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A Discursive Investigation into Victim Responsibility in Rape

The concept of victim responsibility has assumed a central place within psychological research into perceptions of rape. Research repeatedly reports that victims may experience secondary victimization and perpetrators may receive light sentences or even be absolved of the crime. Despite new policies and practices in the UK in respect of rape crimes, attrition rates remain extremely high. This article examines victim responsibility in the talk of convicted sex offenders and those who work with them. Twenty-three interviews were conducted with professionals and paraprofessionals who work with sex offenders. The taped therapy sessions of a prison treatment group were the source of perpetrator talk. Discourse analysis identified the existence of two discourses; the discourse of desire and the discourse of commonsense. Separately and together, these discourses served to attribute some responsibility to the victim and to conceptualize rape as sex.

Key Words: discourse, discourse analysis, rape perception

The concept of victim responsibility has assumed a central place within psychological research into the perceptions of rape and rape victims. Jones and Aronson (1973) appear to have first used the term to explore the influence of information pertaining to the respectability of the victim (defined in terms of her marital status) on judgements about her responsibility for the rape. Since then a steady flow of studies has examined characteristics of rape victims that are associated with the attribution of responsibility to the victim. Indeed, as Allison and Wrightsman (1993) have pointed out, attribution of responsibility to the victim is so commonplace that research has focused not upon whether or not it occurs, but on what factors are associated with such attributions. Research findings generally agree that the victim’s dress (e.g. Whatley, 2005), physical attractiveness (e.g. McCaul et al., 1990), previous sexual history (e.g. Schult and Schneider, 1991), level of intoxication (e.g. Stormo et al., 1997; Finch and Munro, 2005), level of
resistance during the attack (e.g. Ryckman et al., 1992) and relationship to the perpetrator (e.g. Bell et al., 1994) are implicated in the attribution process. Demographic characteristics such as the victim’s race, class and marital status as well as characteristics of the observer making the judgement (including their rape myth acceptance, sex-role beliefs, etc.) have also been found to be associated with responsibility judgements (Krahe, 1991; Willis, 1992; Lee et al., 2005).

The implications of this well-documented process for the victims of rape are serious. Victims may experience secondary victimization (Williams, 1984; Doherty and Anderson, 1998), and perpetrators may receive light sentences or even be absolved of the crime (Russell, 1984; Matoesian, 1995). Indeed, as early as 1979, Feild called for ‘fairness’ in rape trials following research that concluded that ‘extraevidencial factors had significant effects’ (p. 261) in such trials. Twenty years later, it could be argued that Feild’s recommendation and the subsequent research that has served to legitimate his view have largely been ignored. Researchers have found that new police policies and practices in the UK in respect of women reporting sexual violence have failed to curb the extremely high attrition rates in cases of rape and sexual assault (c.f. Gregory and Lees, 1996; Lea et al., 2003). Gregory and Lees (1996) note that the number of women reporting rape is still a small proportion of those assaulted, and once within the criminal justice system cases fall away in large numbers at each stage of the process. Lea et al. (2003) found that just fewer than 10 percent of all cases led to some sort of conviction, and only 5 percent resulted in a conviction for rape.

Rape perception research generally, and victim responsibility research specifically, is firmly located within a positivist-empiricist epistemology. The limitations of this paradigm, particularly for the exploration of social psychological issues, have been extensively documented since the ‘crisis in social psychology’ in the 1970s (cf. Parker, 1989). Knowledge about rape perception is produced within a paradigm that tends to rely heavily upon experimentation that is characterized by reductionism and that takes the individual as the unit of analysis. Consequently, such research operates within a framework that is unable to understand the ‘complex social processes which perpetuate rape-supportive culture in everyday talk’ (Doherty and Anderson, 1998: 584).

By conceptualizing victim responsibility as an individual matter (i.e. attributable to the personal characteristics of the victim, the perpetrator or the observer), the socially constructed nature of victim responsibility is ignored. In other words, the psychology remains unable to transcend the individual-social dualism that remains at its core. This form of dualism refers to the way in which the vital concepts of ‘individual’ and ‘society’ are theorized as two separate entities engaged in interaction with one another. The problem lies in the fact that ‘individual’ and ‘society’ remain fundamentally ‘separate’, and no account is possible of how the individual becomes essentially social. As a result, mainstream psychological research remains impotent in terms of truly addressing ‘the social component of psychological functioning’ (Henriques et al., 1984: 13).

Human subjectivity is inseparable from the social domain (Hollway, 1984),
and rape is usually committed by men against women in societies characterized by a broadly patriarchal order.\(^1\) Perceptions of the act of rape, the perpetrators of this crime and the victims thereof are not best understood by seeing those perceptions as individual, private interpretations or attitudes.\(^2\) The attributions people make and the attitudes they express are constructed by, and are constructive of, the ideological context they inhabit. In short, ‘psychological phenomena have a public and collective reality, and we are mistaken if we think that they have their origin in the private space of the individual’ (Burman and Parker, 1993: 1). In order to understand rape perceptions, a theoretical framework is needed that can account for how the social ‘gets inside’ the head of the individual, thereby supporting the status quo and making social change difficult.

