

# The Uitimate Rape Victim

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JANE DOE

*Cet article est un extrait de « The Story of Jane Doe » publiée en 2003 par Random House, dans lequel l'auteure relate son viol et l'attitude du système judiciaire et de la société face aux femmes abusées sexuellement.*

I don't really know how to be a raped woman. I didn't in 1986 and I don't today. I just have never completely figured it out. Being a raped woman has come to define me in some ways, but I struggle still to understand and define it personally, as opposed to the stereotypes. But I own those too. Trauma and despair have been mine. Depression and pain have marked me. Yet there is more. And less. A raped woman is framed socially and within the law as something broken. Neither Madonna nor whore but somewhere in between. The carrier of bad luck. There is a general but grudging acceptance that it isn't really her fault, but if she had done something else, gone in another direction, not had that drink or worn that dress or smiled that way, it might never have happened. And thank God it wasn't me or anyone I love. If it had to happen to someone, thank-you-God it was her. Raped women make other people uncomfortable. Try talking about your rape with friends, at a dinner party or with family. The subject jump-starts every socialized and biological instinct to protect, to seek

revenge, to contain, to minimize or to deny that the human psyche stores. The nature of these responses requires the woman to carefully select, when, to whom and how she will recount her experience. Or to decide if she should or can recount it at all. Ever. Raped women are fallen women. Pushed really, but the shame is on them. A stain like original sin, not of their making but never to be removed or forgotten. Raped women cannot display their rage or joy or sexuality. They cannot be glamorous or successful or funny. They certainly cannot be agents of social and political change. There are many reasons for this present and historical construction of the woman who has been raped. They are as intricate as political systems, as revered as sacraments.

It just so happens that I grew up in a Roman Catholic parish that was dedicated to the veneration of St. Maria Goretti. My grade school was also named after her. She was our patron saint. Maria Goretti was a twelve-year-old devout Italian girl who was stabbed to death in 1902 when she refused to succumb to the man who tried to rape her. The miracles required for her canonization were testified to in the years following her death. They included her appearance in the prison cell of her murderer and his subsequent spiritual redemption (and early parole).

She was beatified, and attained sainthood in 1950. One of the best things about a Catholic childhood is the stories of the lives of the martyrs and saints. They are romantic and horrific both, laced with sexual innuendo, braced by bloody murder, torture and vengeance. Good lord, the saints were crucified upside down, burned alive, ventilated with arrows, eaten by lions, ripped apart by juggernauts! Their blood was slowly drained, their skin flayed. And they got to die for a larger good. They died for God, to uphold his one true faith. Upon their grisly deaths they were delivered immediately and whole unto heaven and in rapture. It was all fabulous and Grimm. Often much more than a young soul could bear.

Maria Goretti's story was a little different. It contained the requisite bloodletting (she was stabbed repeatedly), but the truth that her resistance to her rape was the motive for her murder (and canonization) could not be spoken aloud. That part was too horrific even for Catholic ears. Instead we were introduced to the codification of female purity as holy, and female sexuality as sinful. We were taught through her example that it was better to die in a state of purity and resistance than to live defiled as a raped woman. The spinning of her murder upheld the religious doctrine common to all denominations that female sexuality is problematic, a sin-

ful lure that few men can resist and that must be cloaked in oppressive tradition and law.

Unlike the stories of the former saints George and Christopher, whose lives and saintly deeds (dragon-slaying and marine navigation) were erased by twentieth-century papal decrees, the real story of Maria Goretti is more firmly located in human rather than heavenly de-

time that term is used to define me, I feel I am returned to that moment, that night of terror and helplessness. Nor am I fond of the label “survivor.” Like everyone else, I was already surviving the normal pain and hardships of life before I was raped, thank you very much. “Okay. So what do we call you?” you ask. Call me a woman. Call me a woman who has been raped. Call me a woman

Not so long ago, women working in rape crisis centres and shelters developed language that identified the nature and perpetrator of the crime. Meaning men. Rape is about men. “Male violence” and “violence against women” were the terms we used. After a few years of this, and as we began to work with legal, social and government systems in the hope of effecting change, after we accepted their money to pay our wages and signed on the dotted line of institutional bureaucracy, we were requested to alter our language, to cut back on the perceived “rhetoric” so as not to alienate or hurt the feelings of the men who were sensitive to our issues (and signed our cheques). The long-term effect has been the un-gendering of sexual assault. But what is its cause? What are its other components? How does it end? Who benefits? Why do men rape?

