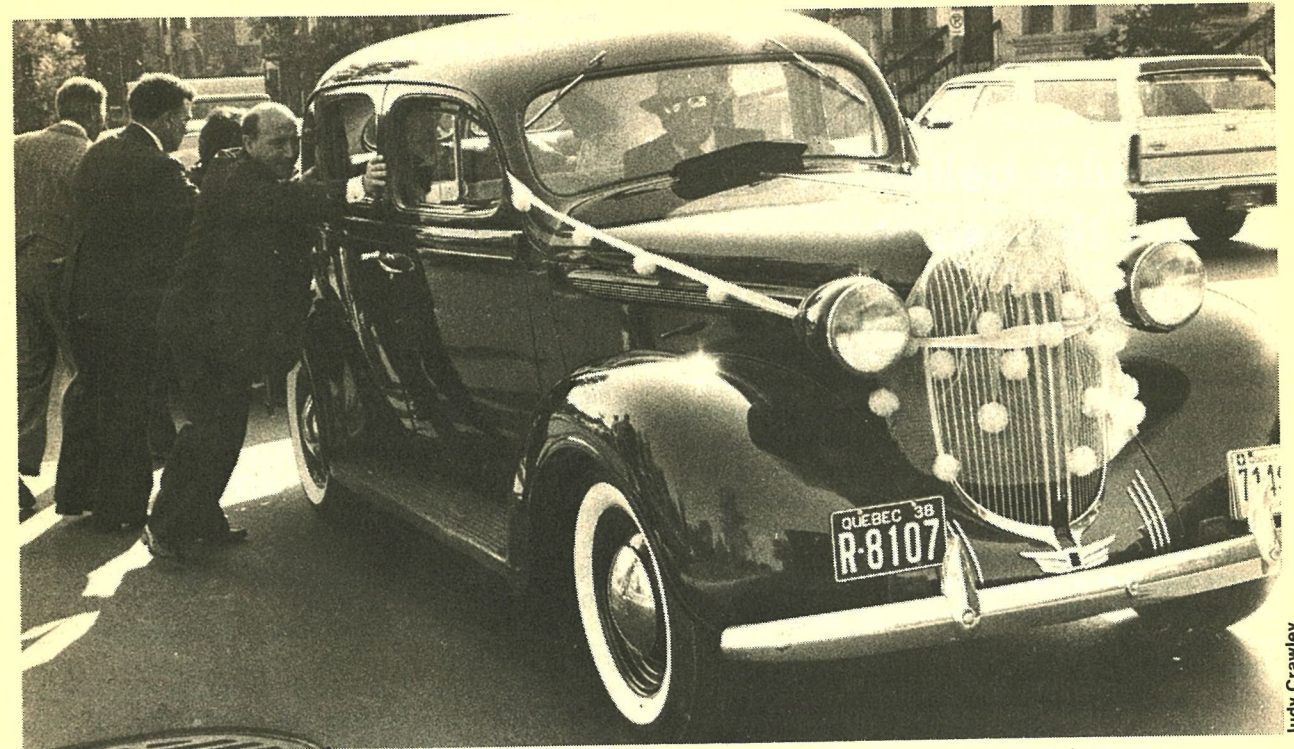
There are many examples of religious writings implicitly defining the nature of women along the lines of the archetype virgin, a saint to be revered; and the archetype temptress, an evil to be resisted and condemned. But why have women throughout the centuries put up with such definitions? One of the important answers lies with their material conditions: historically, women have been the property of men. It is to this aspect of women's situation that we now turn.

Material conditions

Although it is true that historically few men have been free persons (they or their services usually being owned by a privileged few), they could at the same time be propertied: they owned their wives and their offspring. Women were in the peculiar and unique position of being property items. An examination of legal codes in history reveals a picture of women slowly emerging from being property, being bought and sold, to being citizens in their own right.

As with other property items, criteria establishing their value were culturally set. One of the most important determinants of high property value in women has been chastity — innocence of sexual acts, or even thoughts and desires which are not virginal or not sanctioned by marriage vows.

Various attempts to explain the importance of chastity have been made. Its importance is to be found in many different kinds of patriarchal societies, and varies according to the social



level of the persons concerned. (For example, chastity is usually more important to wealthy members of a society.) Some have explained chastity as the forerunner of the incest taboo, and some have described its function as guaranteeing inheritance in the male line. What is relevant here is that historically men have owned women. The value of this property is diminished if the woman has sexual relations with anyone other than her husband.

As property items, women have had little power. They have not been in a position to influence or seriously challenge the institutions which have defined them. Like other property, they could be stolen and used (raped) by those who did not own them. In this crucial sense, women can be seen as passive recipients of patriarchal ideology.

The popular beliefs about rape victims can be traced to these two interlocking forces: the material condition of women as property items; and patriarchal definitions of women as one of two archetypes. These two forces interlock in the following ways: First, as a property item, the woman was subject to her owner, be it her father or her husband. The authority of this ownership, and the authority structure decreed by the patriarchs produce and reinforce each other.

Second, insofar as the property value of a woman is based on her chastity, restrictive prescriptions are imposed on her behaviour. Patriarchal ideology with its rigid definition of the nature of woman, imposes similar restrictive prescriptions on the behaviour of women,

morally condemning women who do not heed these prescriptions.

Third, as chastity is the measure of property value, a dichotomy is created. If a woman is chaste, she has high property value. If she is not chaste, she is valueless. This dichotomy corresponds to the two opposing archetypes of woman established in religious modes of patriarchal ideology: revered virgin and evil temptress.

Finally, while the maintenance of property value (chastity) is crucial, it is also problematic. Women, unlike other property items, have the capacity for independent thought and action. This creates two unfortunate possibilities: first, that a woman might not protect her property value as vigorously as she could; and second, that she might 'cry rape', unjustly accusing an innocent man of theft. Though the condition of women as property makes these two problems mere possibilities, the image of woman as beguiling temptress, makes the occurrence of these two problems quite probable.

It is in this context that we can best understand why the rape victim's sexual history is so important to rape cases; and why a legitimate rape case is defined in terms of **who** the victim is, rather than by the offense itself. A woman who is not chaste is still not considered worthy of legal protection. A legitimate victim is one who has recognizable property relations with a father or a husband.

Today's popular beliefs about victims of sexual assault, though based in this history, reinforce and keep this history alive.

a popular belief about the rapist

There are not as many popular beliefs about the perpetrators of sexual assault as there are about rape victims. The only belief about the rapist that is as wide-spread as those about victims is the belief that the rapist is mentally deranged. We found this belief expressed in a variety of ways: the rapist as psychopath, as 'psycho', a 'sex maniac', a 'mental case', etc. However it is expressed, it is commonly accepted that the perpetrator of a sexual assault is mentally unbalanced.

Implications

In this view, sexual assault is seen as an impulsive act, the sexual urge uncontrollable, and the victim, unknown to the assailant, is randomly selected. Yet studies of rape show that 71% of rapes are planned in advance, not perpetrated on impulse; and that 48% of rapes occur between people who are known to each other.

There is a striking difference between what this popular belief implies and what is implied by beliefs about rape victims. Beliefs about the rape victim carry implicit definitions of the nature of women and potentially extend to all women. The view of the rapist as a mentally deranged person does not refer to the nature of men, and therefore does not extend to men in general.

Another important difference between what is implied by popular beliefs about rapists and rape victims, lies in the degree of responsibility assigned to either sex for the assault. The beliefs about the rape victim either negate the assault or assign responsibility to her for precipitating the assault. The stereotypic view of the rapist as a mentally imbalanced person, on the other hand, removes all responsibility for the assault from him. A person who is mentally disturbed is not held responsible for his actions. **This belief discourages and may even prevent most men from critically examining their own sexually aggressive behaviour.**

One of the effects of this commonly held view of the rapist is to severely narrow the definition of sexual assault. Though assaults by the so-called 'sex-maniac' do occur, they constitute only 10% of all reported rapes. Nevertheless, people tend to think of the **real** rapist as

the 'psycho', and of the legitimate victim as the woman raped by the 'psycho'. All other varieties of sexual assault are perceived as mere consequences of precipitating behaviour on the part of women.

Is this popular belief valid?

If most sexual assaults are not perpetrated by mentally deranged men, then who are the perpetrators? Amir's study of 1,292 sex offenders in Philadelphia found very few men who had been medically diagnosed as mentally or emotionally disturbed. Only a very small portion were classified as psycho-rapists. The overwhelming proportion were described as normal men, with perhaps an above average tendency to express hostility or aggression. Among these were husbands, fathers men with ample sexual contact in their daily lives.

In Amir's sample, 71% of the offenders had been involved in group rape or paired rape. Amir suggests that most of these men were either affirming aggressive masculinity or that they used gang rape to deny latent homosexual feelings. Many of these men expressed feelings of anger at being incarcerated, insisting that the women in question had been 'asking for it'.

Amir's study shows that the majority of rapists are normal men, and not the 'psychos' implied by popular beliefs. Furthermore, Amir was studying a small portion of convicted offenders, most of them poor and without the privilege and resources that easily win an acquittal. Taking this into consideration, we can assume that the proportion of sexual assaults committed by quite normal men is much greater than what is represented in his data. And to these we should add the largest proportion of all sexual assaults: those that are never reported.

The origin and perpetuation of this belief

The popular belief that the rapist is a mentally deranged person absolves the rapist for the responsibility of sexual assault and severely narrows the definition of 'legitimate' rape. It is in this sense that this belief can be traced to ancient forms of patriarchal ideology and the material condition of women as the property of a husband or father.

Patriarchal religious teachings often did not hold a man responsible for rape. This is especially true of early forms of Roman Catholicism which defined women as lustful and malicious creatures. Rape was a contradiction because one cannot rape a person whose lustful and malicious nature makes consent apriori. Men who succumbed to sexual intercourse with

these objects of temptation, even if force was involved, were **morally condemned**. They were seen as weak-willed persons, possibly in the clutches of the devil. They were not legally pursued, but would have to make their peace with God or their priest. Only in cases where the woman was a virgin from the upper classes would an assault be legally defined as rape.

In ancient times, a man convicted of rape in this limited sense, was sometimes banished from the community and sometimes put to death by drowning or stoning. In 13th century England, uncontrolled lust was believed to be the cause of rape (still only applicable to a select group of women). The remedy was to remove the source of this lust, as per Henry of Bracton's recommendation:

"Let him lose his eyes which gave him sight of the virgin's beauty for which he coveted her. And let him lose as well the testicles which excited his hot lust."

Over time, the legal codes of most western countries have extended their rape laws to include women from the lower classes as well as married women and nuns. However, the sexual history and moral conduct of the rape victim is still carefully scrutinized and considered relevant evidence in a rape case.

Similarly, though the historical condition of women as property has radically changed, rape laws based on a property relationship between men and women continue to exist. In the past and still quite pervasively today, rape, in the legal sense of the word' has only referred to forced sexual intercourse by a man who does not have a socially recognized property relationship with the woman in question. (Though fathers have socially recognized property relations with their daughters, their sexual access is restricted by the incest taboo.)

The man who sexually assaults his wife is not, nor has he ever been, perceived as a rapist. He is simply exercising conjugal rights to his property. Though some countries have altered this law (Denmark, Sweden, parts of Australia), in most countries including Canada and the United States, a woman raped by her husband has no recourse to the law because the act is simply not legally defined as rape.

Unlike other laws, this one is retroactive. For example, in England until the 15th century, a practice called 'bride-theft' was common. Through the rape of a propertied virgin, a knight aspiring to upward mobility could secure a rich wife. Since the rape severely diminished her property value, she could easily be secured in marriage. For centuries this was considered to be good business, not rape.

A modern day version of this practice exists in the Criminal Code of Canada. If a rapist marries his victim following the assault, the woman cannot bring a rape charge against him. Though it is difficult to imagine a woman wanting to marry her rapist, some women actually do. Fear of the social repercussions of the rape — dishonour, ostracism, ridicule, ambiguity over guilt, fear that no other man will want the soiled goods — are some of the reasons why woman might agree to marry her rapist. The important point is that the law which does not recognize rape between married persons is retroactive. This points to the importance of property relationships in the definition of rape.

Another form of rape in which property played a key role is the 'rape of reprisal', legally practised in ancient Babylon. In legal terms, this practice did not involve rape but rather the equalization of the loss of property value of the victim. The father or brother of the victim was permitted to rape the woman of his choice who belonged to the rapist's family, thus equalizing property loss.

Rape of reprisal is no longer legally sanctioned, but it does continue to occur. Fathers and brothers of rape victims do sometimes act on the age-old first law principle, 'an eye for an eye', seeking to inflict similiar damage to the rapist's family.

A final example of the importance of property in defining rape, is war. The rape of enemy women lays claim to the most valued and intimate property of the enemy. Rape in this context is both a strategy to win and a statement of victory, between men.

Past modes of patriarchal ideology limited the concept of rape to a select group of women. The material condition of women as property limited the concept of rape to persons who did not have a socially recognized property relationship with the rape victim. The present day popular belief, our modern-day version of patriarchal ideology, that the rapist is a 'psycho', limits the occurrence of rape to a tiny portion of actual rapes.

Any man who forces his sexual attention on any woman against her will is a rapist and should be identified as such.

Any social responsibility we might feel for the broad range of rapes that continue to occur is negated by these popular beliefs. These beliefs about rape victims and rapists are not incidental to our belief patterns; they are new versions of old ideas that have defined the nature of women and the relations between women and men as far back as we can look.

socialization

Socialization is the process through which we learn how to behave in society. It is the process by which each individual learns the skills, traits, values and attitudes associated with present or anticipated roles. Many different agents participate in this process. Some are obvious: parents, schools, religious organizations. Some are more subtle: mass media, occupational structures, political systems.

