

Defining Rape Culture

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Defining Rape Culture: Gender, Race and the Move Toward International Social Change

BY

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INVESTOR IN PEOPLE

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About the Author

Rebecca M. Hayes is a Professor of Criminology/Victimology at Central Michigan University. Her work focuses on rape culture, inequality in the justice system, and how the media impacts perceptions of crime and the criminal legal system. Her work is published in journals such as *Violence Against Women* and in *The Journal of Qualitative Criminal Justice and Criminology*. She also has a previously published book with Kate Luther called *#Crime: Social Media, Crime and the Criminal Legal System*.

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I have used the stories of some highly publicized survivors/victims, and this book is sincerely dedicated to them and ALL survivors/victims of violence against women (ALL women). We are in this fight together, and are stronger when we stand together. To the survivors, Chanel Miller, Zoe Quinn, and to the family members and friends of Mahsa Amini. Your names are powerful as are your stories, may we remember them and all that you are and not just what happened to you.

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Introduction

Rape culture is a term that is used often in the media, and even though I study sexual violence I only began using this term about 10 years ago. Rape culture as a theoretical concept has pieces, such as victim blaming, sexual objectification of women and girls, and the trivialization of rape, but I will argue that underlying it all are societal ideas of gender that are patriarchal and include intersecting stereotypes regarding race/colorism/ethnicity, socio-economic status (SES), disability, etc. Recently, DeKeseredy (2020) argued that current research on woman abuse is lacking feminist sociological analysis, and this includes sexual assault. The focus of rape culture research has often been on the acceptance of rape myths (i.e., victim blaming), and I argue that there is a lot more nuance to rape culture than victim blaming. Rape culture reaches so far as to shape how we socially construct victims, and the socially constructed notion of the “ideal victim”¹ is further complicated under this culture. Walklate (2007) points out how the historic gendered connotation of the word victim appears female. Theoretically, society does discuss women as victims of sexual assault, but due in part to rape culture, gendered expectations, and intersections of social identity, women who experience sexual assault will still have their experience minimized and will incur blame.

Theorizing the term rape culture hopefully can assist with research on sexual violence in the United States (USA) and abroad. This book provides a blueprint of the aspects of society that make up rape culture, and then considers the social institutions that perpetuate the existence of rape culture. The overarching system of the patriarchy is discussed in Chapter 1, and used to unravel all the other aspects and elements that make up rape culture. It includes the social construction of gender, sexuality, rape, and the body. This first chapter is meant to be a foundation for the applicability of the theory throughout the rest of the book.

There is a breadth of information in this book regarding research on the elements of rape culture, more than depth. When there is depth of research in this volume, it is scholarship that is mostly concerned with the USA and other Global North regions. However, wherever possible, other cultures/countries are discussed—particularly in Chapter 2. Overall, global definitions and statistics on sexual violence are inadequate, in Chapter 2, we discuss how such inadequacies came about and how there are similarities and differences among the manners in which the

¹Christie (1986) and discussed further in Chapter 2.

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patriarchy and rape culture work within each culture. The reason most of the research is focused on the USA is partially about access, but also the positionality of my expertise. As a US citizen, research based in the USA is that one with which I am most familiar. I have, however, also lived and worked in other countries as a rape culture scholar which has provided me some perspective on those cultures. Of course, these perspectives are filtered through my own socialized lens. As a citizen of the world, there is a socialization that occurs which has provided me with a broader view of the societies and cultures within it, while being aware of my varying privileges. As a queer white, Western world woman, my viewpoint, even through education, is culturally limited. Reflexivity is important, and I am attempting to theorize in a culturally sensitive manner. Gavey (2019), who also addressed, in the beginning of their book, how their viewpoint changed overtime via education and lived experiences also stressed the importance of not reinforcing the cultural aspects that perpetuate rape culture. As a rape survivor/victim myself, more times than once, and a frequent receiver of other forms of sexual violence, this topic is personal and important to me. My impoverished upbringing also impacts my understanding of SES, as does being a queer person.

Not only individual identities impact rape culture, but it is built into social institutions. A social institution that really impacts people's perceptions of cultural phenomena, especially in Westernized societies, is the media. While media has and does certainly impact my perception of events, as a media scholar, I view the media through a critical lens. The media, at least for me, was where the term rape culture really became a part of my vernacular. Chapter 3 looks at how the media is a driving social force for all things rape culture related and is the place that challenges it as well.

Moving beyond the media, Chapter 4 covers the manner in which some social institutions are microcosms of rape culture. The chapter sets up how institutions, such as, college, military, sports, and the Catholic Church, whether intentionally or unintentionally, normalize, silence, and encourage sexual violence through patriarchal structures and ideologies. These institutions are seemingly very different but they have an important thing in common. That is the ability to hold power over others as there is a built-in hierarchy which is related to gender. Chapter 4 breaks down and discusses the power structure within each of these institutions.