If rape hadn’t existed by now, we would have invented it. The rape of women has immense economic, social and legal advantages that are seldom articulated. Put plainly, rape works. It is a tool of sexism, and like racism, it exists because it “works.” Stay with me, don’t go away, this gets interesting. As a white woman who is anti-racist, I work hard to understand the causes and effects of racism. I understand that I benefit socially and economically from racism, especially the systemic, institutionalized, polite form that Canada has perfected.

As a white woman, I am more employable, better paid and less fetishized than Native women or women of colour. My menfolk are not incarcerated or stopped by police at the same rate. My children are not taunted, bullied or subjected to discriminatory treatment based solely on their skin colour. I can move a little more freely, hold my head a little higher, because I am not a visible container for racial intolerance. In these ways I enjoy privilege based on my racial origin. This acknowledgement does not by itself make me a racist. It helps me to understand

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## **A raped woman is framed socially and within the law as something broken. Neither Madonna nor whore but somewhere in between. If she had not had that drink or worn that dress or smiled that way, it might never have happened.**

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sign.<sup>1</sup> The man who murdered Maria was, in fact, just a boy, who was well known to her family. After 30 years in prison, he claimed that Maria had appeared and forgiven him. He entered a Catholic order of monks and lived out the rest of his life in the protective custody of the Church. Maria was not rewarded for her purity or goodness by deliverance into a position of power or respect in the religion she died for. She lives on rather as the ultimate rape victim. Her canonization occurred at a time when women in the West had achieved increased economic status and liberation but under a pope whose motives and morals continue to be the subject of public debate. Pope Pius XII did not elect to situate Maria in a powerful position within the faith after her death, as happened with Paul, who hated women, or John the Baptist, who thought women impure. These guys are bigger than saints. Bigger than life. Instead, the pope extolled Maria as a girl whose sexual identity precipitated her death and who was better dead than raped. Amen.

I have never allowed anyone to refer to me as a “rape victim.” Certainly for the time that buddy held a knife to my throat I was his victim and I cannot deny that. But every

who has been raped by a man.

Rape victims are supposed to be helpless. We require assistance and must play a passive role while the good men, the police, lawyers and judges, punish the one, isolated bad man who committed the crime. Mass media reflect on and report their version of the raped or beaten woman as victim. Rape victims are othered, viewed as less than normal, unraped people. The term, its use and purpose, is not particular to the legal system and its players or the media. It is commonly used by members of the medical and helping professions as well, and by feminists. A more appropriate language to describe these crimes of violence was developed by feminists during the seventies and eighties but has been all but forgotten. Look at terms like “wife assault,” “partner assault,” “domestic violence” and “family abuse.” Statistics overwhelmingly support the fact that these crimes are committed by men against women and children. And yet the language we use is gender-neutral. Listening to it, one could logically assume that the wife or partner had assaulted herself, that the children of the family were fighting with or abusing each other and that the violence referred to was homegrown as opposed to imported.

racism and how it works.

Similarly, men benefit in systemic and obvious ways from a society that is inherently sexist. Men earn more than women, hold more positions of power, are not responsible for the unpaid work of mothering, walk freely and are free to walk alone. They need not worry about unwanted pregnancies, body image, aging and financial security with anywhere near the same intensity as women. They do not consciously fear the stranger rapist or feel compelled to monitor the actions of strange women around them. They are not taught at a very early age that there is a damned good chance they will experience a form of male violence staved off only by their life-long vigilance and the curtailing of certain actions, pleasures and freedoms they might otherwise enjoy.<sup>2</sup> In Canada, the government statistics are that one in four men would rape if given the opportunity. This is unacceptable, frightening, outrageously high. But let's flip that stat for a moment and look at the inverse proposition: three out of four men would not rape. Indeed there are many more good men than bad. Where are they? What are they doing to address the rapes of their mothers, daughters, sisters and wives? How do I differentiate them from the bad guys? Sure, they're against rape, but do they understand the ways in which it maintains their privileged status as males? If rape is an extreme tool of sexism used to maintain the male status quo, doesn't it work for all men? In lectures I have given, this is where good men redden, their brows furrow and they start to disengage. They don't understand and they ask what they can do, what they should do, but mostly they want to go home. At another time—and appropriately so—I might have said, "Read a book. Don't expect me to take responsibility for your consciousness-raising."