Roles, character traits and values appropriate to a given society are gradually learned throughout life. In a generalized sense, appropriate roles and traits are determined by the political and economic organization of society. Societies which are capitalist and patriarchal in organization, require roles, traits, and values in which capital and patriarchal interests are served. The continuation of patriarchy requires a set of roles, values, and attitudes which support the subordination of women.

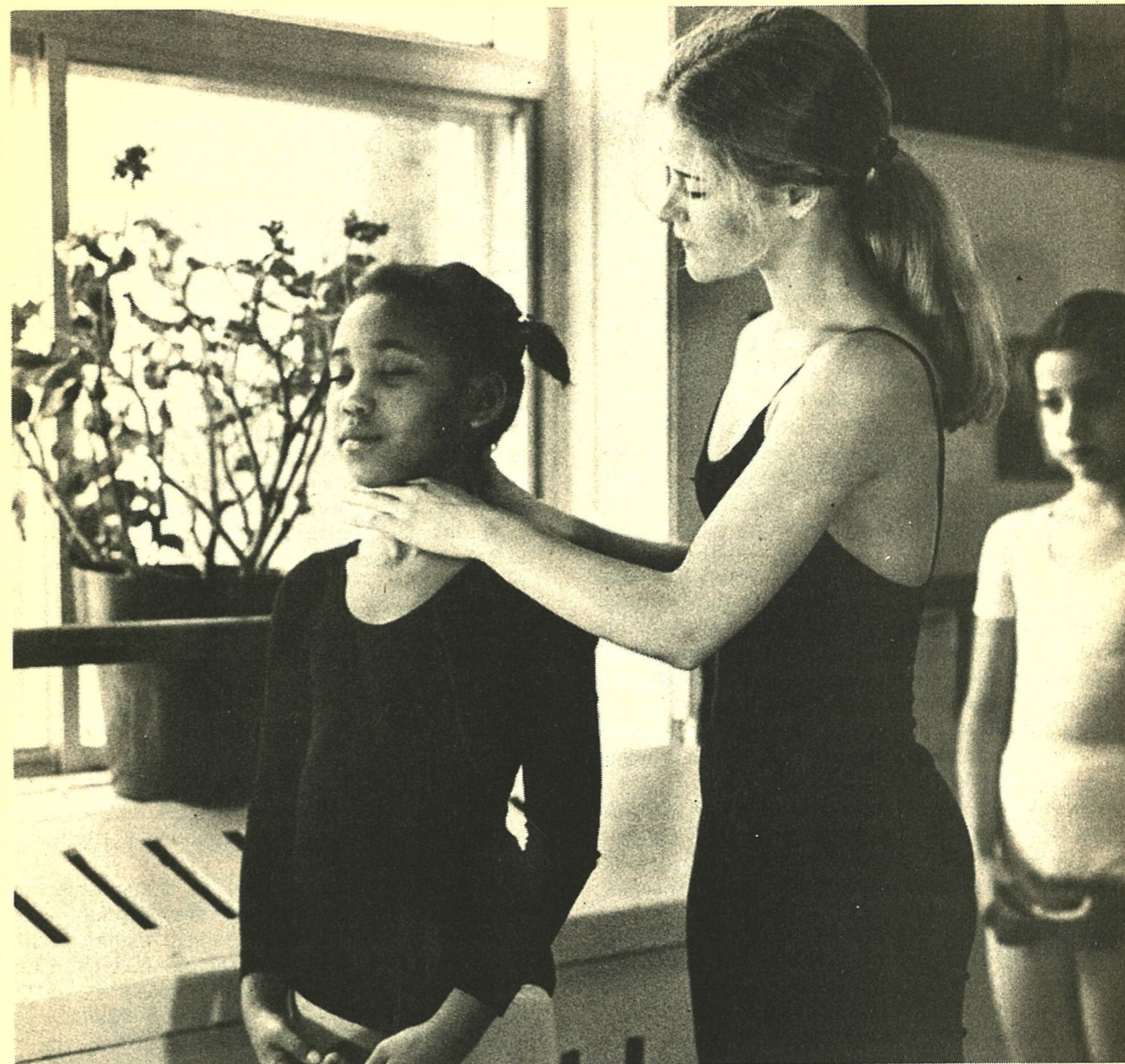
While there are some notable exceptions, we can safely generalize that females are socialized to be passive, submissive, nurturing. Males, to be aggressive, forceful and dominant. The way in which either sex experiences sexuality is linked partially to biology, and largely to these socialized sex roles.

For the female, the sexual socialization process teaches that sex and love and romance are crucially integrated. Females are taught to be 'means-oriented in expressing their sexuality and in seeking gratification'. This means that it is common for women to desire sex that does not culminate in penetration but involves such sexual and sensual expressions as caressing, cuddling, intimate conversation. This is reinforced by the fact that to be desired by many men will elevate the status of a woman. However, actual promiscuity will only diminish her social value.

The sexual socialization of the male teaches a different view of sexual needs and gratification. Males are socialized to be 'goal-oriented' in their sexual experience. This means that sexual expression and gratification ultimately lie in penetration and ejaculation and need not be accompanied by love and romance. Sexual gratification of the male frequently involves breaking down the resistance of the female, or 'conquest' of the female. Many such 'conquests'



Gloria F. Mallaroni



Allan Manus

will generally afford a high peer group status for the promiscuous male, for they are seen as signs of virility and manliness.

These character and sexuality traits are frequently defended as being biologically determined and socially complimentary. Such defences form part of the ideology of patriarchy, and predispose women and men to the rape situation.

Passivity, submissiveness, and a 'means-oriented' sexuality can predispose women to become rape victims. Such traits predispose situations in which a woman will not aggressively resist sexual intercourse, whether it is a physical or a psychological force impinging on her will. In the same way, aggression, dominance and 'goal-oriented' sexuality, and the association of sexuality with conquest, predispose the male to rape; predispose situations in which

a man will exert physical or psychological force to overcome resistance. In this sense, all women are potential rape victims, and all men are potential rapists.

This clash of roles and traits is particularly evident when two people emerge from a sexual encounter in which the woman feels she has been raped and the man does not see himself at all as a rapist. It is also evident in the male prerogative to define what rape is, and what behaviours, appearances and morality can be construed as asking to be raped. These aspects of the socialization process maintain the popular beliefs in question, regardless of the evidence of their invalidity. The continuation of patriarchy requires the continuation of these roles, traits, values and beliefs. Popular beliefs about rape form a small part of the ideology which supports patriarchy.

ea, living in very different economic and political circumstances, have no concept of, and no word in their language for rape. While we may not want to emulate this society in economic or political organization, the point is that human nature and biological differences can be expressed in ways different from what we now experience.

The acceptance of the inevitability of rape also carries assumptions about the nature of sexuality. It implies that the male sexual drive is impulsive, urgent and very difficult (if not impossible) to control; that the male sexual drive requires immediate and frequent gratification. It implies that the female is necessarily the passive recipient of these drives with no real choice other than submission; that female sexuality is not as intense and not a definitive force in human relationships. This view is held by many and is reinforced by those in influential positions. Judge Humphreys, in 1975, in the U.S.A., provides an unfortunate example of this reinforcement. After issuing a six month suspended sentence to a young man convicted of raping two women, the judge justified the light sentence in the following way:

"You are at a difficult age and you were overcome by your own sexual desire."

Humphreys thus suggests that the way in which this young man expressed his sexuality and the aggression against the two women, is understandable and acceptable.

That a man may express his sexuality in this way testifies to his **sexual socialization**. That he would act out these impulses testifies to his view of women as passive recipients without the right of consent. Rape is not purely sexual in nature. Violence, aggression, and hostility towards women are far more important ingredients of sexual assault than sexual gratification. The belief that views rape as inevitable also implies that women are passive, helpless recipients of male aggression. Women are not viewed as capable of strong resistance, assertion and self-determination.

To regard rape as inevitable is somewhat the same as accepting the inevitability of unemployment. Unemployment is treated as a fact of life. Just as this implies that the present economic conditions are unchangeable, so does the belief in the inevitability of rape presuppose a continuation of patriarchy. It presupposes that the present relations between the sexes are unchangeable. It implies that social and personal change is not possible for either women or men. Yet human history is the history of social change. That change in this area is viewed as impossible, is an ideological defence for the continuation of patriarchal organization.

is sexual assault inevitable?

The strongest and the most pervasive belief about sexual assault is that it is a permanent and inevitable feature of society: **that there has always been rape and that there always will be**. We will challenge this belief by exploring two sets of questions:

1. What does such a belief imply about men? About women? About the relations between women and men?
2. To the extent that rape has been a common feature in most historical periods and in most societies, what functions has it served? Are these functions necessary to society?

1. Implications

The belief that rape will always be with us is based on certain assumptions about women, men, and about the relations between women and men. One such assumption is that sexual assault occurs because of **biological differences** between men and women. Because an erect penis can penetrate a vagina, or other orifice, one assumes it will be used to do so, even without a woman's consent. This belief also implies that **human nature** is such that these biological differences will inevitably be taken advantage of in gross and cruel ways.

It is true that biology places physical constraints on every human being. However, it is also true that the meaning we give to these biological differences and the ways human beings behave in society is **socially determined**. Human nature is not fixed and resistant to social change. Rather, human nature is conditioned by economic and political structures in society. In this sense, human nature is variable and malleable. For example, the Arapesh of New Guin-

2. Functions of Rape

Control of Women

When the Women's Liberation Movement first made rape a social issue, there were two main concerns. One was to provide much needed services to rape victims and their families; the other was to identify and challenge the role of rape in restricting and inhibiting the freedom of women. The fear of rape functions as a control over the behaviour of potential rape victims: all women are potential rape victims; all women face these restrictions. It is insidious but true, that a woman need not be raped in order to be successfully controlled by the **possibility** of rape. These controls are effective because it is widely accepted that women should be responsible to avoid rape; they should avoid being in the wrong place at the wrong time. If women do not want to be raped, they are supposed to avoid 'asking for it'. Since rape occurs on the job, within the family, and among friends such avoidance is not only unreasonable, it is impossible.

Popular beliefs about rape and the legal treatment of rape cases support this controlling function. It is the young woman still living with her parents, the monogamous wife, the dutiful mother, the woman who does not risk being out alone at night, the woman who is a chaste dependent of a father or a husband who will receive legal support and recourse when a rape occurs. Women who depart from the traditional roles assigned to women forfeit this protection. They will most likely have their report of a rape classified as 'unfounded'. Both the occurrence of rape and the legal treatment of rape cases serve to reinforce and maintain the traditional role of women in society. This is one of its key functions.

Rape has occurred in most historical periods, and there is evidence of rape in most societies. By examining the role rape has played in different social settings, we can glean additional functions served by its occurrence.

War

"Booty and Beauty"

General Andrew Jackson

"To the victor belongs the spoils and the spoils include women."

Susan Brownmiller

Regardless of the reasons for waging war — greed, nationalism, religious crusades, or liberation — traditionally rape has been a common and frequent feature of war. One of the earliest references to rape in war can be found in the Bible, Book of Judges 19-21: A concubine, belonging to a Levite, is raped and killed. The tribes of Israel rise to defend the Levite's honour, massacring all of the women and most of the men in the guilty party's Benjaminite tribe. To restore peace, some one hundred women of a neighbouring tribe are set up to be captured and raped, to become the property of the remaining Benjaminites.

In this ancient example, we can ascertain three functions of rape. The rape of the concubine destroyed her owner's honour. Rape then served as a means of retaliation. Third, rape played a conciliatory role, equalizing losses and restoring peace between the two tribes.

A more recent example of rape in war time is provided by the tragic 1971 war in Bangladesh. In this instance, rape was a part of warfare strategy. Pakistani soldiers, in some army camps were shown pornographic movies before going into battle to incite them to rape Bengali women. In the few months duration of the war, an estimated 400,000 Bengali women were raped. Thousands of sexually assaulted Bengali women, unchaste symbols of dishonour, were banished and ostracized from their families and communities. Through these massive rapes, Pakistani soldiers exerted devastating effects on the core of Bengali culture: the family and the community. When the war was over, the new government attempted to restore families and communities to pre-war stability by issuing a law proclaiming all rape victims of war to be national heroines. But because cultural and religious beliefs run deep, this law has only been marginally successful in reintegrating these women.

There are many stories like these, because there have been many wars. Rape was common during the American Revolution, during World Wars I and II, during the Korean War, during the war in Vietnam. Countless women have suffered at the hands of warring soldiers. When we examine the role that rape played in these instances, it is clear that the sexual gratification of men and the suffering of women are not the chief functions of rape in war time.

Rape in war time is a way of claiming enemy property. Traditionally conquering armies have claimed the property of the conquered, and historically women have been regarded as the property of men. The rape of enemy women is a statement of victory; through rape, the enemy claims the most intimate property of the men they wish to conquer.

Rape is also a means of terrorizing an enemy people. Massive rapes, as in the war in Bangladesh, serve as a strategic weapon to destroy the very core of enemy culture.

Rape may also serve to revenge the honour of a fighting people. It is a statement of virility, masculinity, power and ownership. Conversely, it is also a statement of humiliation and powerlessness to those who can't prevent it. It is a gruesome fact that rape in these circumstances functions primarily as a message between men. In this sense, the abuse of women is secondary to the warring men's affirmation of power, victory and ownership.

Slavery

The rape of slaves was a common feature of the early history of the United States. The white slaveholder raped in two ways. He commonly claimed sexual access to female slaves who had no right to give or withhold consent. He also paired male and female slaves for breeding purposes without the consent of the men and women involved. In this way, the slaveholder held exclusive rights to both the productive and reproductive lives of the subordinated people.

We can identify a number of interests served through these rapes. Rape served the slaveholder's economic interests. As generator of slave babies, or in arranging the pregnancy of slaves, he ensured a steady supply of slaves.

Rape also served to affirm the dominant position of the slaveholder. It was a concrete and effective expression of power, ownership and control. The symbolic impotence of Black men was thus ensured.