Interestingly, mainstream victim responsibility research has highlighted the salience of ideology (defined here as the processes of everyday thinking, as ‘lived ideology’; Billig et al., 1988) for understanding human subjectivity. However, due to the constraints of a positivist paradigm, it is unable to adequately theorize this aspect of its study. Research on sex-role beliefs and rape myth acceptance is illustrative. Both sex-role beliefs and rape myth acceptance have been shown to be implicated in the attribution of responsibility to rape victims. Thus, observers holding traditional sex-role beliefs are more likely to attribute responsibility to the victim, while those holding less traditional sex-role beliefs are less likely to attribute responsibility to the victim (Jensen and Gutek, 1982; Ryckman et al., 1992). For example, Muehlenhard and Falcon (1990) assessed whether men’s heterosocial skills and attitudes toward women were related to verbal and physical coercion in a sample of 1152 male introductory psychology students. They found that men who accepted traditional gender roles or male sexual dominance were more likely than other men to have engaged in verbal sexual coercion and forceful rape. Similarly, greater rape myth acceptance has been found to be related to blaming the rape victim more for both male and female observers (Jenkins and Dambrot, 1987). Scully (1994), in an attempt to develop a profile of convicted rapists, found that the single distinguishing feature of rapists (when compared to other felons) rested in their beliefs and attitudes. She notes: ‘It must be emphasized that the factors that distinguish rapists – belief in a double standard, belief in rape stereotypes and strong identification with the traditional male role – find general support in our culture’ (1994: 91).

It is argued here that sex-role beliefs and rape myths represent exactly those ‘lived ideologies’ or ‘commonplaces’ (Billig et al., 1988) that reflect and perpetuate the structural relations of society. However, by theorizing them as individual ‘attitudes’ or perceptions, they remain located at the level of the individual, and the social component of their formation and impact is lost. By taking a discursive perspective, it is possible to move beyond seeing the individual and society locked into some form of interaction and to show how individuals are constituted through the social domain. Such a perspective seeks to understand human action in terms of the language used to account for that action. Accounts are not understood to lay bare the ‘true’ motivations of the speaker but are seen
to be oriented to the social context within which they are produced. Speakers draw upon the linguistic repertoires or discourses available within their language community in order to render their social action intelligible. These discourses embody the sociopolitical realm that is then both produced and re-produced through language (Burman and Parker, 1993). In this way, human subjectivity and social ideology are inextricably inter-related. Attributing responsibility to the victim of rape, therefore, is not the function of a stable set of attitudes and beliefs that reflect the views of the speaker. Rather, attributing responsibility is something that is discursively accomplished through the construction of a particular version of events.

Increasingly, scholars in the social sciences are focusing upon discourse or text in order to understand complex social issues. This is true of research into violence against women generally (e.g. Hanmer and Stanko, 1985; Hearn, 1998) as well as into specific forms of violence such as domestic violence (e.g. Adams et al., 1995) and rape (e.g. Gavey, 1992; Kelly and Radford, 1996; Kitzinger and Frith, 1999; Ehrlich, 2001). Many of these scholars adopt an explicitly feminist stance, and there can be little doubt that feminist scholars in general have made a substantial contribution to the study of violence against women – commencing with Brownmiller’s (1975) seminal text in the area. Specifically with respect to research on rape, studies (e.g. Scully and Marolla, 1984; Scully, 1994; Anderson and Doherty, 1997; Doherty and Anderson, 1998) have challenged the dominant notion that rape is committed by a few ‘sick’ men and highlighted the way in which ‘cultural perspectives, and not an idiosyncratic illness, motivated their behaviour’ (Scully and Marolla, 1984: 542). Furthermore, such work has shown how culturally dominant notions about rape construct discourse about it. For example, Erhlich’s (2001) analysis of the language of sexual assault trials reveals the powerful role of talk in ‘defining and delimiting the meanings that came to be attached to the events and subjects under scrutiny’ (p. 1).

In this article, the focus of analysis is specifically upon those ‘rape myths’ associated with victim responsibility in the talk of convicted sex offenders and the professionals and paraprofessionals who work with them. Initially, it was the author’s intention to examine only sex offender talk. However, parallels in the sex offender and professional/paraprofessional data sets prompted a re-examination of the material. The aim here is to contribute to the small body of alternative theory in relation to ‘victim responsibility’ in rape. Rather than seeing ‘responsibility’ as a fixed category that is present in or absent from the attitudinal matrix of sex offenders and the people who work with them, this article seeks to examine the way in which responsibility is achieved. The focus of the analysis is upon the discourses used to describe and explain social action. By deconstructing the talk of sex offenders and those who work with them, it is hoped to shed light upon the social processes that ultimately allow most men to get away with rape, and which leave women blaming themselves. Thus, the aim is to expose the linguistic building blocks of talk about crimes of rape that form the social commonplaces that circulate in our society.
METHOD

The textual material presented in this study represents part of a corpus of material collected as part of two research projects.

