

Comprehensive and sensitive study

Joanna Bourke, *Rape: A History from 1860 to the Present*

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Joanna Bourke's comprehensive and sensitive study of the history of rape offers an invaluable resource for a range of scholars who do research on gender and sexual aggression. Her text is both meticulously researched and accessible to readers beyond academia. The prevalence of rape in the South African context makes this a subject matter that continues to attract considerable scholarly attention. Although the author focuses mostly on the history of rape in the United Kingdom, the United States and Australia, South African readers will find the text useful and recognise its relevance to the increasingly globalised South African environment. Bourke illustrates why it remains the case that "there is no crime more difficult to prove than rape and no injured party more distrusted than the rape victim" (p 23). Feminist readers will appreciate the author's insistence that the personal is political and the way in which she situates herself in terms of her research. The text opens with her assertion that she was "enraged" and she courageously admits that this book "had been born of fear" (p. vii). Women will recognise her description of how she was raised with warnings about sexual violence and how she saw the physical and psychic traces of violence in friends who had been victimised. In order to deal with her rage and fear, Bourke notes that rapists have a history and she goes about researching this history because, by "demystifying the category of rapist we can make him less frightening and more amenable to change" (p viii).

Throughout the text, Bourke is nuanced in her use of terminology that has become very loaded. For example, she chooses to continue using the word "victim" without losing sight of the fact that many victims are also survivors of rape. She also goes to great lengths to explore the definition of the term "rape". She correctly observes that it is insufficient to use an absence of consent as the sole criterion to classify an assault as rape. Terms such as "consent" and "coercion" are, of course, contested concepts in their own right. The feminist insistence that rape is about power rather than about sex comes under scrutiny and Bourke echoes the astute observation by Catherine MacKinnon: "if it's violence not sex why didn't he just hit her"?'¹ After analysing and critiquing the different

1. C MacKinnon, "Sexuality, Pornography, and Method: Pleasure under Patriarchy", *Ethics*, 99, 2, January 1989, p 323

definitions of rape, Bourke proceeds to base her work on the “simple principle that sexual abuse is any act called such by a participant or third party” (p 9). This definition enables Bourke to engage with diverse ways of conceptualising rape as well as the identity of the rapist without succumbing to the theoretical pitfall of essentialising or universalising either the body or sexuality.

Bourke deals with the magnitude of the subject matter by organising the text into seven sections. Section one sketches the context and makes some conceptual clarifications. In section two, entitled “Lies”, Bourke identifies a number of “rape myths”. These myths, which continue to be used to discredit rape victims, will strike contemporary readers as very familiar. She illustrates how these lies have achieved the status of myths and how they have thus become a powerful weapon in the arsenal of rapists. The myths form part of a “rapists’ charter” and they are pervasively deployed to enable rapists to get away with their crimes. The first myth is called “it is impossible to sheath a sword into a vibrating scabbard” and it implies that it is impossible to rape a woman if she really resists (p 24). This is a particularly insidious lie, especially when one considers that a significant part of the trauma that a rape victim experiences in the aftermath of an attack is related to issues of self-blame. The myth sends women the message that if they are raped, they do indeed deserve the blame since they did not fight back hard enough.

The second myth suggests that it is extremely common for women to lie about being raped and thus contributes to a hermeneutics of suspicion when it comes to hearing women’s testimony about rape. The reasons that are offered for women’s supposed propensity to lie about sexual attacks vary, but the common thread that runs through these “explanations” is a profoundly misogynist attitude to women in general. Whether women lie because of hysteria or attention seeking, the message is that their accusations should be approached with distrust. A third myth holds that rape is not really a serious crime, unless the rapist is a stranger who uses physical violence in addition to the rape itself. Feminist researchers are well aware that so-called stranger rape constitutes a small proportion of rapes and that women are much more likely to be attacked by partners, acquaintances and family members. This myth thus suggests that the vast majority of rapes are simply not serious enough to warrant either the attention of the legal system or the disapprobation of society. In this section, Bourke devotes a whole chapter to the common assertion by rapists that “no means yes”. By tracing the ways in which (overwhelmingly male) psychologists have pathologised women’s sexuality, Bourke demonstrates how women’s “no” has routinely been doubted and undermined. She also shows how the legacy of slavery continues to render African-American women particularly vulnerable to being discredited by rape myths since they were constructed as inherently sexual and promiscuous.

In section three, Bourke continues her exploration of the ways in which racism functions in the history of rape by illustrating how certain men, including black men, have been regarded as naturally “rapacious”. She critiques the failure of biological and environmental theories of rape to propose any type of “radical socio-economic change” (p 146). Instead of finding the solution to male sexual aggression in sweeping social,

political and institutional restructuring, these theories tend to look to individuals in their suggestions for preventing rape. Bourke identifies feminist scholarship as the first school of thought to insist that rapists are the constructed products of material contexts that are fundamentally gendered.

Section four offers a number of case studies and starts with the often overlooked instances of female perpetrators and male victims. Without obfuscating the simple fact that the overwhelming majority of rapes are perpetrated by men, Bourke challenges the “cheapening of the harm of female-on-male rape” which, she illustrates, is pervasive in both the legal system and the media (p 217). She also focuses on gendered constructions of “proper” femininity to explain the tendency to regard sexually violent women as aberrational monsters. In section five, Bourke turns her attention to “Violent Institutions” amongst which she singles out the home, the prison and the military. She exposes and critiques the gendered ideological assumptions about women that allow marital rape to remain a significantly underreported crime. In the chapter on the brutalising environment of the military, she addresses the phenomenon of wartime rape, which seems to have become a ubiquitous feature in armed conflicts. It is so widespread, that it “is often portrayed as inevitable” (p 359).

Chapter fourteen, “Getting Away with Rape”, begins with Bourke’s reassertion of the rage with which she opened her Preface. She traces this anger to the damning statistic that a mere five per cent of reported rapes result in a conviction in the United Kingdom (p 389). She suggests a number of explanations for the low conviction rate and she exposes how the “law is coded masculine through and through” (p 410). Her argument is that the law serves the interests of men while pretending that male interests and human interests are synonymous. The only way to address sexual violence is to implement comprehensive reforms at every social, institutional and legal level. In the final chapter, Bourke reiterates her insistence that it is only by “revealing the specificities of the past” that “we can imagine a future in which sexual violence has been placed outside the threshold of the human” (p 441).

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