Rape was an effective mechanism in destroying family structure, lineage systems, and the cohesion of the enslaved people.

It is not surprising that the slaveholder developed a deep fear of the sexuality of Black men during this period. Having usurped his rights, what he essentially feared was retaliation in kind. During this period, myths about the sexuality of Black people, especially concerning Black men's desires for white women, emerged. While these deep psychological fears may not have been pleasant, they were not without useful functions.

A latent function of the fear of retaliation from Black men was its controlling influence on the behaviour of women. The fear served to reinforce her dependence on a husband, father, brother or owner for protection. This latter point is important to women in general, for it demonstrates how the idea that women require protection from dangerous men is created and effective. In this case, women require protection from Black men; in the case

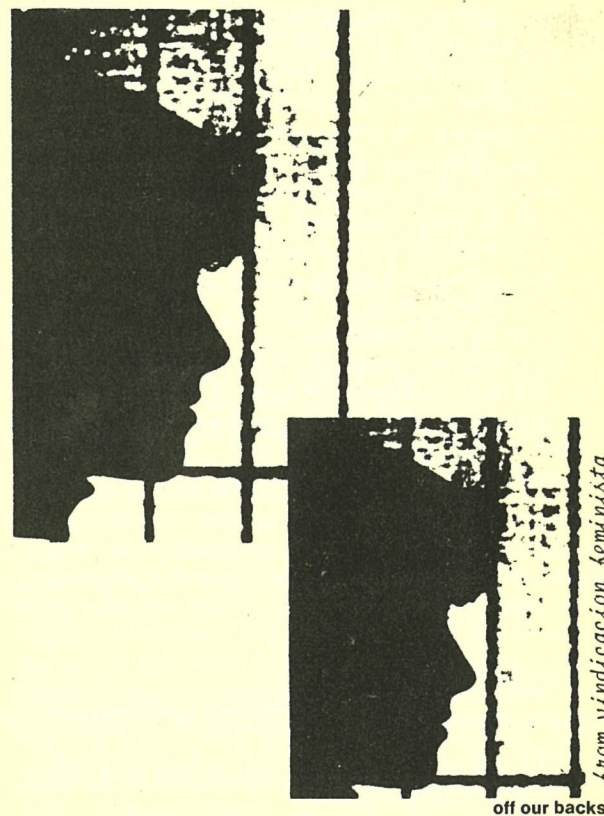
of war, it is from enemy men; and as we have seen, in contemporary society it is the psychopathic rapist from whom women require protection.

Rape in Prisons

The prison is an interesting setting in which to examine rape since people confined to prisons are of the same sex.

Rape appears to be a common feature of prison society. It establishes dominance and ownership of one person over another. Raping a person who 'belongs' to another, is a way of establishing who is 'boss'. A common strategy of the rape victim in prison society is to become attached to the 'boss' to gain some protection from other would-be rapists.

The scant information available on rape in prison suggests that through rape, power and property relationships are established, maintained or reassigned.



off our backs



Gloria F. Mallaroni

Employment

Currently there is no legislation in Canada to protect women from sexual abuse on the job. Where such protection does exist in the U.S., procedures are usually long and arduous. Though men are not immune to coercive sexual demands in the work world, the present relations between women and men mean that women are the more frequent victims of such abuse.

There are varying degrees of sexual abuse in working situations: abusive language, uninvited caresses, forced intercourse. Women often submit to these harassments in order to keep a job, to get a job, or to secure a job promotion. Women who face sexual assault on the job are in a position of double jeopardy. They must either accept sexual abuse as an occupational hazard or face unemployment. It is usually only when women have decided to resist such abuse that its occurrence becomes publicly known, as in omit the following examples.

One of our respondents, a woman working as a legal secretary in a large law office, report-

ed sexual advances made to her by one of the senior lawyers of the firm. She was fired when she would not comply with his sexual demands.

A slight variation of the same kind of coercion was reported in the Montreal Star, Jan. 27, 1976. Nineteen women had submitted to sexual intercourse with immigration officers in order to secure immigration status for themselves or for someone they were sponsoring.

A woman police officer in Washington DC summarizes the problem many women face: "You've got to make love to get a day off, or make love to get a good beat; it is practically a rule of thumb these days."

When coercive sexual intercourse is a feature of employment it functions as a statement of power and control in both a psychological and an economic sense. The employer who uses coercive sexual intercourse against an employee, affirms his power and control over the economic livelihood of the employee. It serves as an instrument of blackmail, reminding women of their dependent position in the occupational structure and of their subordinate position in society.

Summary of the Functions of Rape

There are two sets of functions served by rape. The first set of functions help to establish the relations between women and men in society. Rape serves to maintain the traditional role of woman in society as dependent on a father or a husband. It is the chaste dependent woman who is offered protection through her dependency and because of her dependency in the courts of law. Though no woman is free from rape, women who forfeit this dependency, also forfeit legal recourse should a rape occur.

The second set of functions served by rape has to do with social relations among men. These relations are predicated on the historical condition of women as the property of men. Through rape, men claim property, steal property, devalue property, and exercise rights of ownership. The single most important factor of which rape is a function is the material condition of women as the property of men. This condition was more true historically than it is today. Yet the fact remains that our legal codes, the popular beliefs we hold, and the treatment of rape victims is largely based on the view of women as the property of men. Like other property items, women can be bought and sold (prostitution). And like other property items, they can be stolen (rape). The abuse of women

is inconsequential to this set of functions. Through rape men make statements of power, virility, and ownership to other men.

Both these sets of functions are based on the historical condition of women as property. Explanations for this condition have been attempted. Engels believed that women were appropriated as property in order to guarantee inheritance rights for the offspring of men. Levi-Strauss sees the condition of women as property as an important feature in developing relations among human beings. According to his analysis, women served as exchange items, expanding and linking human groups, essential to the continued existence of society. Without arguing against either of these explanations, the question at hand is: Are these functions necessary to the continuation of present day society? The answer is clearly no. These functions are necessary only to the extent that we wish to maintain social inequality between women and men, and among human beings.

Though we are historical creatures, we are not condemned to history. What has always been, need not be all that the future holds. Human beings can organize for social change at both the personal and the social level. To create conditions that facilitate equality between women and men, and among all human beings, both personal relationships and organized groups provide a place to start.

part II introduction

We have looked at rape as a social problem supported by a widely accepted set of popular beliefs extending far back into history. We have seen that these beliefs affect the incidence of rape and the treatment of rape victims in both personal and institutional settings. In Part II, we provide practical information about sexual assault when it is an individual problem. We provide information required at various stages of an assault — from recognizing potential assault situations through to the various steps to consider when an assault has occurred.

Part II will be useful in two ways. First, the information will provide a basis for women and men to better understand the experience, decisions and dilemmas faced by rape victims. Often, people assume an assault ends once the woman is safely home. Yet continuing difficulties are experienced in dealing with the police, the medical institutions, and the courts. A sexual assault can affect a person's sexual relationships, family ties, and even day-to-day living.

Second, the information will be useful to women who have been sexually assaulted. It is possible that this information will shed some light on an unresolved issue, will explain a feeling which did not make sense at the time, or may alleviate personal guilt for actions that were only normal responses to a frightening situation.

While examining sexual assault as an individual, highly personal experience, we try to clarify the objective conditions shared by all victims of sexual assault and by supporting friends and family. When these conditions do not care for the woman who has been assaulted, or when they do not reflect a fair evaluation of her experience, we offer criticisms and suggestions for change.

We put a strong emphasis on **support** of rape victims. There is support and understanding which must come from friends and family of the victim. There is room for improvement in the institutional support which victims may receive. And there is the support which can come from the knowledge that thousands of women have had the same fears, confronted the same negative attitudes, considered the same decisions. It has been obvious through our work with rape victims and with institutions that serve them, that the quality and extent of support can make a critical difference to a woman's recovery from the trauma of sexual assault.

sexual socialization

The socialization of males and females in our society is such that coercive sexual relations are learned early and carried into adult life. Though the word "rape" may not be learned until puberty, little boys and girls are cautioned by their parents not to accept candy or rides from strangers. Though the details of what might happen are vague, before too long they understand that sex is something that can happen to them; sex is something that others, who are physically stronger, can use them for.

In adolescence, the lessons taught to boys and girls are quite different. Girls learn that it is their job to protect themselves from the pressures of male sexuality — from the strangers who jeer at them to the males in their classrooms and families who might try to take advantage of them. The message is clear — they are responsible for their own behaviour **and** they must make sure that the boys don't get "carried away". Their own sexual feelings are rarely talked about. It is implied that their sexual needs, if they exist at all, are not as strong as the males'. Girls and women are taught to display themselves as sexual objects but not to behave as sexual beings.

With boys, the emergence of sexual feelings is recognized as a natural part of the process of becoming a man. Expression of these feelings is acceptable whether through sexual games, masturbation, or stories of sexual conquests (real or unreal). There can be strong pressures to have a sexual experience early in adolescence. Boys are taught that "nice" girls say "no" to sexual advances but that this can be overcome with coaxing and promises of love and commitment. Boys are warned that they should not get caught during their sexual experimentation by getting a girl pregnant. They would then become responsible for their actions and be required to either marry the girl or pay for an abortion. They are taught that, as men, it is their right to have their sexual needs fulfilled either by girlfriends, wives or prostitutes.

As adults, these lessons get translated into ideas which men and women have about each other. These ideas determine how people act with the opposite sex and how they think their actions are being interpreted. If women and men look at a few examples of the "adult versions" of these beliefs, they can see some familiar dynamics which occur in their sexual relationships:



Holly Devar - Kenesis

→ Women often feel badly if the man they are with has become sexually aroused and they do not want to have intercourse with him. They feel that it was their fault and that they should have been less flirtatious. They feel responsible for his behaviour as well as their own.

→ Many people believe that women who accept certain gifts from men — dinner, movies, flowers, etc. — will reciprocate with sexual favours. Women who do not want to indebted themselves in this way often ask to pay their own way. Often they are accused of being ungrateful, uppity, and too independent.

→ Men often believe that many women say "no" to their sexual advances in order to be coaxed into sexual intimacies. To them, the firmer a woman's "no", the more she would like the man to be sexually aggressive and prove his desires for her.

→ Many people believe that it is a woman's duty to satisfy the sexual desires of her husband or boyfriend and that the fulfillment of her own sexual needs is not as important or crucial to her well-being.

→ Many people think that assertive behaviour by women can save them from an assault situation but it is not the way they should act with the men close to them.

Accepting these ideas of how men and women should relate to each other depends on people behaving in ways which are mutually oppressive. Our society further reinforces these images of the sexes by providing men and women with different social, economic and political opportunities.

→ Men are encouraged to express their aggression, their power and their sexuality. They are expected to be the decision-makers, to

hold jobs which bring in a lot of money and status, to provide security for their families in exchange for children and sexual satisfaction. Invariably men will occupy most leadership positions, whether in government, management, unions or business. In fact, only a male elite in our society has access to the political decisions and the wealth which make it possible to fulfill these expectations.

→ Women are encouraged to express their passivity, their submissiveness, and develop abilities to nurture and serve. They hold jobs which provide social value (maintaining family life, bearing children, nursing and caring for the aged and the sick), but which do not give much in terms of money, status or power to make decisions. They are expected to service the sexual needs of the man in their life and are clearly expected to remain monogamous in their sexual relationships.

These roles are not necessarily conducive to harmonious relationships. When there are conflicts between men and women about their sexual roles, different situations can occur. If the two people respect each other's right to make sexual demands, then their conflicts can stay at the level of arguments and disagreements. But when a woman refuses to service the sexual needs of a man who has been taught (and believes) he has a right to this service, she may find herself coerced to have sex with him.

When people accept these aggressive and passive roles, they create an environment where sexual assaults are a common occurrence. If these conditions are to change the task is a mammoth one. Change must occur in individuals, in personal relationships and in social institutions.



Marion Barling - Women In Focus

recognizing assault situations

Rape can occur anytime, anyplace. Rape occurs between friends, strangers, employer and employee, doctor and patient, even between members of the same family. Since sexual assaults have happened in practically every kind of situation, women must learn to recognize signs of possible danger in everyday life. At the same time, it is important not to develop a paranoia about every action taken.

Judging which situations are potential assaults is not easy. Since one of a woman's goals will be to get out of a situation which is uncomfortable — before it becomes dangerous — she must sometimes end encounters before she would like. Sometimes her judgement might be wrong. She might be accused of paranoid behaviour, or of over-reacting to normal occurrences. But as a potential victim, she cannot always wait for the situation to become dangerous to find that she was correct in her fears.

Assaults can be broken down into two broad classifications: assaults by a stranger, and assaults by someone the victim knows. **The majority of rapes (whether or not they are reported to the police) are perpetrated by someone the victim knows.** Though most women fear more consciously an assault by a stranger (while walking down the street, while hitchhiking), it is more realistic to be cautious of the assault which occurs in the setting of a party, on a date, by someone the woman knows and might expect to trust.

In this section, some sexually coercive situations will be identified under these two broad headings. Some of the options available to women in these situations will be discussed. It is important that each woman consider these options **critically**, look at herself, and then imagine which actions are possible for her to carry out.

There is no single way to handle an assault situation. The actions a woman takes will depend on how well she knows the man, how frightened she is, and how dangerous she considers the situation to be. Advice which comes in the form of **NEVER... ALWAYS... DONT... DO...** leaves many women feeling at fault for the assault. The precautions women take, as potential victims, should be taken for their own peace of mind. These precautions should be integrated into how

they live and who they are as people. Women do not have to live like hermits and should not have to change their lifestyles. They can be cautious **within** their relationships with men. They do not have to avoid expressing their feelings, defensively explain their actions, or feel that it is their job to change aggressive men into gentle, caring ones.