*The Sex Offender Data*

The first of these two research projects examined the moral career of imprisoned sex offenders. The data for the study comprised transcripts of group therapy sessions held within a large state prison in the UK. The Sex Offender Treatment Programme (SOTP) was implemented in the prison service in England and Wales from 1991 against a background in which convicted sex offenders formed an increasingly significant part of the sentenced population (Thornton and Hogue, 1993). This structured group-work programme designed to be delivered by para-professional staff comprises three distinct parts that are employed in an integrated manner: a core programme, an extended programme and a booster programme. Typically, groups comprise a broad spectrum of offenders – for example, paedophiles, rapists and incestuous fathers.

The core programme of the SOTP, which involves 35–40 sessions of three hours each, constituted the focus of this research. Within these sessions, offenders confront their offences and engage in exercises that aim to increase motivation not to re-offend and to enhance relapse prevention strategies. All sessions of the SOTP are videotaped by the prison for training and monitoring purposes.

As the core programme generates an overwhelming amount of material, it was necessary to select certain sex offenders and their crimes from within the therapy group for analysis. All sex offenders due to participate in the next core programme were asked by prison staff whether they would consent to their contribution to the therapy group being used for research purposes. The offenders were in no way pressured to participate and they were made aware that neither participation nor non-participation would compromise their prison status in any way. Confidentiality and anonymity were assured. Five offenders volunteered. Following recommendations made by the prison staff, two of these offenders were excluded from the study, one on the basis that his offence had been committed 25 years previously when he was a teenager, and another on the basis that he was extremely quietly spoken and, therefore, would be barely audible on tape. Three offenders formed the final sample for this study: a serial rapist, an incestuous father and a paedophile. It must be noted, however, that the analytic focus is not the individual offenders but the way in which they, together with their fellow inmates and prison staff, attribute responsibility within the therapeutic process. Hence, the focus of this work is upon talk and text and not upon what is ‘really’ going on inside the heads of individual serious sex offenders.

With the assistance of prison personnel, sessions were identified in which the selected participants would be the focus of the therapeutic activity. These sessions were:
• ‘The active account’ or ‘Hot seat’ (Block 5): During this block the offender becomes the exclusive focus of the therapy group. He is required to narrate the story of his crime(s) with a view to identifying and unpacking the ‘cognitive distortions’ used to minimize the seriousness of the offence or his responsibility for it, and to obtain information pertinent to relapse prevention. The number of sessions devoted to this block per offender is considerably more than the number devoted to victim role play.

• ‘Victim role play’ (Block 9): During this block the offender re-enacts his worst offence, first in the role of the perpetrator and then in the role of the victim, in order to facilitate the offender’s understanding of the meaning of the crime for his victim.

Audio tapes were made from the approximately 36 hours of videotaped material that these sessions generated. Detailed summaries were made from the audio tapes, and all sections in which the talk was oriented to the participant’s offence(s) were transcribed verbatim. Decisions were made by each of the original researchers independently about which sections of tape to transcribe, and these were agreed in a series of meetings. Sampling of talk was inclusive and, generally, anything that could be construed as directly relevant to the offence was included. This process yielded many pages of transcribed discourse.

The Professional and Paraprofessional Data

The second of these two research projects examined the ways in which professionals and paraprofessionals construct the sex offenders with whom they work in the course of conversations about them. The data for the study comprised transcripts of interviews conducted with 23 professional and paraprofessional men ($n = 18$) and women ($n = 5$) whose work involved contact with serious sex offenders. The sample consisted of six police officers who encountered sex offenders as part of their work but did not deal exclusively with them, four police officers from a specialist child protection team, two assistant psychologists whose primary brief was to assess sex offenders, six probation officers and four prison officers who had extensive experience with sex offenders either through direct involvement in treatment or through the management of such treatment programmes, and one social worker who dealt primarily with children involved in sexual abuse either as the perpetrator or as the victim.

The semi-structured interviews lasted between one and two hours and were conducted at times and places most convenient to the interviewees, usually the interviewee’s place of work. Permission was obtained from each of the participants to tape-record the interviews. Anonymity and confidentiality were assured. Interviewees received a formal letter of thanks following the completion of the interview and were sent an abridged report of the findings.
The Method of Analysis

A qualitative analysis of the text was conducted using Potter and Wetherell’s (1987) method of discourse analysis combined with aspects of conversation analysis and informed by a rhetorical approach to social psychology. This particular combination of methods has been found to be fruitful by a number of scholars (e.g. Wetherell and Potter, 1992).