But this is what I say here: It's hard to be a man. I shouldn't like to try it. Men are still socialized from a very

young age that to be emotional, delicate or tender is to be a girl, and that that is the worst they can be. They must not cry or play with nurture-based toys or wear pastels. They are overwhelmed with male images that drive cars, leave the house for the majority of the day, and return only to mete out discipline and to enjoy the labour of the more home-based female parent. Traditional family

me.

Every few decades and recently so, the tired sociological saw that men are biologically predetermined to rape is dressed up and trotted out to explain the eternal and rising incidence of the crime.<sup>3</sup> Women are cautioned to govern themselves accordingly given that the boys simply can't help it. The books, articles, columns that tooth the saw are well

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values do not require that men prepare food, clean, organize, schedule or provide health care at the same level as women or at all. Their leisure pursuits are sports or technology-based, their literacy level is lower than girls', their demonstrative signs of affection limited. Our baby boys, whom we love and cherish and who are born to us free from malice or ill will, are conditioned to understand human sexuality as singular to their individual wants and needs, to translate "bitch" and "ho" as labels of both affection and contempt, to mistrust anything that "bleeds for five days every month and doesn't die," and to appreciate "gay," "faggot" and "queer" as variations of the greatest, most final insult of all.

A good friend of mine, a man who is sweet, smart and pro-feminist, has pointed out in more than one conversation about the meaning of life that his instinct, his motivation, is to follow his dick. To be true to it. I have challenged him on this, suggested that perhaps these are not quite the words he is reaching for when he discusses his life. But he stands firm, and I retreat, fearful that he really means what I think he means. Fearful that I really do—or don't—understand men and the cultural divide that distances them from

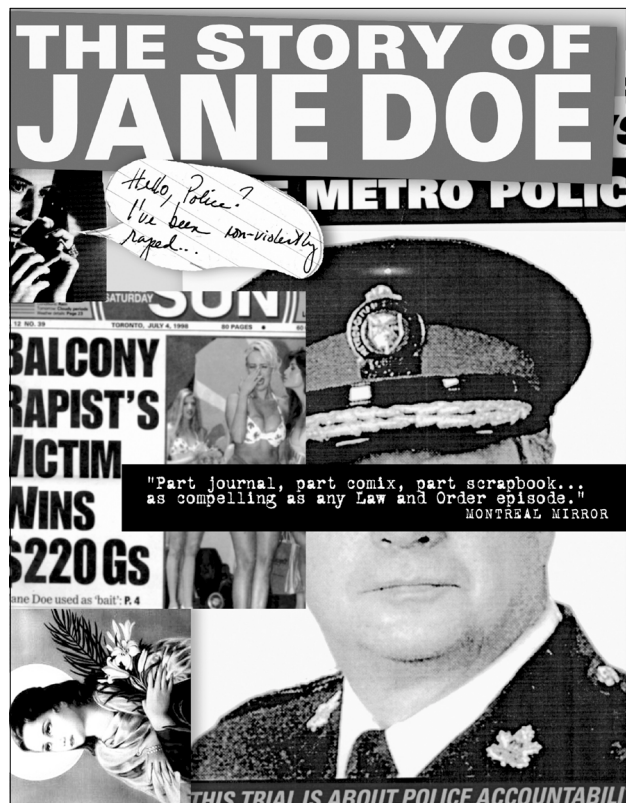
received and become the subject of circular logic and debate. What I cannot understand, am fascinated by, is that men themselves do not rebel against such a limited definition of their ethos and are not insulted by their group equation to molluscs and amphibian life. *Good men don't do it. Our men don't do it.* What to make of the fact that 75 to 80 per cent of reported rapes are committed by men known to the women involved. The woman has no problem making an identification. The lighting is fine. She can provide you with her rapist's address and any other identifying information you could imagine. Some you could not. There is no need for a profile, criminal, geographic or artistic. Computer experts, criminologists, DNA and forensic scientists are not called in. They will not be part of the investigation into a crime that escalates yearly and has the lowest reporting rate of all violent crimes. That job goes to the uniformed officer who catches the 911 call or takes the report at the station. That officer has received a maximum of five days' training in a workshop called Family Violence, which blends the rape and sexual assault of adult women with similar crimes of violence committed against youth and children.