Our suggestions for preventive behaviour are meant to be helpful when they become part of a person's habitual way of assessing situations. As you are reading, try to picture certain scenarios or remember experiences you have had, and how acting one way or another might have helped you to feel comfortable and in control.

Women are not responsible for rape. How they respond or act is not the key toward eradicating rape in our society. As Golda Meir so aptly put it when legislation was proposed which would enforce a curfew on women in an attempt to lower the incidence of rape: "But it is the men who are attacking the women. If there is to be a curfew, let the men stay home."

Assault by a stranger

The fear of being raped by a strange man has been the subject of many warnings for women from the time they were small girls. This fear is the cause of a woman's edginess when walking alone at night; it is the cause of her cautiousness when she gets into a car driven by a man while she is hitchhiking; it is the reason why so many women chain their doors when they are alone at home.

When a woman does not know the offender, she has no way of judging how he might respond to any of her actions. She must try to get out of the encounter without knowing what would make him more violent, what might scare him, what might make him run. These unknowns make this kind of assault very frightening and make many women feel completely paralyzed during the attack.

Preventing such an assault is not the job of the victim (it is hard to avoid situations where there might be strangers!). However, women can develop an awareness of where these attacks occur most frequently and how they might make themselves less accessible to potential offenders. They can consider some actions which might throw the assailant off guard to allow for escape.

At Home

Many assailants who go to the home of a strange woman depend on disguises or breaking and entering. There are stories of men who enter women's apartments dressed as servicemen, plumbers, salesmen, etc. Though these assaults do not happen frequently, it can

be important for women to feel that they are somewhat prepared so that time spent at home can be comfortable, secure time.

→ When you are home alone, you can simply refuse to let anyone in who you are not expecting or who you do not know. The most difficult part about doing this is overcoming the desire to be polite and compliant with strangers. A firm, and polite, "No", followed by a closed door does not have to injure your self-image. You can feel confident that you trusted your intuitions and decided not to take a chance.

→ If you are alone and someone does enter (such as the serviceman you called earlier), leave the door open and have an idea where you might go for help should the situation become threatening.

→ If you are living alone, have your name in the phone book and on the mailbox listed with the last name and first initial — e.g. Smith, J. This way, it is difficult for a stranger to know the sex of the person living at your address.

→ Remembering to close your curtains when it gets dark and to lock your doors when you are alone can make your place less accessible for someone trying to get in.

→ If you find yourself with a stranger who has come to your apartment with the intention of assault, try **not** to spend time pondering what you did or did not do to arrive at this situation. If you think you can physically defend yourself without getting badly hurt, try it. Plan an escape which might lead you to others who can help. If you scream, yell "Fire", or something else which will suggest to others that helping you might also benefit them.

→ If you find that while living alone you are paranoid or frightened a lot of the time, do yourself a favour and buy a dog. You might find one with a frightening, loud bark who is also nice to cuddle.

At a Disco or Bar

All women who have gone to bars or discos by themselves know that the possibility of being hassled or having to deal with a "come-on" is quite likely. Even when women go alone in order to meet men, they still have a right to choose with whom they want to be.

→ If the man you would like to be rid of does not leave after you ask him, report it to the bartender, bouncer, waiter or owner.

→ If you are worried about being followed home, go to someone else's place. If you must go to your own home, call a taxi. Ask the driver to wait until you are safely inside before driving away.

→ If you are being harassed, go to the women's room and ask a woman if you can sit at her table for a while. Tell her what is happening. It may turn out to be a good evening after all!

Hitchhiking

There is no question that to many men, women who hitchhike are often seen as fair game for sexual approaches. Although hitchhiking is first and foremost a method of transportation for women, because of sexist attitudes it can also be one of the more uncomfortable ways to travel.

→ Choose your rides. There is no law saying that you must accept any ride that stops. If you do not feel comfortable getting into the car, say you will wait for another ride.

→ Be cautious if there is more than one man in the car.

→ When accepting a ride, find out where they are going. Stick to **your** own route and for long distance travel, carry a map so that you will know where you are headed. Not telling the driver your exact destination makes it easier to get out of the car if the situation becomes uncomfortable. Always keep your baggage beside you so that you can leave quickly with all your belongings.

→ Be flexible. Hitchhiking is one way of meeting people and often drivers who are alone are grateful for the company. Finding another person to hitch with can make you feel more secure and make the time seem less lonely on the road.

→ Some of the advice to women about hitching has less to do with avoiding rape than with avoiding dangerous car rides. Advice such as: "Don't accept a ride from someone who is drunk or slams on his brakes and makes a U-turn to pick you up" is helpful to you in arriving at your destination without an accident as well as without a rape.

→ If you are in a car with someone with whom you are getting more and more uncomfortable, tell him you want to leave. Keep

your hand on the door handle and prepare your exit at the first stop. If you must jump quickly from a moving vehicle (things are really getting bad), make sure you roll free of moving cars. Tuck your head under and roll with your body in a sideways somersault position. There is no question that this will hurt, but consider your alternatives. It might hurt less than the prospects he is offering you.

On the Street

Women must remember to stay alert and know what is going on around them while they are walking alone or with another woman at night. Though it is every person's right to stroll or walk leisurely down a street, it is a sad reality that a woman alone rarely enjoys this right.

→ As you walk, try to pick a route which allows you to be near activity. Avoid streets where there are no lights, and always notice which houses have lights on, and which stores and restaurants are open.

→ If you think you are being followed, zig-zag across the street to make sure. Should your fears be confirmed, decide quickly where you can go for help or plan some course of action to follow.

→ If you feel quite assertive, try turning around and asking the stranger what he wants. Often this will throw him off balance and he may think that he is choosing the wrong kind of victim.

→ Don't be afraid to confront a stranger on the street or to approach a strange house for help. What might be a bit uncomfortable for the occupants of the house could save you a lot of injury. Even the time it takes for them to turn you away, might deter the assailant from his aims.

→ There are some situations which are annoying for women but which rarely become dangerous or lead to assault: exhibitionism, jeering and whistling, quick "feels" in the subway or on buses. Men who do this depend on women quietly ignoring their behaviour, so confronting them can be quite effective (e.g. saying in a loud voice "You have no right to put your hand **there!**").

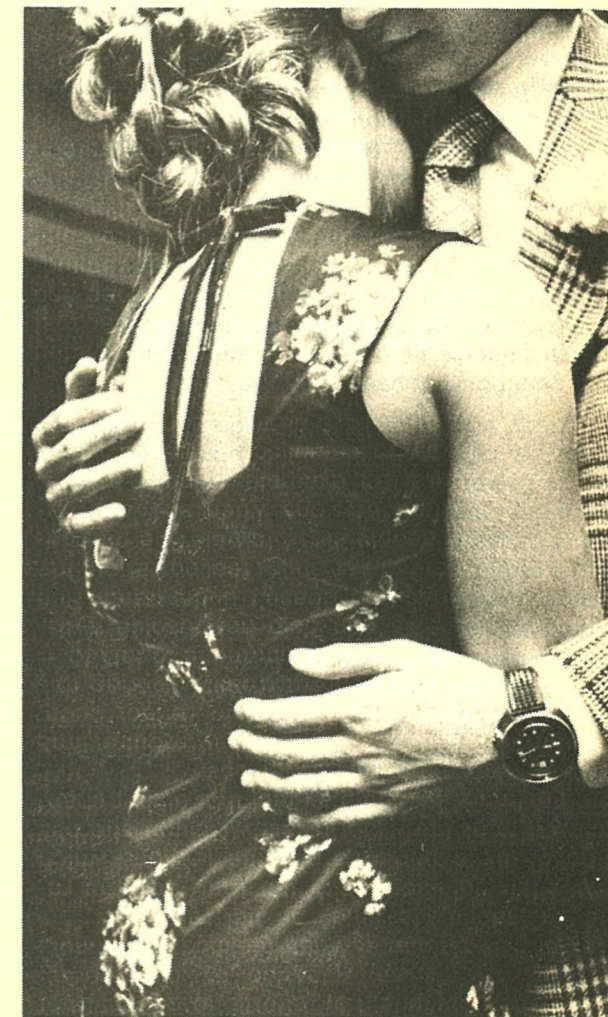
Assault by someone the victim knows

Assaults which occur between people who know each other are the most common assaults.

There are few women in our society who will not attest to having been sexually coerced at some point in their lives. Sexual coercion is, in fact, an aspect of men-women relationships which is advertised and, even, romanticized. The James Bond character who "takes" his women against their will is a well known stereotype. In the movies, this type of scene usually ends up in an intense and exciting love affair. The fear, the injuries and the trauma which accompany forced sexual encounters, in reality, are rarely portrayed in film.

Often sexual coercion is passed off as seduction even though there is little resemblance between the two experiences. Seduction can be a positive aspect of sexual relationships — something which both partners can participate in and enjoy. Seduction can be played by both men and women toward each other. In contrast, during a rape or sexual assault, the woman does not choose freely to participate. She may comply, but only because she is afraid to do anything else.

This kind of assault can happen in a variety of relationships between men and women:



Robert Marquis

→ The two people may have just met and are beginning to develop a relationship (first dates, new acquaintances).

→ The man and woman might have a relationship which is explicitly non-sexual (employer/employee, doctor/patient, friends).

→ The couple may have an ongoing sexual relationship (two people living together, husband/wife, two people who have been seeing each other for a time).

→ The two people may have had a sexual relationship in the past which has since terminated (separated or divorced couples).

The events leading up to the assault will be familiar to most people. In the course of the relationship, a sexual conflict will emerge. The approach by the man will be refused or limited by the woman. She will make it clear that she does not want a sexual involvement at that time. This decision may be a temporary one (she is not ruling out the possibility of it in the future) or it may be a firm and permanent stance. The man has two choices in responding to this decision. He can accept the woman's feelings and respect her decision, revising his own actions. On the other hand, he can ignore her feelings and force her to participate. Whether he uses direct or indirect threats; whether he has manipulated her psychologically or physically coerced her, **he has assaulted her**. The fact that they know each other, and perhaps even trusted each other, only makes the assault more difficult to deal with afterwards. It does not change what has happened.

There is usually a wide range of threats used during such an assault. If the man already holds some power over the woman — as her employer, as her husband — he may just have to threaten to cease the relationship to get what he wants. If the woman is in a relationship which has a history of physical violence, she may be faced with the choice — to comply or to be beaten. Threats of rumours, being cut off from friends, and peer pressure may also force her to do what she does not want to do.

Recalling those times that you might have found yourself in a situation of sexual coercion with a friend or acquaintance, the following looks at some ways that the assault could be foreseen or prevented:

→ If you feel that a man is coming on too strong sexually for your own feelings, talk about it. Though it might be a bit uncomfortable

at first, practice will make it easier. Talk about your reasons for not feeling sexy, or why you want to go a bit slower. Make it clear that you are not asking to be seduced.

→ Try saying "yes" and "no" when you mean it. Make your feelings clear and direct. This does not mean that you must give up flirting or any of the nice, subtle sexual games men and women play together. Assess how your behaviour is being interpreted.

→ If you are beginning to feel pressure from the man you are with, there are different approaches for different situations. For instance, trying to talk to someone who is not listening and is intent on getting you onto the next step in his plan, is not going to get you very far. You are probably better off just walking out at the first opportunity with explanations later should they be asked for. On the other hand, you may be with someone who would be open to another way of being together if he found out you were not excited by his approach. Talking to this person may be worthwhile. Assess each situation and, if necessary, try several approaches. Whatever you decide, the most important thing is to feel that you have confronted the situation.

→ If you are faced with sexual coercion from a co-worker or a boss, try to seek help from other people at your job. You should make your intentions clear to your boss. If pressure continues, you can try the threat of exposing such coercion to others, or going to an organization which might help (your union, the Better Business Bureau, the Human Rights Commission). Though it may be difficult to find another job, consider seriously the consequences to yourself, your health and your well-being, should you decide to stay and submit to such coercion.

→ A marriage or on-going relationship does not preclude the possibility of assault. Though most laws do not recognize rape of a woman by her husband, it can and does occur. Too often sexual coercion or manipulation can become an on-going occurrence within a relationship. If this is happening in your relationship, it is important that you make it clear to your mate that you also have feelings and sexual rights. It can be helpful to speak about the problem with someone you trust. You will probably find out that many women experience some form of sexual manipulation in their marriage. Depending on the severity of the situation, you may need help and support to leave the relationship.

the assault...

At some point a woman will recognize that the encounter she is in has become dangerous and that her choices of action have become severely limited. She no longer has the option of talking her way out of the situation. She no longer can simply walk out the door. Mixed messages and misunderstandings have turned into open conflict and her main objective will be to emerge from the experience with the least amount of harm.

A person's immediate reaction in a threatening situation may be unpredictable. Some people just freeze with fear and become immobile. Others feel a burst of adrenalin, and find strength they never knew they had. Some people act very calmly and clearly at the time, crumbling in a flood of emotional fear and tears a few days later. If you have been confronted with some kind of threatening situation and know how you will react, you can take this into account. Otherwise, do not expect to act one way or another. **You will do what you can.**

Protecting one's self (self defense) can take many forms at this time. Different situations will call for different actions; different women will protect themselves in different ways. For example, physical fighting will be an alternative for a woman who is capable and trained in this area. For another woman, physical fighting may mean risking serious injury, and so, submission for the moment may be the least harmful alternative for her. Some women scream and try to attract attention, while others feel that screaming is useless or that it may incite the assailant to further acts of violence.

An assault situation may last for several hours. During this time, the woman may be able to try several actions either with the purpose of escaping or of making the situation easier to endure. Again, these are not behaviour codes, merely ideas which might help the victim at the time.

→ Trying to escape an assault can be a full-time concern. There may be different times during the incident when the assailant is less in control, not keeping an eye on you, etc. Stay aware. Trying to get out can be one way of "dealing" with what is happening to you.

→ If the assailant is a stranger, try to memorize as much around you as you can. Pay particular attention to the man since you will be asked to describe him should you decide to make a report to the police.