ANALYSIS

This form of analysis takes as its focus the ‘action orientation’ (Edwards and Potter, 1992) of talk. It focuses, therefore, on the way in which talk about rape incidents functions to ‘do’ blame. For the purpose of this article, the analysis focuses on the notion of the victim’s physical attractiveness for two reasons. First, this is a popular area of mainstream psychological inquiry in rape research and, as noted earlier, studies have found evidence for a relationship between level of physical attractiveness and the attribution of responsibility to the victim. It should be noted that such attractiveness is often couched in terms of what the victim is wearing, and how she has presented herself. Second, within the corpus of data, both perpetrators and professionals/paraprofessionals talked quite frequently about the physical attractiveness of the victim in their accounts. This emphasis may have occurred because the factor of perceived physical attractiveness is applicable to all victims, whereas other factors such as level of intoxication, previous sexual history and level of resistance are likely to vary in their relevance to each case.

The analysis is in two sections: the first concerns the talk of convicted sex offenders, while the second examines the talk of professional and paraprofessionals who work with sex offenders.

The Discourse of Desire: ‘She Looked Gorgeous’

The physical attractiveness of the victim was oriented to in each of the accounts given by the sex offenders in this study and by other members of the sex offender treatment group. In the following extract, a rapist is in the ‘hot-seat’ giving an account of his crime. At this point in the therapeutic process, the group is attempting to get the rapist (P3) to admit to planning to rape the woman and to take responsibility for his action. The character G, referred to in the beginning of the extract, had masturbated in front of the woman.

Extract 1

1: F2: Why did you hide? Step back out of the way
2: so she didn’t see you?
3: P3: Well I knew what G had done and I didn’t really
4: want her to see me.
This extract forms part of the rapist’s description of the sequence of events that led to his rape of the woman. However, as Edwards and Potter (1992) note, the interesting thing about description is, first, how description is made to seem precisely that (a description as opposed to a claim), and, second, how description is used to accomplish a range of activities (e.g. accounting for the speaker’s behaviour). One of the key ways in which descriptions successfully achieve their ‘out-there-ness’, the appearance that they are a literal account which is independent of the speaker, is through their being embedded within a ‘narrative’. Here, narrative is seen as a discursive technique whereby ‘the plausibility of a report can be increased by embedding it in a particular narrative sequence in which that event is expected or even necessary’ (Edwards and Potter, 1992: 161). Moreover, the construction of narrative sequences in talk ‘offers a useful discursive opportunity for the fusing of attribution and memory, or of event description and causal explanation, in that events are generally recounted in ways that attend to their casual, intentional and plausible sequential connections’ (Edwards and Potter, 1992: 161–2).

In this extract, the rapist, in doing description, does attribution as his narrative unfolds. In lines 3–4, he (P3) explains that at first he hid from the woman involved because he did not want to be associated with G who had displayed himself to her and masturbated. In lines 7 and 8, one of the group facilitators (F2) asks P3 to account for his change in attitude, from hiding from the woman to attacking her. The rapist declares that the change came ‘just about then as she passed me’ (line 9). He asserts that the woman ‘looked gorgeous. She looked really nice’ (line 10, emphasis in the original) and later ‘I just, I couldn’t believe it (...) She was (...) great’ (lines 14–15). The rhetorical effectiveness of lists is well established (Edwards et al, 1992). Three-part lists are a common feature of naturally occurring conversation and can be used to achieve a variety of rhetorical effects, in particular to construct descriptions that are treated as complete or representative (Jefferson, 1990, Edwards and Potter, 1992). Here, the use of a three-part list, together with the offender’s own emphasis of certain key words, is effective in establishing the woman as particularly attractive and, therefore, as providing the motivation for the attack.

The consequence of this construction is that the perpetrator’s sexual interest in the woman is (in some sense) legitimated. The implication is that, if she had not
been so attractive, P3 would have remained hiding and she would not have been raped. Indeed, one of the other sex offenders deliberately orients to this just a moment or two later in a challenge to P3. He says ‘. . . you wouldn’t have wanted to ‘ave any sort of sexual contact with someone who was fat and ugly with warts on her face, but ’cos she’s a nice bit right you grab her’ (T). Unfortunately, the group facilitators did not follow up T’s comment or take the opportunity to challenge the implications of it for the offender’s account of his behaviour.

By drawing upon commonsense notions of who it is desirable to have sex with (that is, those who are physically attractive), the rapist’s discourse provides an account of why he behaved as he did – he was sexually attracted to the woman. This discourse, the ‘discourse of desire’, serves to locate rape within the realms of sex. The offender did not plan a violent attack on this woman; rather, he spontaneously desired her sexually because she was ‘gorgeous’. This claim, arguably, renders his actions somewhat intelligible. Moreover, and importantly, such a claim simultaneously serves to defend against competing versions of what ‘actually’ happened – that is, that this was a calculated and premeditated violent attack. Hence, the rapist constructs a less damning account of why he raped the woman and wards off more serious alternative explanations.

Interestingly, the discourse of desire was not confined to talk about the rape of adult women. In the following extract, taken from another group therapy session, an incestuous father is in the ‘hot seat’ relating the story of how he came to abuse his daughter.