Chapter 5 continues this conversation by highlighting that the criminal legal system is supposed to be assisting with justice for sexual violence survivors/victims, but instead is a cause of further or even original harm. The original harm means where sexual violence occurs within the criminal legal system itself, either to one of the many actors in the system or to citizens. Further harm refers to revictimization of survivors/victims that occurs during the criminal legal process. Additionally, the institutions of prison and policing are also microcosms of rape culture in similar and different ways than the institutions discussed in Chapter 4.

The final chapter, Chapter 6, offers some ideas on what can be done to dismantle rape culture. Research and suggestions for the USA that may or may not work in other countries/cultures are offered, but the chapter begins with ideas about redefining masculinity and expanding the gender binary. These changes are

universally necessary in order to disrupt the patriarchal system. The attempt to begin the conversation regarding changing rape culture will hopefully be continued and adapted culturally.

Terms for the Book

Throughout all chapters, there are some terms that will be commonly used. The terms survivor and victim are often used to describe someone who has experienced some form of sexual violence. There is a discussion about which one is more appropriate.² On one hand, survivor is meant to denote strength, whereas victim suggests weakness. Criminologists working within the feminist movement often prefer to use the term “survivor” instead of “victim” in order to capture society’s less powerful groups’ resistance to their consequent potential victimization (Walklate, 2007, p. 27). On the other hand, not all people who experience sexual violence survive, and are therefore excluded from the conversation when using this term. Additionally, using the term victim acknowledges the very real harm that is caused by these traumatic experiences.³ In certain contexts, such as the military, the term victim is a direct acknowledgment of one’s wounds and provides access to resources, whereas the term survivor does not open the doors to resources.⁴ Victim is more often used in the military context regarding a soldier who has been wounded in battle, whereas survivor is used for people who experience sexual violence. Survivor is arguably a less powerful term than victim in the military. In this book, I mostly use survivor/victim to acknowledge that people who experience sexual violence can be both. Personally, I do not like either of the terms because it makes a trauma a person experiences into a label with which others can brand them. It feels imposed upon, which is why I would prefer to use the phrase “a person who has experienced sexual violence” – but alas, that would be a lot to write every time. Therefore, I use both terms, typically together, yet, there are times I use or make note of a particular term that has been chosen by a scholar within their research.

Depending on the discipline, and the researcher, terms can be different. At times, I use the term the researcher provides since it may more accurately define what they have measured. However, regarding gender, the terms man and woman are usually used in lieu of the terms male and female (which are biological terms), even though the researcher(s) may use them, unless it is necessary to keep the original term. Gender is a social construction, and while I argue for changing the binary in Chapter 6, throughout the book different gender terms are used, such as non-binary, genderqueer, gender fluid, and trans femme.⁵ The use of the term women is meant to denote both cisgender and transgender women, yet it is delineated at times when discussing research in order to center the experiences of trans

²See <https://upsettingrapeculture.com/survivor-victim/>.

³Durham (2021).

⁴Szitanyi (2020).

⁵See Butler (1996, 2004, 2007).

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women or men, which are markedly different from that of cis women and men.⁶ That is when the research actually discusses these experiences as much criminological research still uses the gender binary.⁷ Likewise, when using the term men, I am talking about all men, but mostly cis men as they benefit from the patriarchy the most (even more so when they are heterosexual).⁸ Trans men are delineated when the research allows, but there is also a lot of erasure of trans men in research.⁹ This erasure does not acknowledge that trans men are also subjugated by the patriarchy. Yet, some trans men can and often do also benefit from the patriarchy, where trans women are less likely to receive these benefits. However, it is complicated as trans women are more likely to “pass” than trans men. But overall women are harmed more in a rape culture. Genderqueer/non-binary or gender fluid folx also experience sexual violence as well and rape culture impacts them for not fitting into the societal gender expectations. More on this in Chapter 1, when discussing intersectionality. When I discuss men I am talking about all men, but mostly cis het men as they benefit from the patriarchy the most. Most of the time I am also discussing the most privileged men in a culture which would be cis het and usually white or lighter skinned men.¹⁰

Regarding privilege, terms around race are also used in a manner which is in accordance with decolonizing research when appropriate or possible. Black and white are used to describe race and colorism. While Indigenous, First Nations People, Aboriginal, Native people, Hispanic, Latine¹¹ (x, o, or a), Asian, are among some of the terms used to describe ethnicity. The preference would be to use specific tribes or countries instead of a broad continent or cultural group, but it would not be how the research measured these socio-demographics. Research is still highly colonized. For example, in the USA, Hispanic is a term that was imposed on people of Spanish descent by the US government.¹² Ideally, when discussing ethnicity, gender identity, sexuality, and even race, the more delineation of cultural groups the better, but research does not often do that and sometimes out of protection for the subjects because they could be identified due to small sample size. However, it comes at a cost, and that is erasure of experiences. As research tends to measure socio-demographics in certain manners that are

⁶From here on out the terms trans and cis will be used. Cisgender means, “denoting or relating to a person whose gender identity corresponds with the sex registered for them at birth; not transgender” (Oxford Online, 2023). Transgender means “denoting or relating to a person whose gender identity does not correspond with the sex registered for them at birth” (Oxford Online, 2023).