The training is delivered by other police officers. A rape victim may talk about how well her assault was investigated, she might chide (never challenge) or horrify the cadets to attention with her story. The necessity for adequate diversity training to assist these young men in sexual-assault investigation—which cops themselves will tell you is the most murky and difficult crime to investigate—is ignored. Directives to increase the numbers of women and non-white police force applicants have failed or fallen far short of their projected marks. Instead, increasingly significant portions of police budgets are designated for the purchase, maintenance and upgrading of computer technology to investigate and solve crime. VICAP and VICLAS, the systems used in Canada and the United States, are compatible with European and other international policing instruments. They are effective in dealing with international espionage, corporate and white-collar crimes, and auto, credit card or jewellery theft rings. And that's a good thing. Their efficacy in infiltrating prostitution, sex trade, pornography and child abuse networks is heralded by law enforcement officers. I'm sure they have been helpful in other violent crimes. But if you have not been raped by a stranger or an "anger retaliatory rapist" (who constitute only 25 per cent of the rapist population), your crime will not be compatible with computer technology. These tools and the information they store are based on faulty conclusions about empirical evidence. Which means they can be as racist and as sexist as the agents who design and interpret them. Only now they get

to call profiling "science," so it acquires a whole new, if undeserved, credibility. In the majority of rape cases, consent is the issue. The accused has agreed that there was sexual intercourse but it was, he swears,

yourself. There is probably a file with your name on it.) Next, an "expert" witness will be hired to testify that you are a slut, addict, terrorist, deviant or other form of miscreant, and your rapist is free to rape you again or otherwise complicate your life.

Actually, it probably won't even get as far as the expert-witness scenario because the rapist's lawyer can ask questions to elicit the information himself, or he can get it through his own computer search and not even have to pay for expert medical testimony. One of the things we need if we are to encourage women to report is increased and ongoing training and education on rape and other crimes of violence committed against women by men, delivered by women who are professionals in the area, meaning women who work in shelters and rape crisis centres. This will only happen through police policy and operational



consensual. If the woman involved has prior activity that registers on the VICLAS system, it is used against her in a court of law. For instance, if the woman involved was raped before or if she did time for a crime she did or did not commit. If in the past she was apprehended by police under the *Mental Health Act*,<sup>4</sup> if she was hospitalized for postpartum depression or protested against government policies resulting in police apprehension, or if she whored to pay for college or drugs, fled her country of origin because of police abuse or was part of a Native roadblock, it will show up in a VICLAS search. (If you don't believe that this kind of information is collected and stored and available for some to access, take the time to file an Access to Information Act application on

changes in law enforcement practices. Changes that will also benefit policing. Changes that women have been suggesting globally. For decades.

Women who work in anti-violence, who write about it and educate others and have first-hand experience of it, are the experts in the field of rape—not some Eliot Ness clone or computer nerd with a Ph.D. Hire us. And by the way, we will expect to be paid for our work.<sup>5</sup> The escalating focus on "stranger danger" by police through the media and with the assistance of so-called victim's rights groups has worked to maintain a climate of fear that ensures a large degree of control over how and where women live. Current warnings issued by police to alert communities of a serial rapist are fear-based and

hysterical in language and nature. Instead of factual warnings that give us information about the dangerous men in our midst, they issue “don’ts” directed toward women, the people most at risk: The don’ts include:

Don’t go out alone. Don’t go out alone at night. Don’t go out alone or at night unless accompanied by someone (male). Don’t open the windows. Don’t open the doors. Lock the windows and doors. Don’t talk to strangers (men). Don’t assist strangers (men). Don’t take shortcuts. Alternate your daily routine and routes to work or school. Don’t take elevators by yourself (or with strange men). Monitor the motions of the men around you. Don’t ride the bus alone. Don’t get off the bus alone. Leave your lights on. Don’t use underground parking. Don’t park on the street. Walk in pairs. Walk on the road. Walk down the middle of the road. Carry a cell-phone. Don’t struggle. Don’t resist. Don’t fight back. Don’t arm yourself. Eat grass.

*Hey! We already don’t do those things!* Tell us something we don’t know. Give us adequate information that does not interfere with your investigation. Give us dates, times, locations, any description you might have, and let us work in community to craft solutions and to support you and each other. And stop using the fear of strange men to deflect the bigger problems of sexual assault, beatings and other inhumane atrocities committed against us by men we know.