Extract 2

1: P2: I started to fancy her I would say when she was maturing
2: into what her mother had been 17 years before . . .
3: P2: S was a bigger girl than her mother and [interjections omitted] by the time she was 14 anyway she was quite well developed y’know
4: O: What exactly do you mean by that?
5: P2: Well as I said her breasts and her her hips were coming down and it just sort of more like a woman. All I could think of her, she’s looking more like her mother, she’s doing everything that her . . .

A little later in the session:

11: P2: I just had this lust, this drive in me, it I sort of couldn’t
12: (.) control
13: P2: I just couldn’t stop myself at the time well I couldn’t for
14: some time for some years after.

This extract demonstrates many of the features identified in Extract 1. Again, the demands of the ‘hot seat’ facilitate the offender’s development of a narrative sequence (cf. Edwards and Potter, 1992). The same points vis-à-vis fact construction and description can be made. Here, too, the perpetrator invokes the
physical attractiveness of his daughter in order to mitigate blame for his actions. In lines 1–2 P2 describes the point at which he started to ‘fancy’ his daughter (a word with clear connotations of sexual desire) as being when she began to mature into what her mother had once been. Earlier in the session, the perpetrator had informed the group that at this time his wife was ill and, therefore, was ‘not looking at her best’. P2 makes specific reference to his daughter’s curvaceous figure (‘S was a bigger girl than her mother’, ‘she was quite well developed’, ‘her breasts and her hips were coming down’, lines 3–5 and 7–8). Again, the construction of her physical attractiveness takes the form of a three-part list. Commonsense notions about what men see as sexually desirable in women in western society – that is, curvaceous with large breasts – inform this construction.

While there are many similarities between the two extracts in terms of their construction and function, Extract 2 demonstrates the use of a rhetorical device that is not evident in Extract 1 – that is, the use of membership categories. Categories are inference rich (Sacks and Jefferson, 1995) – hence, ‘the assignment of a person to a category ensures that conventional knowledge about the behaviour of people so categorized can be invoked or cited to interpret or explain the actions of the person’ (Hutchby and Wooffitt, 1998: 214). P2 invokes two categories to describe his daughter: in lines 8 and 9 respectively, he says she looked ‘more like a woman’, ‘more like her mother’. Both of these categories, woman and mother, carry particular connotations – that is, that the person is an adult and is potentially sexually available. This notion of the offender’s daughter being adult is reinforced through his claim that she not only looked like her mother had ‘17 years before’, but that she was behaving in ways similar to those of her mother at that time because her mother was ill (‘she’s doing everything that her . . .’, lines 9–10).

Having established his daughter in these terms, the perpetrator goes on to explicitly construct his abuse in terms of his sexual desire for her. He claims that he was subject to ‘this lust, this drive’ which he ‘sort of couldn’t (. . .) control’. Once more, the use of a three-part list (‘I sort of couldn’t (. . .) control’, ‘couldn’t stop myself at the time’, ‘couldn’t for some time for some years after’) serves to emphasize the degree to which he desired his daughter. This account of desire, and indeed the account in Extract 1, has roots in what Hollway (1989) described as the discourse of ‘the male sexual drive’. The central tenet of this discourse is that men are driven by a strong ‘biological necessity to seek out (heterosexual) sex’ (p. 54) that is ‘natural and not mediated socially’ (p. 54). As such, women – or even ‘girls’ as in this case – are always at risk of setting this need in motion. Within these data, the stimulation of the male sexual drive is accounted for by the perpetrator in terms of the victim’s physical attractiveness.

Both the perpetrators in these two extracts (which are fairly typical of talk in the group therapy programme) are drawing upon a ‘discourse of desire’ in order to account for their actions. This discourse centres on the commonsense notion that physical attractiveness is a key component in sexual allure. In this way, the distinction between rape and sex is blurred, and claiming to sexually desire a
physically attractive woman provides a (partial) explanation for subsequent behaviour. The victim’s physical attributes, therefore, become a partial justification for the perpetrator’s actions; she becomes partially responsible and, crucially, the crime revolves around issues of sex and not issues of power and control.

Desire and Commonsense: Ideological Dilemma and Attribution

The issue of the victim’s physical attractiveness was a theme that also recurred in the talk of the professionals and paraprofessionals who worked with sex offenders. As may be anticipated, the way in which physical attractiveness was constructed was slightly different from that employed by the sex offenders themselves. However, the function of both sets of constructions was similar in effect: the attribution of some responsibility to the victim as a consequence of the victim’s perceived attractiveness arousing desire in the perpetrator.

While sex offenders, as has been shown earlier, tended to describe the woman/child as generally attractive, sometimes highlighting physical attributes, professionals and paraprofessionals tended to talk about the way in which women made themselves attractive to men, thereby stimulating men’s interest in them. The next extract, taken from the talk of a police officer, is illustrative.

Extract 3

1: I can’t understand some girls now.
2: They walk about with virtually nothing on,
3: on cold winter nights,
4: and then you see them walking about
5: at 1 and 2 in the morning (.)
6: and (.) with the knowledge that there are people
7: who are quite willing to commit sex attacks
8: it’s probably not an advisable thing to do.
9: And they don’t seem to take any notice of it.
10: And I am constantly amazed at the risk that some
11: young girls will take.