→ If there is no hope of escaping the rape, you might find the actual experience easier to survive by escaping reality and going off somewhere in your head. Plan your escape for when it is over — who you will call, when you will leave, where you will go and how you will get there.

→ If you know the person you are with, state how you are feeling. This can reaffirm your own intentions of not wanting to be involved **and** it can make it more difficult for the man to hide behind any fantasy he might have about women enjoying such abuse. This expression of your feelings can be especially important if you have an ongoing relationship with the man. You do not want your submission to be interpreted as a positive response to these pressures.

A person's expectations of herself should always allow for the fact that terror can confuse her thinking. In retrospect, a woman may feel that she was not aggressive enough or that she acted silly. New ways of behaving can be planned and will be more successful if women are not consumed with guilt over past behaviour.

...after the assault

After a sexual assault, there are many decisions to consider and many adjustments which will have to be made before a woman's life falls back into some peaceful order. Besides taking care of her physical and mental injuries, she must carefully consider the following questions:

→ Who should she call for emotional support?

→ Should she report the incident to the police?

→ Where should she go for medical care?

→ Should she prosecute and go to court?

These questions may come at a time when the victim feels least capable of decision-making. Though such decisions seem like intrusions, they can be used to regain some control over one's life.

We have listed the questions in an order which will facilitate decision-making. The answer to one question will determine the answers to the others. For example, where a woman goes for medical care may depend on whether or not she intends to report the incident to the police. In addition, calling someone for emotional support will make meeting the police easier to handle.

Though the answer to each question is an individual one, there are objective conditions which all victims share. Knowing these conditions and being aware of the experience of other women can help make this time less traumatic and the decisions more informed.

Getting emotional support

First and foremost, a victim of sexual assault should call someone **she feels** can offer her emotional support and guidance. Once a woman feels that she is being cared for, supported and listened to, all the other decisions which must be made will seem easier to handle. She can also be assured that she has someone to depend on when the situation becomes difficult.

Choosing the support person is a very important decision. The attitudes a woman confronts right after the assault can help her feel better — or worse — about herself. The person she calls should be someone:

- > she finds easy to confide in;
- > she trusts to keep in confidence any details she does not wish to share with others;
- > who will be understanding and not judgemental;
- > who can respect her decisions and who will help her decide what is best for **her**;
- > who can be depended on to be called whenever needed;
- > she feels can deal with people like policemen, doctors, social workers, lawyers, etc., should she find it difficult.

It is important for the person who is with the rape victim to respect her feelings, to listen, to understand, and to help her make decisions which are in her best interest. The rape victim can be encouraged to describe her experience and to express her feelings. The support person

must try to be sensitive when making suggestions. Although there are decisions to make, there is no reason to pressure the victim. It is best to take one thing at a time, and proceed slowly but consistently.

If the support person is unsure of the necessary procedures s/he should not hesitate to call a resource person for help.

The decision to seek outside help from someone who knows the ropes (someone from the rape crisis center, a family friend, a counsellor) should be discussed with the rape victim. The person chosen should be someone who is comfortable to be with and trustworthy. The rape victim should be assured of continued personal support.

Deciding to report to the police

The victim of a sexual assault should have the final decision about whether or not to report the incident to the police. It is she, who must deal with the procedures, the attitudes and the decisions of the police.

This is not an easy decision to make, especially since it must be made very shortly after the rape. Some of the factors to consider in making the decision are:

- > Does the woman feel she has adequate support from a friend, her family, etc., when she meets the police?
- > Does she know what kind of publicity the incident will receive if she goes to the police? Does she want the experience to be private or public? Can the police assure her of privacy?
- > Has the assailant threatened retaliation if she reports the incident?
- > Does the woman feel an obligation to take some action against the assailant? If so, what are her options?
- > If the woman wishes to apply for victim's compensation, is it necessary to report to the police in order to have her application accepted? (1)

(1) In Québec, rape victims can apply for accident compensation. In order to be eligible, the rape incident must be reported to the police and a medical-legal examination must be done to substantiate the claim of physical and psychological damage. Accident compensation will pay medical costs above and beyond medicare and % of salary lost while not able to work. A victim does not have to prosecute in order to make the claim and receive compensation. A victim or friend, family member or Rape Crisis Centre person can call Crime Victim's compensation, a division of Workman's Compensation.

If the woman decides not to report the incident to the police or has decided to make a report at a later date, it is still necessary that she get medical attention as soon as possible. It is always a good idea to go with someone supportive.

Going for medical care

Even if there are no apparent injuries from struggle or battering, it is necessary to have medical treatment. Tests for sexually transmitted diseases, follow-up examinations for pregnancy and VD are part of the preventive care assault victims should have after a rape incident. If the woman has decided to press charges, she must also have certain tests to gather medical evidence required for the trial.

When deciding where to go for medical care, there are several factors to consider:

- > What services are available in the area?
- > What is the **cost**? Is this service covered by victim's compensation or health insurance?
- > What are the **hours** of the service? Is it open when the woman needs care?
- > Does the woman feel comfortable in that **atmosphere**?
- > If the woman decides to press charges, will someone from this service be **available to give testimony in court**? Will the court accept his/her testimony?

With these questions in mind, we will examine the various services which might give medical care to an assault victim. All of these alternatives may not be available in one area. The local rape crisis centre will probably have information on what facilities are available and explain how they will suit individual needs.

Going to a Private Doctor:

Cost/Compensation — In the United States, seeing a private physician can be the most expensive form of medical care. If the woman wishes to apply for victim's compensation, it will be necessary to check if reimbursement for private medical care is possible. In Canada, where medical care is covered by the government health plan, cost is not an issue. However, if accident or victim's compensation is desired, it will be necessary to ask the doctor if s/he can do the medical tests required to substantiate the assault claim.

Hours — Usually private doctors have strict office hours. Unless the doctor is on call at

In answering the above questions, it is important to remember that in most places there are several options for reporting a rape to the police. In the United States, rape laws are formulated in each state. There will be different procedures and different requirements depending on your state law. In Canada, rape laws are under federal jurisdiction. Though the procedures may vary slightly within each province, basically the options are the same across the country.

Some of the alternatives in reporting assaults to the police are:

—————> **Reporting the incident to the police for the record:** In this case, a woman wishes to state that she has been assaulted but she does not want to pursue the case to trial. The usual reasons for this type of reporting are: 1) to keep evidence on file in case the assailant should assault another woman at a later date; 2) the assailant may have already assaulted other women; and 3) to contribute to the compiling of assault statistics. Sometimes the police will contact the assailant (if known to the victim) for a reprimand, but usually this will be discussed with the victim first.

—————> **Reporting the incident with the intent of going to court:** With this course of action, a woman has decided that she is prepared to follow through with bringing her assailant to court for his actions. In this case, reporting the assault to the police is one step in a whole series of actions which will culminate with the trial.

—————> **Third party reporting:** In some areas, it is possible to make an anonymous report either directly to the police by phone or through a mutually acceptable person — e.g. the victim's parents, someone from the local rape crisis centre, etc. This is not an option for everyone since some police departments will not accept such reports. If it is available, it does allow the woman to make a report and to keep the incident private at the same time.

Given these options, we recommend that some form of reporting be considered. One factor which can help change attitudes about rape, is the affirmative action by more women saying "I have been assaulted". Whether that statement is made for the record or with the intent of going to court, it is harder to ignore the magnitude of the problem when it is consistently identified.

If the woman has decided to report her experience to the police and also intends to go to court, she, or her friend, should call the police as soon after the event as possible. Usually, two constables will arrive where the victim is staying, and ask her to describe what has happened to her. They will accompany her and her friend for medical examinations and care.

night, the rape victim will have to wait until s/he is available to give medical care.

Atmosphere — Women who wish to keep the incident as private as possible, may see the doctor's office as offering more dignity and privacy than a hospital or clinic. If the woman has seen the doctor in the past, she may feel more comfortable in familiar surroundings.

Treatment and care — Since private doctors do not usually deal with rape victims and their needs, it may be difficult to get all the necessary treatment and care here. Often the doctor does not have the facilities or expertise to collect medical evidence (if the woman is pressing charges), to test for venereal disease, or to deal with pregnancy prevention. The doctor may not be aware of the kind of understanding a woman requires to make the medical examinations easier to endure.

Availability for court — Most private doctors are unwilling to go to court, especially if they must cancel their office appointments to appear at the trial. Sometimes giving medical testimony requires several days of their time. If the woman is thinking of pressing charges, or has already started the process, she should be sure to ask her doctor if s/he knows how to collect medical evidence and if s/he is willing to give some time to go to court.

Going to a Community Clinic:

Cost/Compensation — This alternative may be cheaper than a private doctor's office though lab tests may cost more. In Canada, clinical care is covered by the government health plan. It will still be necessary to check if this kind of care is covered by victim's compensation, and if so, whether the clinic staff can do all the necessary testing and treating.

Hours — Most clinics have fixed hours and may not be open when the woman needs care, but some have 24-hour service.

Atmosphere — Most clinics provide a relaxed atmosphere which makes this a comfortable place for many women to go after an assault. Raised eyebrows and condescending attitudes toward rape victims are less frequent in the clinic setting.

Treatment and care — Since many clinics are set up to operate on a team-work basis, the diverse needs of the victim (medical, social and psychological) are more likely met by people who are understanding and aware of the trauma of sexual assault. However, medical facilities may not be adequate to do the examinations required for the collection of medical evidence, and the staff may not know what kinds of tests are necessary. It is likely that testing and care will be

available here for sexually transmitted diseases and pregnancy prevention.

Availability for court — Again, it may be difficult to get a commitment from a doctor working at a clinic to go to court. As with the private physician, s/he may consider testifying in court as lost time since s/he will not be paid for it. If she intends to press charges, the woman should make sure of the doctor's involvement before getting treated.

Going to the Hospital Emergency Ward:

Cost/Compensation — Care in the hospital emergency ward is free (in Canada) or may be covered by victim's compensation (in the States). Usually the hospital staff know what examinations and information are needed in order for the woman to apply. It may even be possible to get the forms and start the process here.

Hours — Hospital emergency wards are open 24 hours a day, although if one doctor is assigned to deal with all rape victims, s/he may not always be available.

Atmosphere — This is usually the biggest disadvantage. Most people who have been to emergency wards know that they can be depressing places. Often, it is necessary to wait hours before being seen by a nurse or doctor. A woman should definitely go with a friend, not alone. Emergency wards are designed to see as many patients as possible in the least amount of time, and therefore do not focus on the individual person. For this reason, a woman may have to request (or demand) that her particular needs, which might be outside the routines, be met e.g., having her friend accompany her into the examining room.

Treatment and care — The care a woman receives will vary from hospital to hospital. It is a good idea to call the closest rape crisis centre to see which hospital is preferred for its treatment of assault victims. Often in the bigger cities, there will be one hospital that has developed a protocol which covers the needs and treatment of women who have been raped. The lab facilities here are usually better and more efficient than what is available with private care.

Availability for court — Many hospitals have one doctor who is either on call or is available to see and examine all rape victims. S/he will be prepared to go to court to give medical testimony. Hospital records are usually kept in such detail that an examination here will leave open the possibility of pressing charges, should the woman decide to do so later. In places in the U.S., there are some hospitals which will not examine an assault victim unless the police are called and are present during the examination.

If she is not going to press charges, a call to the hospital to find out their policy can save time and trouble.

In some areas of Canada and the United States women who wish to press charges must first go to a medico-legal centre for examinations and tests which are necessary as medical evidence for court. **The centre does not provide medical care**, and it will be necessary for the woman to see a doctor or go to a clinic after the evidence has been collected. There is more information about the particular examinations and their purposes on page 39.

The purpose of medical care

The medical attention which a woman receives after an assault should include three areas of treatment and testing:

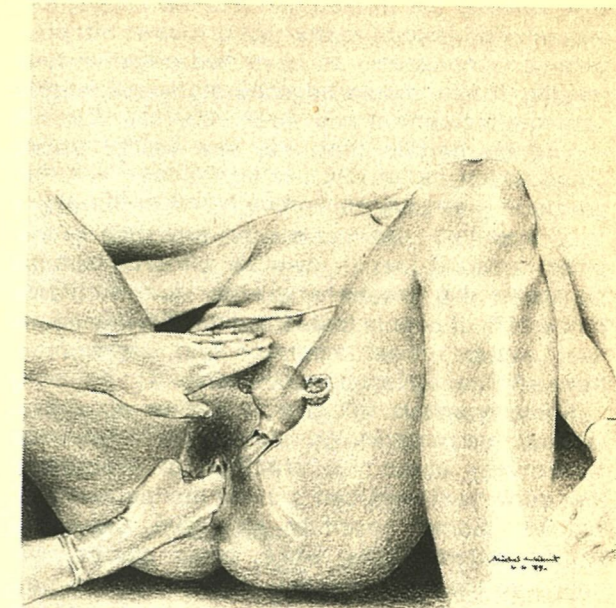
- Injuries (both internal and external)
- Pregnancy prevention
- Sexually transmitted diseases

Treatment of injuries: This requires a thorough examination of the woman's body for any bruises or lacerations incurred during the assault — scrapes on the shoulders, back, elbows, face and head injuries, bites, etc. A shot of tetanus toxoid is required if there are open wounds and if the victim has not had a tetanus shot within five years.

Most likely a gynecological history will be taken to find out the age menstruation began, if and when menopause began, type of contraception used, and any major gynecological infection or surgery the victim might have had. This information will provide the doctor with a knowledge of how to treat the injured person. Also, included here will be an internal gynecological examination. Though this may be a difficult experience to endure so soon after this assault, it is necessary to see if there is any damage to the external genitals, the vagina and the cervix. The woman will be given both a bi-manual and speculum examination (see diagrams).