⁷See Valcore and Pfeffer (2018).

⁸Further referred to as het.

⁹See Valcore and Pfeffer (2018).

¹⁰See Manne (2019).

¹¹Latinx is used generically while Latino or Latina are gender specific terms. Latine is often used in place of Latinx, as the “e” fits better into Spanish pronunciation. <https://elcentro.colostate.edu/about/why-latinx/#:~:text=Latine%20is%20also%20a%20gender,found%20in%20words%20like%20estudiante>.

¹²See <https://www.history.com/news/hispanic-latino-latinx-chicano-background>.

considered outdated according to critical thought and analysis, and the terms that a particular researcher(s) used sometimes it will be noted in the text.

This book is meant to begin the conversation around rape culture theorizing, and to further discussions of the body of research that demonstrates the existence of rape culture. My experience in this field is using both, and I have been researching and observing this topic for about 20 years. Despite my scholarship in the area of sexual violence, I understand my expertise is limited. Thus, it is my hope that folks who read this book will be inspired to expand upon the ideas I offer, to affect positive social change, and to challenge the status quo.

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Chapter 1

Theorizing Rape Culture: A Patriarchal Integrated Theory

Rape is the action/behavior, and rape culture is the infrastructure that allows rape to happen with relative impunity. Rape is considered a crime that has to do with power and violence, not just sex, and yet a lot of victim blaming occurs because of the focus on the sexual aspect of this crime.¹ And realistically, you cannot talk about rape without talking about sex and sexuality, because how sex is socially constructed impacts and normalizes rape culture. The discussion in this chapter, and the book overall, focuses on the power aspect as seen through the patriarchal lens, but also the sexual aspect, particularly as it is tied to gender. This chapter will discuss how rape culture globally is largely part and parcel of the patriarchy, and how patriarchy is also tied to white supremacy and other types of oppression.

Rape Culture and Patriarchy

As a concept, research highlights that 88% of the term rape culture comes from Western media, with varying definitions if you conduct a quick Google search, even among the scholarly definitions.² For example, Hayes and Luther (2018) define it as:

when within a particular culture or subculture rape is normalized, excused, and/or trivialized through the means of institutions which objectify people (usually women/girls) and victim blame victims behavior while often sympathizing with the offender. (p. 128)

Whereas, Nicholls (2021) defines it as,

casual, pervasive commodification of women's bodies and relentless normalising of a masculinity steeped in conquest and

¹Brownmiller (1975).

²Phillips (2017).

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control – depends on policings of masculinity and femininity that, like rape culture itself, are both manifestations of cultural violence. (p. 67)

Both definitions, like many others, focus on gender, and specifically the gender binary. While it is important to examine the historical gendered expectations and norms which create the atmosphere of rape culture, there are other systems of oppression that are intertwined. Therefore, for this book, I am providing my own definition. *Rape culture* is an institutional culture steeped in the heteronormative white supremacist patriarchy where sexual violence is normalized, while other types of oppression also intersect. The elements that make up rape culture consist of victim blaming, sexual objectification (turning a person into a sex object or an object), trivialization of rape, and denial of widespread rape.

Rape culture and patriarchy are somewhat synonymous. Patriarchy is a term much broader than rape culture. The term rape culture arguably has ambiguous origins but patriarchy is heterosexual and gender normative and so is rape culture.³ Some argue that the history of the term began at the height of the Second Wave Feminism movement in the United States (USA), where rape prevention and response took a major spotlight. Susan Brownmiller (1975) is recognized for being the first to equate rape as a crime of power. Arguably, Black women were saying it first and certainly they were also doing something about it first, but it was when white women said and did something about these issues that it became pivotal.⁴ Brownmiller (1975) is also credited with finding a theoretical application of the concept of patriarchy.⁵ Brownmiller's work also included the term "rape supportive culture," which today is more colloquially called, rape culture.⁶ Although the historical roots of this term, as far as I know, are based in the USA, I argue throughout this book that it can be applied to other countries as well. Brownmiller's (1975) work persists and is cited as being one of the major explanations of rape in numerous scholarly works in the USA and internationally. Brownmiller's or any theory that is going to explain rape needs to be structural as it is a systemic problem, particularly as individuals who rape are, outside of this action, relatively normal in their everyday lives and this is where patriarchy fits in.⁷

Patriarchy is simply defined as, "systems of male domination and female subordination," and this structural condition has international applicability.⁸ It is a concept, a theory, where heterosexuality is implied, and sexuality and gender are convoluted together. A more conceptualized definition of *patriarchy* is: "a gender structure in which men dominate women, and what is considered masculine is more highly valued than what is considered feminine" (Renzetti, 2013, p. 8).

³Phillips (2017, p. 5).

⁴See McGuire (2021).

⁵Hunnicut (2009).

⁶Donat and D'Emilio (1992).

⁷Griffin (1971) and Katz (2019).

⁸Hunnicut (2009, p. 553).