In this extract, the police officer, although purportedly talking about the rape of women in general, has focused his talk on a sub-set of women, namely ‘girls’ or young women. At lines 2–5, he works up a vivid description (Edwards and Potter, 1992) of the way in which these ‘girls’ behave. The richness of contextual detail combined with the use of extreme case formulation (Pomerantz, 1986) and a three-part list creates the impression that the speaker knows what he is talking about and that this is something that he, as a police officer, has observed regularly. Pomerantz (1986) defined extreme case formulations as descriptions or assessments that use extreme terms (e.g. ‘constantly amazed’) to defend against counter-challenges to the legitimacy of the speaker’s claim. Through this description, the police officer calls into question the appropriateness of the girls’ behaviour, which he claims he ‘can’t understand’. First, the girls are seen to ‘walk
about’ (lines 2 and 4), a term that suggests no clear purpose except perhaps some sort of self-display. Second, the girls are under-dressed even on winter evenings when it is cold (line 2), implying that their state of (un)dress may be designed to serve another purpose – that is, to attract the attention of a suitable partner possibly with a view to having sex with them. Third, they engage in this behaviour very late at night (‘at 1 and 2 in the morning’, line 5), a time of day associated with few people being around and, therefore, perceived potential personal danger.

The police officer’s argument is clinched in his assertion that this behaviour is unwise and is built through a further three-part list at lines 7–10, again combined with extreme case formulations (‘it’s probably not an advisable thing to do’, ‘they don’t seem to take any notice of it’, ‘I am constantly amazed at the risk that some young girls will take’). This discourse, termed here the discourse of common-sense, highlights that ‘young girls’ attract male attention by behaving in this way and that they are aware that such attention may well be the consequence of their behaviour. Furthermore, by attracting male attention, they make themselves vulnerable to ‘sex attacks’; in essence, they are partially responsible for what happens to them because they ‘know’ that men will desire them. Again, the male sexual drive discourse is in evidence here (Hollway, 1989).

The notion of dressing attractively to entice a potential partner was something that recurred to various degrees within the talk of professionals and paraprofessionals as shown in the next two extracts. While the professional in the first extract is talking generally, the professional in the second has used a specific case to illustrate their point:

Extract 4

1: I think the male attitude is that if you’ve got a short skirt on
2: and you’re tarter up to the hilt with your make-up on
3: and everything else,
4: you that’s what you are looking for.

Extract 5

1: She had dressed and she was advertising
2: the fact that she wanted sex, to my mind.
3: Now people say: ‘well she was dressed that way
4: she was asking for it.’ But what is it?
5: She probably did want a sexual relationship with somebody
6: that’s what her clothing was saying to me that she was after.
7: But there is nothing wrong in that.
8: She was not asking to be raped and brutally murdered.
9: So, she did nothing wrong at all
10: but she lacked a little bit of wisdom.

In both these extracts, as with Extract 3, the speaker is constructing an account that links the physical appearance of the victim to rape. Echoing Extract 3, the inference is that women who wear ‘short skirts’ (Extract 4, line 1), are ‘tarter up
to the hilt with . . . make-up on’ (Extract 4, line 2), or dress ‘advertising the fact that they may want sex’ (Extract 5, line 2) are putting themselves at risk. For a minority of professionals, this risk was constructed as an almost willful neglect of social reality. The police officer in Extract 3 achieves this construction through the repeated use of extreme qualifiers such as virtually nothing, quite willing, any notice, constantly amazed, and young girls. However, for the majority of professionals, the link between physical appearance and rape was framed in terms of what Billig et al. (1988) would refer to as an ‘ideological dilemma’ – that is, the ‘contrary themes that under normal circumstances are reflected in people’s thoughts’ (p. 3). Here, these ‘contrary themes’ are that, on the one hand, responsibility for rape lies squarely with the perpetrator irrespective of the physical appearance of the victim, while, on the other hand, women are partially responsible for being raped if they dress in a provocative manner because they stimulate men’s sexual appetite.

This dilemma was informed by the discourse of desire and the discourse of commonsense and, for professionals in particular, it was usually framed in the form of a disclaimer (Hewitt and Stokes, 1975). Disclaimers are common in racist discourse, often taking the form: ‘I’m not prejudiced but . . . ’ (e.g. Wetherell and Potter, 1992), enabling the speaker to disclaim a racist identity while expressing views that may be construed as reflecting just such prejudice. Similarly, in the talk of professionals discussing responsibility for rape, the use of a disclaimer served to align the speaker with what may be regarded as a professionally appropriate response (that no one asks to be raped) while enabling them to express views that called into question the victim’s behaviour (attributing some responsibility to the victim via the discourses of desire and commonsense). Thus, the disclaimer took the form of: ‘I’m not blaming the victim, but . . . ’ This is illustrated in Extract 5, when the professional says: ‘so, she did nothing wrong at all, but she lacked a little bit of wisdom’. Further variations of this disclaimer are shown in the extracts below.