Pregnancy prevention: The risk of becoming pregnant is rare during a rape. Many women already use a continuous form of birth control (the pill, IUD, etc.) For women who were using no contraception at the time of the assault, there are three possible actions to take:

1. Take a drug to prevent the pregnancy. **The woman must be sure she would consider an abortion before taking these drugs because of the possibility of damage to the fetus if the pregnancy is not prevented.** The two most common drugs are Ovral and Diethylstilbestrol (or D.E.S.). With Ovral, 2 tablets are taken immediately, followed by 2 more tablets 12 hours later. With D.E.S., 25mg/day are taken for 5



Bi-manual examination

Michel Hébert

days; there is usually vomiting and nausea with this method. Both drugs will usually prevent the fertilized egg from implanting in the uterus.

2. Have a menstrual extraction when the menstrual period is due. During a menstrual extraction, a small plastic tube is inserted into the uterus to withdraw the uterine lining. If an embryo is present, it will be removed. In the United States, menstrual extractions can sometimes be obtained at women's self-help clinics, without proof of pregnancy. However, in Canada, menstrual extractions are only used as a form of early abortion, so proof of pregnancy is required.

3. Wait to see if the menstrual period is late. If it is late, a pregnancy test should be taken 6 weeks after the first day of the last period. This will ensure reliable results. Some of the newer pregnancy tests will show positive results sooner, but they will certainly be more expensive to use. The sooner the pregnancy is confirmed, the easier any abortion will be.

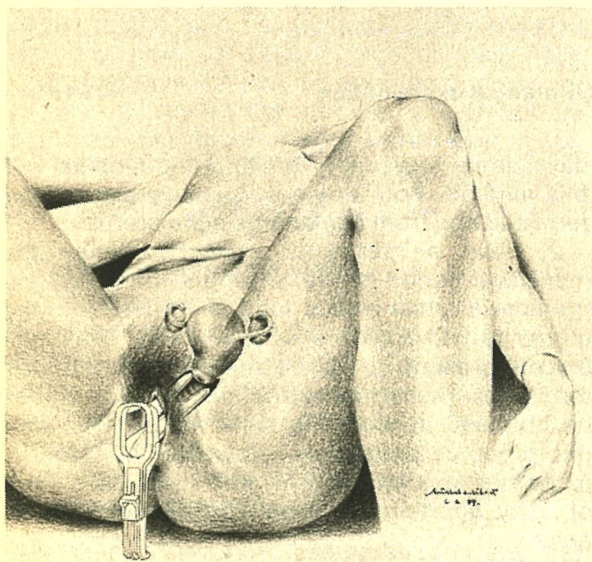
Sexually transmitted diseases: These diseases are spread from one person to another by some form of sexual contact. They can be passed through oral, anal or vaginal intercourse. Two forms which can be most commonly transmitted during an assault and which have the most serious consequences are gonorrhoea and syphilis.

1. Gonorrhoea — It takes about 10 days for gonorrhoea to manifest itself, so any tests done immediately after the assault will merely indi-

cate whether the woman had it at the time of the assault. To make sure that gonorrhoea is not present, it is necessary to have **two negative test results**. These should be done starting 2 weeks after the incident at one week intervals. Women should be certain that they are tested in all areas which came into sexual contact with the assailant — vagina, anus, mouth and/or throat.

2. Syphilis — To test for the presence of syphilis, a blood test (known as a VDRL) should be taken 4-6 weeks after the rape incident. Since 25% of people tested can have "false negative" results, it is important that the woman have a follow-up test 3 months later.

Some hospitals will give antibiotics as a preventive treatment for gonorrhoea. There is some controversy about this practice. It is possible that such treatment can prevent the diagnosis of syphilis. Some hospitals will give the antibiotics automatically while other places will only give them on request. If possible, the woman should talk to a doctor she trusts before making the decision to accept this treatment.



Speculum examination

Michel Hébert

It might be difficult for the woman who has been assaulted to remember to have the tests which must be done several weeks or months after the occurrence. While she may be trying to forget the experience and get back into her regular routines, such tests and examinations may be sore reminders of the painful experience. But these follow-up tests are important for long-term good health. A person who has supported the woman through the initial decisions and experience could offer to be responsible to see that she goes to her follow-up appointments. The efforts will be well worthwhile, ensuring that there will be no lingering medical problems for her to contend with in the future.

Deciding to press charges

The decision to prosecute will probably be made jointly between the woman who has been assaulted and the police. For the woman, it is a commitment to follow through a long, legal process which culminates in a trial. There are several factors which should be seriously considered before any decision is made:

→ What kind of **support** will the woman have during this process?

→ Is the woman prepared for the **time span** between the initial report and the actual trial?

→ If the woman fears **retaliation** from the assailant, can she obtain the security and protection she requires?

→ What is the **police's attitude** about pressing charges?

→ Is the woman aware of what the **trial experience** will entail for her?

→ What is the **possibility of conviction** in this case? If the possibility is remote, is the court experience worth her time and energy?

Support

A woman pressing charges against someone who assaulted her will need continual support as she proceeds through the legal maze on her way to the courtroom. Ideally, there should be at least one person with whom she feels comfortable and who is willing to make a commitment to be with her through all the events. Rape crisis centre workers will usually accompany the victim through all the phases of the legal proceedings, explaining procedures and giving support when needed. Both information and emotional support will be necessary for an assault victim.

Time Span

Women should be aware of the length of time to which they are committing themselves when they decide to follow through with prosecution. Usually it takes 1-1½ years from the initial report after the assault to the actual trial. This process may take even longer if there are postponements of court dates or appeals. Although the woman will not be continuously involved over this period of time, there will be several major events spread out over the months (identification of assailant, meeting with the prosecutor, preliminary hearing, trial). The trial,

which will be the most demanding experience for the victim, will be the last event, coming long after the assault.

Fear of Retaliation

A woman may fear that the assailant will retaliate if she presses charges. The man may have threatened her during the assault or even, once she has pressed charges against him. A woman will have to judge how her fear of the assailant will effect her everyday life, especially since, the legal proceedings will take over a year to finish. It is unlikely that the police will be able to provide protection for that length of time. With the support of friends and family, the victim can decide what measures she can take to obtain the security and protection she requires. In most cases, the assailant will be warned that threatening or hassling the victim will hurt his chances of acquittal in court; he will most likely leave her alone.

Police Attitude

In most places, it will be the police who decide if a charge will be laid. This decision will be made after consultation with a prosecuting lawyer. The police will consider three factors:

→ How committed is the victim to follow through with the charges?

→ How will the case hold up in court?

→ How will the victim hold up in court?

This decision is rarely based on whether or not the police believe the victim's story about the assault. With conviction rates as low as they are, discouraging a woman from pressing charges can also mean there is little reason, in their view, for her to suffer the trauma of the trial when the assailant will most likely be acquitted.

Technically, it is not the victim who brings the assailant to trial. It is the Crown (in Canada) and the State (in the U.S.) that actually presses charges. The victim is the main witness to the event and her testimony will provide the most important evidence in the case. Although it is possible to bring the assailant to trial despite the protests of the victim (she would be subpoenaed to appear in court), this is rarely done. Only in cases where none of the victims have offered to prosecute and the suspect is considered dangerous, will the police and lawyers consider such action. There is little chance for a conviction when the main witness is hostile to the proceedings.

The Trial

Most people have never been to criminal court, so this experience can be new and a little frightening. The atmosphere, the language, the procedures will be very different from the police station and the medico-legal centre. If there is time before a decision must be made about prosecution, it is a good idea for the woman to sit in on a rape case. This can help her with her decision and familiarize her with where she will go and what she will be doing when her own case comes up.

For assault victims, the trial is particularly gruelling. Often the woman will feel that she is the one on trial instead of the suspect. She will need to have solid support from people close to her during this time.

Possibility of Conviction

Of all the cases reported to the police, few make it to the courtroom. Of those that do, even fewer result in conviction. The factors which determine how a case will stand up in the courts are:

→ How soon after the event was the complaint made?

→ How well can the victim identify the assailant?

→ Who is the victim... What is her lifestyle?

→ How and by whom was she assaulted... What kind of threats were made... What injuries were incurred?

Women who decide to go to court cannot count on a conviction. The prosecutor and the police will have some idea of whether there is a good chance of a conviction, but even then, there are no guarantees. A woman must remember that she has not been invalidated if the suspect is not convicted.

Going through the legal process

The decision to press charges means that the victim must follow the medical and legal protocol set up by the authorities in her area.

→ Call the local rape crisis centre. They will probably know the protocol, can be with the woman and her friend throughout the process, will inform her of her rights and the purpose of certain procedures, and might even have a working relationship with the police, doctor and lawyers with whom she will be in contact.

A first and important thing for a woman who has just been assaulted to remember if she is intending to press charges, is

→ Not to bathe, douche or change clothing. These will probably be the first things she would like to do, but her body and clothing are part of the evidence needed for the case. If her clothing is torn or if there is not much of it left, she should put the remains in a bag to give to the police. She must also remember to take fresh clothes with her to the medical examination.

The people a rape victim meets throughout the legal process (the police, doctors, lawyers) will have varying attitudes toward women and assault victims. Some of them might treat her as if it was her fault that she was raped. Others may not believe her story and feel that she is calling "rape" merely because she is dissatisfied with the sexual relations she had with the suspect. Some of them will be sympathetic and understanding, giving her real support. Consistent support from friends, family and people working with assault victims can be very helpful in dealing with these attitudes.

Basically the chronology of events in the legal process are:

- Initial report to the police
- Medico-legal examination
- Investigation by detectives
- Meeting with the prosecutor
- The preliminary hearing
- The trial

Initial reporting

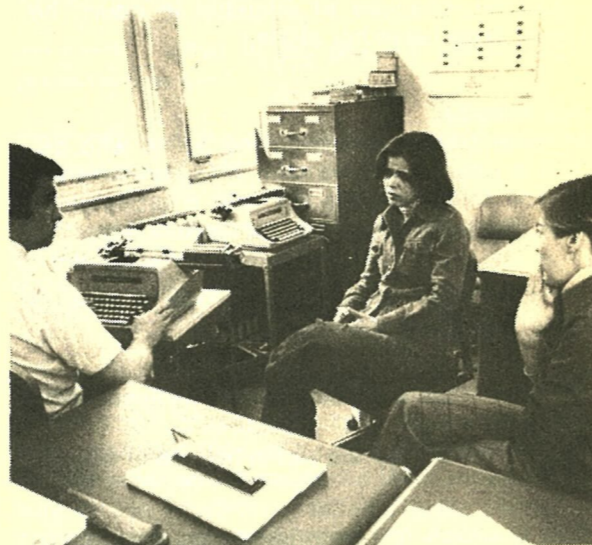
When the police are first called with a report of an assault, two officers will arrive where the victim is staying. Because the police are organized differently from area to area, these officers could be:

- two constables who are on duty in the neighbourhood
- two police officers who work on the "rape squad"
- two detectives who handle most of the rape investigations.

These officers will ask for a description of the assault incident. They will take note of the victim's appearance, her reactions to their questions, and they will include a general description of her behaviour. They will be respon-

sible for collecting any evidence which can be used to 1) identify the suspect, if he is unknown, and 2) establish lack of consent by the woman.

They will then accompany her to the place where the medico-legal examination will be done. Most police departments have a required protocol which assault victims must follow if they wish to prosecute - i.e. the examination must take place at a certain hospital or centre, by a particular doctor. However, some police departments will allow the victim to choose where she would like to have the examination, only requiring that the doctor follow all necessary medical procedures for the collection of evidence and that s/he be available to testify in court.



Tom Levitt

The medico-legal examination

As long as evidence of penetration and lack of consent are required by law to prove a rape, this examination is necessary. As it now stands, the woman's body will corroborate her claim of sexual assault. The medico-legal examination searches for evidence of

- penetration
- lack of consent
- the identity of the suspect

How this examination is experienced by the woman will depend largely on the values and the sensitivity of the doctor and how well s/he is aware of the trauma the victim may be going through. A sympathetic doctor who examines and collects evidence in a gentle manner can

A medico-legal examination

Below is a list of procedures for the medico-legal examination. The purpose of this examination is to collect the evidence for the prosecution. Different places may require some of these procedures and not others.

→ In some places in the U.S., a police officer or detective may be required to be present during the examination. PURPOSE: 1) for the protection of the victim; 2) to see that all the necessary testing is done and, according to the law, to identify the specimens. Many victims are uncomfortable with this and may request that the officer be out of view; (most police officers are uncomfortable as well). The woman may also request that someone be with her for support during the examination (friend, rape crisis centre counsellor, etc.).

→ The doctor or nurse on duty makes a note of the victim's emotional state upon arrival at the hospital or centre. PURPOSE: 1) to see if the victim requires psychological counselling; 2) to see if she needs tranquilizers or other medication; 3) to establish lack of consent. This last purpose is used in support of the myth that a woman who has been genuinely traumatized by a rape experience will be hysterical and sobbing. Even though this is not true, this myth still prevails in the minds of many people who deal with rape victims.

→ The hospital staff will note the condition of the victim's clothing and will place each piece into a separate bag and label it. The clothes will be tested for seminal stains (presence of semen) and blood stains. PURPOSE: 1) to identify the assailant; 2) to establish lack of consent.

→ The victim's injuries will be noted, described and possibly photographed. Some places require permission from the

woman before the photographs are taken and some do not. If the woman has incurred bruises which only become visible several days after the assault and this examination, she should call the police and ask that further photographs be taken. This can be crucial evidence to the case. PURPOSE: 1) to establish evidence of bodily harm; 2) to establish evidence of a struggle which means lack of consent.

→ An internal gynecological examination will be done. PURPOSE: 1) to check for any injuries to the vagina and the cervix; 2) to check the condition of the hymen to establish lack of consent and penetration. The condition of the hymen is not relevant to the issue of lack of consent. The hymen of a woman who has had an active sex life may not show any damage after a rape.

→ Secretions are collected from the vagina. A small aspirator is inserted and the fluid is collected from deep inside the vagina. If there is not much secretion, a small amount of saline solution (salt water) is inserted into the vagina so that some fluid can then be obtained. This fluid will be tested for the presence of moving sperm indicating that intercourse took place very recently. The sperm can also be identified and recorded. PURPOSE: 1) to establish evidence of penetration; 2) to identify the assailant.

→ Pubic hair and hair from other parts of the body will be combed and taken from the victim to be analysed and differentiated between her hair and foreign hair. PURPOSE: 1) to identify the assailant. 2) to substantiate the victim's claim.

→ Some places may scrape beneath the finger nails of the victim looking for skin which may belong to the assailant. PURPOSE: 1) to identify the assailant; 2) to show evidence of struggle to establish lack of consent.

help the woman feel that she will be supported through difficult procedures when pressing charges. A cold, condescending approach can make the victim feel that the examination is another invasion of her privacy, another act of humiliation. As difficult as it may be, if the victim is committed to pressing charges and the examination is required, it must be done.

There are two major contradictions within the medico-legal examination which should be pointed out.

→ Evidence collected from the woman's body for the purpose of identifying the suspect is rarely used. Tests such as sperm identification, blood typing, samples of pubic hair and nail scrapings, all suggest that similar tests will be done on the suspect to match the evidence. However, our judicial system pro-

tests all people who are merely accused (and not yet convicted) of a crime, by not requiring them to undergo any testing of this kind. Evidence collected for identification of the rapist is only useful if the suspect has a previous record and the information is already on his file.

→ The collection of sperm from the woman's vagina to indicate proof of penetration will more correctly provide proof of ejaculation. What is often confused in the courtroom is the fact that penetration and ejaculation are 1) not the same thing and 2) do not always happen together.

After these tests have been completed, the woman must still look after her medical needs (page 35). This care is usually not included with the collection of evidence.

Investigation

The investigation by the detectives who will be working on the case will begin shortly after the initial report and medical examination. The investigation will include the following:

- Obtaining a statement from the victim
- Positive identification of the suspect
- Bail hearing
- Collection of any further evidence needed for the case.

Several days after the initial report, one or two detectives will visit the assault victim. They will ask her again to describe her experience. They will either prepare a statement from what she has told them and ask her to sign it or they will ask her to write out her own statement. If she knows the assailant, they will question her about their relationship. If the suspect is unknown to the victim, they will try to get a description from her. Some detectives who deal with a lot of assault victims are understanding and try to make the questioning as painless as possible. Others hold some of the popular beliefs discussed in the first half of this book, and, as a result, treat the victim as if she were the guilty party. Women who have been assaulted can be particularly vulnerable, so it is very important to have support people around at this time.

If any of the detectives working on the case do not believe the woman's story, she may be asked to take a lie detector test (polygraph). It is usually used to increase the motivation of a particular detective, though in some areas it has become routine. This test cannot be used as evidence and the woman should know that she is not legally required to take it.

During the following few days or weeks, the woman may be asked to go to the police station to identify the suspect. She may try to find him from mug shots, composite drawings, or, if someone is apprehended, she will be asked to identify him in a line-up.

After the suspect has been apprehended and identified by the victim, a bail hearing will be held if 1) the suspect is considered dangerous to the community or 2) if there is a suspicion that he will not attend the trial. The rape victim is not required to attend. If no bail hearing is held, the suspect is released on his own recognisance (his word that he will show up for the trial).

The detectives will finish preparing the case and collecting the evidence. They will then send this information to the crown (or state) prosecutor who will prepare the preliminary hearing and trial.

Meeting the prosecutor

Before a victim goes to the preliminary trial, she will meet the crown (or state) prosecutor. S/he is the lawyer who will be trying to prove that an assault **did** take place between the victim and the suspect. This meeting will take place a few minutes to a few days before the hearing.

Lawyers who work as prosecutors are on salary and do not choose the cases they will be representing. They usually have little control in determining how much time they can spend on any one case. Most prosecutors are working in this way in order to gain experience for their own future law firms.

There are prosecutors who are very good at preparing assault victims for the trial experience. They are able to show the woman the kind of treatment she can expect in the courtroom, instruct her on how to deal with distasteful questions, and still remain supportive of her. Other prosecutors will leave the victim feeling like there is no one representing her. She may feel as harassed by the prosecutor as by the defence lawyer.

Because of these difficulties, some women choose to pay for the services of a private lawyer. A private lawyer can only assist the crown and cannot represent the case. Under these circumstances, they will see their lawyer several times before the hearing and will be able to establish some rapport and trust with her/him. They will probably get more information about the court proceedings and what the main issues will be during the trial. The main disadvantage, of course, is that lawyers' fees are very expensive and, therefore, this is not an alternative for the majority of assault victims.

The preliminary hearing

The time it takes for a case to come to a preliminary hearing will depend on 1) how busy the courts are and 2) whether or not the suspect has been released on bail. It will usually happen within 6-9 months after the assault.

The experience of the preliminary hearing is very much like a trial - only shorter. All the witnesses will be called to the stand. They will be questioned and cross-examined. The whole procedure will usually last no longer than one day.

The purpose of the hearing is to decide if there is enough evidence to warrant a trial. That decision will be made by a judge after all the evidence has been presented. If there is to be a trial, the woman will be notified a few months later of the trial date.

The trial

The trial follows the preliminary hearing. The amount of time between these two events will depend on how busy the courts are and whether the suspect is out on bail. Sometimes the trial date is set and later, postponed upon request of the defence attorney. A victim should expect about 6-9 months between the hearing and the trial. The trial will usually last about 4 days.

The trial is held in criminal court. The suspect, as any defendant, has the right to choose a trial by judge or a trial by judge and jury. Most often a jury trial will be requested since precedence has shown that there is a better chance for acquittal with this choice.

There are three types of arguments which a defence lawyer can use to prove the innocence of the suspect:

→ **Lack of positive identification of the suspect:** In this case, the defence lawyer will attempt to prove that the suspect was not the man who raped the victim. There will be no question here regarding **if** the rape occurred; the question will be **who did it**. This type of defence is usually used when the man is a stranger to the woman. He may have an alibi stating that he was not with the victim at the time of the assault.

→ **Lack of proof of penetration:** This issue will only be pertinent in **rape** cases since there does not have to be actual intercourse to lay a charge of sexual assault or attempted rape. The defence lawyer will attempt to prove, with the support of medical evidence, that there was no vagina/penis contact but will try to prove indecent assault.

→ **Victim consented to sexual intercourse:** This is the most common defence during rape trials. The defence lawyer attempts to show that the woman's claim of rape is false. S/he will distort the victim's testimony; if allowed s/he will expose her sexual history and previous relationships with men, and question her moral character. In short, the defence lawyer tries to prove that the victim had ulterior motives which changed her "yes" during the actual act of intercourse to a "no" after the event.

Many of the statements about the victim which the defence lawyer will present to the jury will resemble the popular beliefs which were outlined in the first half of this book. The acquittal of the suspect often depends on these negative images of women and rape victims. We have pa-

raphrased some of the concluding statements which defence lawyers frequently present when summing up their case to the jury, to show how these beliefs can be used:

→ "Everyone knows how hard it is to make love to a woman who does not want to. We must look at how hard this woman **actually** tried to get away from this man."

→ "From the looks of the history of this woman's relationships with men, I would say it is questionable whether she even knows the difference between intercourse and rape — and if she does, I contend that she might even enjoy both!"

→ "From the events which have been described, it seems that our "victim" flirted and tantalized the suspect. And then, when he proceeds to indulge with her wishes, she suddenly changes her mind! And what is he to do? Is this the action of a nice, respectable woman?"

→ "This case actually boils down to one person's word against another's. And from past experiences, we all know that there are hundreds of cases each year of women who cry "rape" after they have had an unsatisfactory sexual experience."

The woman must try to separate the defence lawyer's image of her from her own self image. It can be quite difficult and even traumatic when a woman hears herself described in these terms. Because the popular beliefs about rape victims extend to women in general, the negative images of the rape victim portrayed by the defence lawyer will be extremely difficult to resist. Many marriages, friendships and families break down under the stress of a rape trial, just when the victim needs support most. It is well worth being prepared in advance. It must be re-emphasized that she must have **solid support** during this time from her family, her friends, and, if possible, from a group like a rape crisis centre.

The woman can also be reminded that the suspect, even if wrongly acquitted, had to pay out his time and money for the court process. There may be some consolation in this for the victim. If the woman has been properly informed on the frequency of acquittal in rape cases, she will have less personal distress should the assailant not be convicted. Whether there is a conviction or not, the woman should receive continued support and recognition for her courageous effort.

psychological aspects of rape

A woman who has been sexually assaulted has been abused in a violent manner. Her life may have been threatened. Her innermost psychological and physical privacy have been invaded. It is an experience which will necessarily upset her psychic balance and she may find it difficult, if not impossible, to deal with even the simplest routines for awhile. The scars left from such an occurrence may take days, months, even years to heal. In some cases, the damage may be permanent.

All victims of sexual assault do not experience the same post-rape trauma, nor is this trauma expressed in the same way. The impact of such an experience will vary. Women will show their pain and their fear in different ways. Consequently, they will require different kinds and amounts of support.

However, we can speak about a process which many women go through when they react and begin to deal with what has happened to them. Burgess and Holstrom and Fox and Schnerl have researched victims' post-rape reactions. Their findings are applicable not just to an assault experience, but to any traumatic crisis in a person's life. They have found three overlapping phases in a person's reactions to stress:

- The impact
- Re-adjusting
- Integration

We will describe some of the **feelings** which rape victims have during these phases and some of the **behaviours** they might exhibit. We will also discuss briefly the issue of **support** during each phase — its importance, the effects of negative and positive help, and some practical ways of giving useful support. These descriptions should help the rape victim understand what she is feeling, and provide others with a better idea of what she might be going through.

The Impact

This first phase of the assault trauma is by far the most intense and crucial time. It is during the first few moments or days after the assault that an atmosphere is created. The woman's initial feelings, and those she sees others having, can determine whether her crisis is temporary or long term.

Feelings: The first feelings women experience after a rape can be quite varied. Below are some of these feelings as described later by the victims themselves:

→ **Shock and disbelief:** "I felt numb all over. The whole world seemed different to me. Nothing was quite real. I kept wondering over and over again, "How could this happen to me, how could this happen to me?"

→ **Anger:** "I was enraged. I was so mad. How could he have treated me that way, done that to me. And I was angry that I had to take it; that I was so scared that I had to just take it from him."

→ **Fear:** "The terror was really overpowering. I have never felt anything like it. I was scared that it would happen all over again. I was scared that he would find me again. I was scared that I might have been killed... I was scared of everything. I just had a scared feeling all the time."

→ **Guilt and self-blame:** "I kept going over the whole thing again and again. Looking at the details of what I did. I was convinced it was my fault... that if I had not gone to the party, had not had a few drinks, had not talked to him, it would not have happened... It wouldn't have, but it took me a long time to see that I didn't do anything wrong."

Frequently, all of these feelings occur, and a woman (and her friends too) may become very confused as she jumps from one emotion to another.

Behaviour: Women exhibit these feelings in very different ways. For a while, they will probably become very different people since the feelings they are having are unusual, are very intense and quite painful. Some women walk around in a daze, their movements becoming very mechanical and automatic. They may be totally unaware of what is going on around them — always seeming to be "off somewhere", dreaming. At the same time, they can appear very cool and calm when approached with questions or decisions, preferring to keep their feelings to themselves. Some women lapse into periods of sobbing, then become calm, then sob again.

Others cry continually, some feeling totally out of control and unable to handle the emotions they are feeling.

Often women want to escape from the world completely for a time. They refuse to go to work, refuse to see anyone, want to hide and may even go to bed for a week or more. Others do not want to be alone at all after the assault. The fear they have experienced does not go away when the assailant leaves. They will be afraid to go outside alone (and sometimes even with others); they may be afraid to be with too many people, wondering if everyone is discussing the incident.

All of these behaviours are normal expressions of initial feelings during the "impact" phase. It is important that women are supported and cared for during this time so that this period is temporary and not long term.

Support: The quality and extent of support which a woman is given during this time can be very important. Insensitive and accusatory attitudes may further increase (and sometimes, create) feelings of guilt and self-blame. If she is regarded as having created a crisis for others (her parents, her boy-friend or husband), she may retreat, understandably, into herself and integrate the feelings others have for her. If others do not understand or accept her **with** her experience, she may not adjust outwardly for a very long time.

Support which encourages her to recognize her reactions as normal, her behaviour as understandable, and her questions as necessary, will allow her to regain some of her self-confidence very shortly after the assault. She must feel an atmosphere of warm caring and confidence around her for this to happen. She can be encouraged to participate in the tasks and decisions which must be made about medical treatment, reporting to the police, and her responsibilities to others.

If possible, a victim should try to talk about the assault. She should be encouraged to express her feelings — guilt, anger, disbelief, etc. None of her feelings should be denied as useless, silly or inappropriate. They do exist and it is best that she try, with those close to her, to understand why they are there. Often family and friends do not want to talk about the rape, believing it is better to forget about it. The woman, however, cannot forget it and may interpret this avoidance of the subject as embarrassment or blame which others feel about her and her experience. If speaking about the assault is too difficult for those close to the victim, they should contact a rape crisis centre or a counsellor who can help everyone deal with such experiences.

Re-adjusting

Slowly the victim will approach the point where she wants to handle the practical problems and situations in her life again.

Feelings: This phase is marked by a woman feeling that it is time to resume her daily activities. She will want to take the assault out of the limelight, and concentrate on other aspects of her life which were temporarily ignored or pushed aside. She will probably be feeling some relief that she is becoming less obsessed by the assault and, therefore, may deny that she is troubled by it at all. Though she may still experience nightmares or be startled when someone enters the room, generally this is a time of less intense and less frequent painful feelings.