Extract 6

1: Yeah, they do contribute to it.
2: Um (.) it doesn’t justify what happens to them,
3: in any way, shape or form.
4: But I think they contribute to it, unknowingly, half the time

Extract 7

1: No, some people are a little bit silly
2: and there may have been contributory behaviour
3: and put themselves into a vulnerable position but no.
4: A victim is a victim, simple as that.

Both these extracts are again typical of those found in the corpus of professional and paraprofessional material relating to the role of the victim. As noted, the talk
reflects both sides of the ideological dilemma outlined earlier and is presented in the form of a disclaimer. Thus, professionals argue that ‘it doesn’t justify what happens to them in any way shape or form’ (Extract 6, lines 2–3) and ‘a victim is a victim, simple as that’ (Extract 7, line 4). Extreme case formulations (‘any way, shape or form’) and clear category statements (‘a victim is a victim’) serve to emphasize the point that the victim is not to blame. But, and this conjunction is precisely the key aspect of the disclaimer, professionals simultaneously argue that victims are partly responsible for what happens to them (e.g. ‘she lacked a little bit of wisdom’ (Extract 5, line 10); ‘they do contribute to it’ (Extract 6, line 1); ‘some people are a little bit silly and there may have been contributory behaviour and put themselves into a vulnerable position’ (Extract 7, lines 11–13). In this data set, the attribution of some responsibility to the victim is achieved through the discourse of desire and the discourse of commonsense, which function together to construct women who are seen to make themselves attractive to men as foolish/unwise/silly because, as a result, some men will desire them and will act upon that desire even if the woman does not then want sex.

In summary, the analysis has revealed a number of key points in relation to the way in which accounts of male rape of females are worked up, specifically in relation to the notion of physical attractiveness. These are:

1. While there were differences in the discourse of perpetrators and professionals/paraprofessionals, both construct accounts of sexual violence that involve the attribution of responsibility to the victim on the basis of her physical attractiveness.
2. Rape is constructed by both perpetrators and professionals/paraprofessionals largely as a crime of sexual desire perpetrated against younger, attractive women.
3. Through the discourse of desire, whether tempered by a discourse of commonsense or not, dominant notions about rape are perpetuated and maintained.

DISCUSSION

This article has sought to contribute to the growing literature that takes a discursive approach to the study of rape. Thus, it has examined the performative aspects of arguments about rape rather than engaged with the notion that the victim was or was not characterized by one of a number of possible factors (i.e. the effects of arguing that the victim was attractive, irrespective of whether this was ‘really’ the case or not). Such work is important, as it is precisely the success, or otherwise, of arguments about these characteristics that contribute to the assignment of some degree of responsibility to the victim and ultimately the outcome of her pursuit for justice (e.g. Erhlich, 2001).
The findings of this study revealed that both convicted sex offenders and the professionals and paraprofessionals who work with them frequently referred to the physical attractiveness of the victim when discussing rape. Two discourses were identified, a discourse being a system of recurrently used terms for talking about actions, events, people etc. The discourse of desire facilitated a dominant construction of rape that involved young, attractive women and men’s sexual desire for them. A second discourse, the discourse of commonsense, was identified only in the talk of the professionals and paraprofessionals. This discourse facilitated the articulation of a complex view that served to assign some responsibility for rape to the victim while, at the same time, enabling the speaker to argue that rape victims do not ‘ask’ to be raped. Hollway’s (1989) male sexual drive discourse was seen to underpin both these discourses – that is, men are driven by a powerful biological imperative to seek out heterosexual sex. In this study, the male drive was clearly linked to the notion of physically attractive women (the discourse of desire) and women’s need not to provoke that desire by exploiting their attractiveness (the discourse of commonsense).

These findings raise at least two issues of concern. First, it is well established that females of all ages are subjected to rape by men (from infancy to older age; Ward, 1995). It is especially disquieting, therefore, that professionals and paraprofessionals tended to refer to a stereotypical rape victim (Burt, 1991) in the interviews and let such constructions go unchallenged in the sex offender treatment group. As Loza (1993) has noted in a study of correctional workers’ attributions of blame toward incarcerated rapists, ‘their attitudes and beliefs may enhance or hinder his treatment and progress toward release’ (p. 59). Loza’s research found differences between prison custodial staff, prison psychologists and case management officers in terms of their assignment of blame to the offender and their belief in the possibility of rehabilitation of rapists, with custodial staff assigning significantly more blame and believing significantly less in rehabilitation. In addition, a higher level of education was associated with less blame and more confidence in rehabilitation. These findings led Loza to suggest that policy should guide the selection and assignment of staff such that educational qualifications and attitudes of applicants are assessed, and further specialist training is provided. In this research, a similar trend was detected whereby those professionals and paraprofessionals who had received more training in working with sex offenders were less inclined to formulate stereotypical arguments and judgements about rape victims (cf. Lea et al., 1999). This finding suggests that in order for rape myths to be challenged rather than perpetuated, specific training around the use of language for professionals and paraprofessionals working with sex offenders should be considered.