Behaviour: The important factor during this time is **movement**. Whether a woman has decided to reassemble her life or to change her life (a new place to live, new job, etc.), she will be trying to construct a lifestyle where she can feel comfortable again. Energy which had been expended on feelings, talking, or even repressing the assault, now goes into activities, into taking care of herself. Although there may still be some dependence on the people who were closest to her right after the rape, she will probably talk a lot less about the event and her feelings about it.

Support: It is important for people who are supporting the woman, **to respect this movement while not denying the existence of the experience**. Though external movement and activities are necessary, internal (emotional) resolution is also important. The activity of reconstructing her life can give her a new perspective on her feelings about the assault and her actions during it. She should be encouraged to reflect on the event from time to time, if only to appreciate how much she has changed.

Since a woman may repress the rape experience during this time, she must be reminded of her medical follow-up tests for sexually transmitted diseases. If she had temporarily moved in with a friend right after the assault, she can be invited over for dinner or even for the night. There should be a gradual weaving of the intense support but with a clear message that she can still depend on this support when needed.

During this time, many husbands and boy-friends find it difficult to support the woman. She may still recoil from sexual involvement even though she may seem to her partner to be over the trauma of the experience. Pressure to have sexual intercourse can easily recreate the atmosphere of the assault for her. She must feel that the relationship she is in can be supportive of her sexual decisions and demands especially at this time in her life.

Integration

Now that the woman can deal with her daily activities, she may want to again reflect on what has happened to her in an attempt to understand any questions or feelings which are yet unresolved.

Feelings: During this time, a woman is trying to reconcile her thoughts and feelings about the assault. Feelings of frustration, anger and guilt may re-appear, as she attempts to resolve whether she had any responsibility in the crime and tries to establish her anger at the rapist and others who have dealt with her insensitively. This is a period of personal introspection and she may feel cut off from others — especially those from whom she feels ambiguous support. She may become very discouraged if she perceives that, despite her efforts to reconstruct her life, she is still plagued by nightmares, fears of being alone at night, feelings of paranoia and an inability to enjoy sexual relations. This time often coincides with the trial, and the re-living of the experience and the feelings which occurred right after the assault. Though she has come a long way, **she** may feel that all her changes were only temporary cover-ups.

Behaviour: Often a woman may require time alone — but now in an effort to reflect upon, rather than to escape from, reality. During this process, she may seek out someone to talk to — someone she feels can help her resolve questions and feelings she doesn't understand. She may act out some of her angry feelings about the rapist on those people close to her. She may revise some earlier decisions when she was trying to feel secure (for example, living at home). She may now try to establish a lifestyle which can reflect her attempt to be a free, independent person.

Support: This is time when both the victim and her family and friends must remember that the impact of a sexual assault is quite deep and takes time to resolve. She can be gently reminded of the severity of the experience, when she feels she is falling short of her expectations to recover. Anger toward the rapist which she might direct toward others should be understood and not taken personally. Although she can be supported in her efforts to spend time alone, it should not be forgotten that she still needs active support. Attitudes of the police and lawyers which may arise during the trial and which may be very critical of her behaviour and motivations, must be explained to her. She should be reminded that these are attitudes in our society towards women — not just towards her, personally. This can be a very long and difficult time and it is possible that she may want some counselling. Though she can be encouraged to seek this help, it should not be an excuse for those

close to her to discontinue their help. Good therapists can be hard to find. Neither the woman's friends nor family, should be afraid to interfere if she is not responding to counselling. The rape victim, herself, should change counsellors if she is not improving. It may help to look critically at the ideas and values of the therapist and make a change to another counsellor, if necessary.



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These phases are to be considered a process which many women who have been sexually assaulted go through. They are not to be used as a checklist for acceptable or non-acceptable behaviour. Each woman is an individual and will respond in her own unique way. As with all processes, some people will stop along the way and progress no further. **If a woman is still having difficulty with the assault experience many years after it has happened, it might be beneficial to look at the kind of support, or non-support, she received at the time of the rape or shortly after.**

Often women doubt their own ability to deal with such crises, forgetting the difficulty of their task. Women who have been assaulted must integrate into an environment where rape is a common occurrence. They must learn how to live with their experience and with the knowledge that it could happen again. Having learned a painful lesson about woman's position in society, it is unlikely that they will return to their pre-assault state of mind. People close to them must understand these difficulties. Often this support will determine how long a woman remains a victim.

conclusion

In the first half of this handbook, we looked at rape as a social (public) problem. In our society, rape laws are essentially property laws, protecting men from the disgrace of having their women (property) stolen or devalued. We showed how these laws are still in operation today. We also examined some of the popular beliefs about assault victims and rapists. We saw that although these beliefs do not correspond to how rapes occur and who is involved, they still form the basis of how victims and assailants are perceived and treated.

In the second half of the handbook, we looked at how these patriarchal values are taught to us and how they are expressed in men/women relationships. We learned that the sex roles we learn are based on inequality, and that they predispose men and women to sexual coercion. We examined some of the ways relationships can change. We looked at different ways of dealing with assault situations — before, during and after they occur — so that women might avoid being **constantly** victimized.

Changing how individuals act toward each other **and** changing the material conditions which reinforce particular sex roles require different kinds of actions. In relationships, personal issues should be confronted to find individual solutions to problems, and to learn to respect the feelings and needs of each other. In society, public issues should be confronted to find solutions to social problems, and to create an environment in which the social needs and feelings of **all** people are respected.

Before action is taken, there must be an idea of how things are to change. What are the long term goals? What structures in society must be changed to reach these goals?

To begin an analysis, we examine existing structures and values for sexism. Sexism is the perception that one sex (in our society, it is women) should have an unequal, lower status than the other. This inequality is reflected in the social, economic and political areas of daily life. When women are believed to be inferior to men and are treated as such, then any expression of power over them becomes an act of conforming. Assault cannot be eliminated, or portrayed as a gross act of deviance, until sexual relationships are equal.

With this as one of our goals, the following are some of the changes which would eliminate sexism from relationships and from society:

Relationships must change so that:

- both partners have a right to make sexual demands and feel an obligation to respect the sexual feelings of each other.
- the expression of emotion and the ability to articulate feelings is considered necessary for the psychological health of both sexes.
- making decisions as a couple or a family are the result of cooperative efforts and not the sole responsibility of one person; and that the decision making process considers everyone's opinions and feelings.
- maintaining a home (housework) is the joint responsibility of all the people who live there.
- parenting requires the commitment of both the mother and the father; except for childbearing and breastfeeding, all tasks are learned and shared equally.
- the sexual differences between men and women are basically seen as physical traits; real character differences can only emerge when the sexes are seen and treated as equal.

Conditions of society must change so that:

- all people have a right to live in conditions which promote health, security, and individual growth.
- all people have a right to walk alone at night, hitchhike, and go to public places alone without fear of being sexually abused.
- all people have the opportunity to develop their physical strengths and abilities — sports, team games, etc.
- all people have a right, even an obligation, to participate in the political decisions which affect their lives — rape laws, marriage laws, job creation and job shortages, taxes, wage controls and price increases, etc.
- all people have a right to be paid for their work and such payment should reflect the time, energy, and social value of the work.
- All people have a right to equal access to respectful work regardless of their sex, race, religion or age.

How to go about changing present conditions and relationships is another question and one which must be answered individually **and** together. Different people and groups choose different methods. However, there are two aspects to this kind of confrontation which can help make actions effective:

Involvement — Trying to change sexual attitudes and the conditions which promote these attitudes is not work which happens **outside** of people's lives. It cannot be a new cause, confronted just at meetings and demonstrations. Effective confrontation requires that these values are dealt with as they emerge **during** experiences — within sexual relationships, within work, within families. It is a way of seeing the world as a changing entity and will mean a full time involvement. In this sense, no relating between people is trivial.

Realistic expectations - Short-term changes should be evaluated to reflect long-term goals. (for example, putting women into positions of power with more money in their pockets, merely gives some women equal access to unequal opportunities). Major social and personal changes take time and it is important to remember this when efforts seem to be leading nowhere.

Below we suggest some of the contexts where the conditions of society and the roles of men and women are being confronted. This is not an exhaustive list, nor will it be applicable to all parts of Canada and the United States. But it does give an idea of what **can** and **is** being done by people who see a need for change.

→ **Supporting rape crisis centres** — Rape crisis centres are perhaps the most vital, effective expression of the needed changes in rape laws and popular beliefs about victims and assailants. The growth in the number of these centres over the last few years is a clear indication that women feel victimized, and that traditional institutions are not yet offering the aid and protection women need.

As well as servicing the unmet needs of the victims of sexual assault, rape crisis centres have also become a focus for organizing many actions for change. Most centres provide education programmes for the public; apply political pressure to the government; lobby for legal reforms within the courts; and serve as a mouthpiece for victims who are dissatisfied with the treatment they receive from their family, friends and institutions.

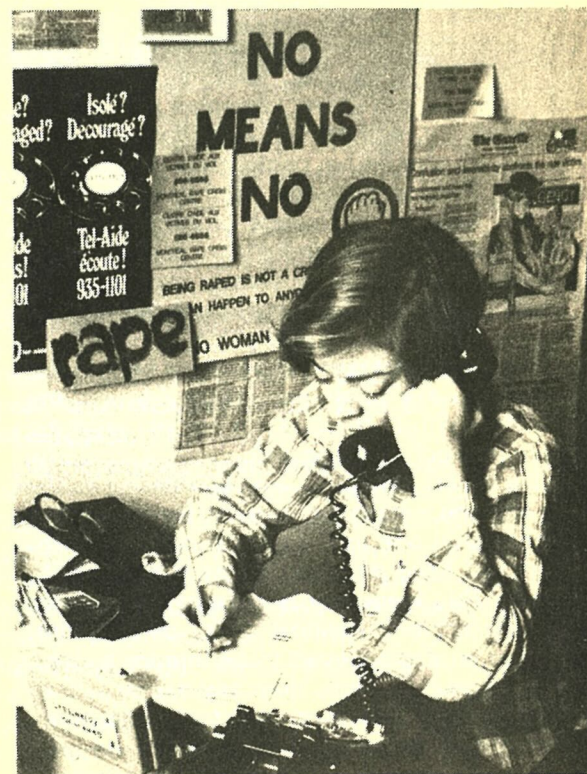
Rape crisis centres, as with any non-institutionalized group, depend on the involvement and interest of the public. Many are without funds and must rely on people to donate their time and energy to keep essential services going — e.g. 24 hour crisis line, accompaniment to the police station and to court. Even centres which have

managed to squeeze money out of the government or charitable groups, can usually only afford to pay a few organizers. They must still depend largely on volunteers.

Like many centres run by women, most are trying to structure their organizations to allow all the people who participate in the work of the centre to be involved in the decision-making process.

Rape crisis centres in both Canada and the United States vary from area to area in their membership criteria. Some centres only accept women as volunteers to work with rape victims. Some centres only accept women who are feminists. Others require that all volunteers have some expertise in the martial arts and self-defense. Still others have men involved in their counselling programmes and in their educational work.

Regardless of the style, the funds available or the number of people involved, rape crisis centres provide a context where people who want to help change attitudes about rape can get involved. These centres should be encouraged to exist for as long as they are needed and be actively supported by interested members of the public.



Tom Levitt



Allan Manus

→ **Discussion groups** — Consciousness-raising ("c-r") groups for women and men are another means of becoming aware of the problem of rape. These groups are basically used to orient women and/or men to their changing roles in society and in their relationships. These groups usually encourage women to become more assertive and independent, and encourage men to become more sensitive, caring and gentle.

Women's consciousness-raising groups are forums where women can begin to develop their individual goals apart from men. With the help of other women they learn to appreciate work that they do, appreciate their own talents, and try to understand and practice behaviours which are not victimizing.

Men's groups are not nearly as prolific as women's groups, though the need for them is just as great. Within this forum, men can learn to confront each other about sexist jokes and statements; they can learn how to approach women in an equal, respectful manner; they can become aware of the difficulties women face as potential victims and how men might diminish these difficulties. The quest for equality need not be a threat. Men have a great deal to gain from the struggle for equality.

Consciousness-raising groups are usually formed through women's centres or community centres. They are frequently animated by someone who has been through a group. Though they are not as numerous as they were in the late '60's, these groups are still important as places where men and women can educate themselves about their sexual roles.

→ **Rape education programmes** — Setting up programmes in the schools and in community centres to allow for discussion around the issue of assault can help educate people while they are learning about men/women relationships. These programmes can deal with rape as both a private problem and a public is-

sue. People representing the various institutions and groups — police, doctors, lawyers, rape crisis centre workers — can be invited to speak to student and community groups. This type of programme will help people look at their social relationships to see how sexism is part of their lives.

→ **Exposing pornography which promotes false ideas about women and rape** — In most pornographic material, women are shown as sexual objects whose main purpose is to gratify the male sexual urge. Rape is often misrepresented as a sexual experience for both the male and the female. The effects of fear and violence on the woman during an assault are always ignored. Organized actions and educational efforts can raise these issues and make people aware of the literature and films responsible for promoting these distorted images.

→ **Lobby for better medical treatment and care** — If the charge of rape changes to a charge of assault (with various degrees), then the medico-legal examination becomes a factual recording of the injuries a woman received during the assault. More concentration can then be placed on her well being. She will not have to endure unnecessary testing such as looking for proof that she did not consent to her injuries, or trying to find traces that there was penis/vagina contact.

Until the medico-legal examination is changed, the hospital staff should be encouraged to develop sympathetic attitudes toward rape victims. They should be sensitive and understanding, explaining the reasons for the various tests and procedures, and helping women to feel as comfortable as possible while the exam is being done.

Women's groups and rape crisis centres are working with many hospitals and their staff to develop protocols in which the interests of the victims are the main priority.