The second issue raised by the findings pertains to the conceptualization of rape in terms of sex, power and control – which scholars have long debated (e.g. Ward, 1995). Gavey’s (2005) recent work on the ‘cultural scaffolding of rape’ highlights the history and issues surrounding the rape versus sex arguments, including the notion that rape and sex may not be readily distinguishable from
one another. Pertinent to the data in this study is that both offenders and professionals and paraprofessionals were discussing cases where just such a distinction had been made in law. Yet rape was constructed largely in terms of sex by sex offenders, as well as by professionals and paraprofessionals whom it might be expected would address issues of power and control at least to some extent. Females were seen to be (partially) responsible for their rape because they were physically desirable. For the sex offenders it was because they were described as attractive; for professionals and paraprofessionals because they were perceived to have dressed up to make the most of themselves. The consequence of physical attractiveness was the attraction of male attention. Rape then becomes a crime of men’s sexual urges (Hollway’s discourse of the male sexual drive, 1989) which are aroused by attractiveness in women (the discourse of desire) and which, because men struggle to control the drive once aroused, women should control by not arousing them in the first place (the discourse of commonsense).

This construction of rape as motivated largely by sex supports the recent work of Anderson and Swainson (2001), which found that participants ‘continue to regard rape . . . as motivated by the need for sex rather than as an act motivated by power’ (p. 116). Similarly, Bavelas and Coates (2001) identified that the most frequent characterization of sexual offences in trial judgements was in sexual language that strongly implied mutuality and consent while language depicting violence was far less common. Erhlich’s (2001) work on the language of sexual assault trials demonstrated the way in which cultural ideologies about female and male sexuality and about violence against women, including the male sexual drive discourse, circulate discursively within sexual assault adjudication processes. This study, therefore, along with those of Anderson and Swainson (2001), Bavelas and Coates (2001) and Erhlich (2001), suggests that Ward’s (1995) assertion that feminist conceptualizations of rape are becoming more commonplace within western culture may be optimistic.

The fruitfulness of adopting a discursive perspective to victim responsibility in rape is that it assists in deconstructing common assumptions about rape and locates the site of change not within the attitudes of individual people but within the ideological fabric of society itself. While social change is without doubt a far more onerous task, it is where change needs to take place. The discourse of desire and the discourse of commonsense, together or separately, construct responsibility as being partially the victim’s and locate rape as sex. Since rape allegations usually involves one person’s word against another’s, this finding is particularly salient, as the decision-making process in terms of whether a rape has taken place will be informed by the common assumptions or practical ideologies that are embedded in social thought. This taken-for-granted knowledge about social phenomena such as rape goes largely unquestioned, as seen in the talk of professionals and paraprofessionals in this study. In this way, rape myths (Burt, 1980) are maintained and reinforced thereby sustaining the status quo. As Kitzinger and Firth (1999) have noted, ‘knowledge of the details of talk in interaction can help in formulating political arguments and practical programmes’ (p. 311).
In conclusion, the effects of arguments about the victim’s attractiveness in terms of responsibility for rape suggest that rape myths are alive and well, not just in the talk of those who perpetrate sex crimes, but also in the talk of those who work with sex offenders. This is a depressing finding. It suggests that more work is needed urgently to explore the existence of rape myths within the police, crime prosecution and prison services, all of which are central to the pursuit of rape cases and the treatment of sex offenders. Furthermore, it suggests that specialist programmes that aim to challenge the language of those who work with both perpetrators and possibly victims should be explored. Similar programmes have been successful in challenging racist talk for example. While cultural change is inevitably slow, this research suggests that it is time to take a more active role in challenging rape myths and to consequently address the injustice that many rape victims suffer.

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NOTES

1. The author acknowledges that rape is perpetrated against both males and females. However, all the cases involved in this study were perpetrated by males against females; consequently, the paper talks of male perpetrators and female victims.
2. There is considerable debate surrounding the terms ‘victim’ and ‘survivor’ – as Jordan (2004) notes, the former was rightly criticized for reinforcing passivity and a victim status, but the latter more recently has been reproached for minimizing the effects of sexual violence on women. While the author wishes to acknowledge the active resistance and agency of women in response to sexual violence, the term ‘victim’ is used here, as the issue under discussion is the notion of ‘victim responsibility’.
3. Some studies refer to victim attire in terms of ‘sexual provocativeness’ (e.g. Schult and Schneider, 1991) rather than attractiveness; however, this definition frequently blurs into attire and behaviour and is therefore not a definition supported here.
4. The letter P refers to participant, while the letter F refers to group facilitator; other letters are used to refer to sex offenders in the therapy group and bear no relation to their real name.
5. The following transcription conventions are used within the quotations:
   - (.) denotes a pause;
   - [text] denotes an explanatory note or comment;
   - italic is used for words emphasized by the speaker.
REFERENCES


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