A lot of women have told me that they think it would be “worse” to be raped by a stranger than by a man you know. Personally, I think that in the larger sexual-assault lottery, I lucked out by being raped by a stranger. For one thing, I was not assaulted by someone I loved or trusted or otherwise chose to let into my life. I did not have to deal with that level of emotional betrayal. For another, there was never any question of consent or introducing my past sexual history during the rapist’s trial. Oh, his lawyer would have done it—in fact, there

is even a pamphlet called “Whack the Sexual Assault Complainant at Preliminary Hearing,” which advises defence lawyers on how to get women’s past sexual history introduced at trial. Defence lawyer Michael Edelson wrote (originally in an article published in a professional journal called *Lawyers Weekly* in May 1988):

You have to go in there as defence counsel and whack the complainant hard ... get all the medical evidence; get the Children’s Aid Society records ... and you’ve got to attack with all you’ve got so that he or she will say, ‘I’m not coming back.’

The fact that I was raped by a stranger who was a serial offender with a history of identical crimes actually worked in my favour in court. It predisposed the police and the courts to believe that I was telling the truth and not making a false allegation. As a result, there was no legal basis to introduce my sexual history. (I did not dream that it or my medical and family histories would become issues in my civil trial twelve years later. In fact, if I had known it would come to that, I probably would not have proceeded.) It is easier (but not a foregone conclusion) for the courts to establish lack of consent if the rapist is a stranger. The justice system is less likely to think or believe that you agreed to sex and then changed your mind or just made the whole thing up to get attention. It should be relatively safe to assume that if a strange guy has a knife at your throat, the issue of consent is not to be debated.<sup>6</sup>

Mind you, if you change the picture just a bit and make the man with the knife at your throat your husband, boyfriend or date, well maybe he thought you liked it that way because he’d done it before and you didn’t call the police that time, or it was just a little fantasy so he’s not guilty. Not really. If he doesn’t have a weapon but hurts you with his hands or threatens to, drops some-

thing in your drink or withholds money or food or shelter unless you succumb, then your consent does become the issue. The only issue that matters. The fact that you had prior sexual relations with him (or others), had been sexually assaulted before, consumed drinks or drugs that night (or ever), the very fact that you knew him can be used against you in a court of law to raise doubt about your consent and to determine that he is not guilty. And they wonder why more women don’t report ...

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<sup>1</sup>In 1969 the Church decreed that George, who killed dragons and rescued beautiful women, and Christopher, who carried the child Jesus across a swollen river, were no longer saints and that their deeds are mythical.

<sup>2</sup>Again, the incidence of male-on-male violence is high and rising. Young men today, especially youth of colour, think twice about walking alone at night. Their mothers certainly worry about it. The subject I am addressing, however, is the rape and sexual assault of adult women by adult men, and how that works as a tool of sexism.

<sup>3</sup>*A Natural History of Rape: Biological Basis of Sexual Coercion*, by Randy Thornhill and Craig T. Palmer (2000), is the most recent manifesto of this sort.

<sup>4</sup>The *Mental Health Act* gives police the authority to arrest and incarcerate individuals they deem to be mentally ill who are held (but not charged) until the diagnosis is confirmed. The record of the arrest is permanent.

<sup>5</sup>The point of payment for work done by professional women who consult with police departments on rape or wife assault is one of the hottest hot-button issues I have encountered in my work as Jane Doe. Even other women working in the area take issue

with it, claiming it will further alienate police. Since 1975 anti-violence workers in Toronto have left their paid work to sit on panels and committees or go to meetings with police without financial reimbursement for wages and time lost. And to no effect. Would consultants on helicopter use and purchase or stun-gun efficacy in crime fighting work for free? Should they? The practice of not paying people for their work results in that work being undervalued or ignored. Not to mention poverty.

“The film *The Accused*, starring Jodie Foster and based on a true story, is an example of the courts believing that a woman consented to a gang rape by strangers, even though she was sure she did not. We need not go as far as Hollywood to find examples. In Canada see *Regina v. Wald, Hockett and Girt*, Alberta Court of Appeal and *Regina v. Sansregret*, Supreme Court of Canada.

## LESLEY E. STRUTT

### Water Boiling

The pot is boiling on the kitchen stove.

Into it she drops:

two hands small as butterflies  
two eyes wide open  
two flat feet  
and something hard, something heavy—

turned to stone.

The sudden splash of water, quick as his last slap,  
snaps her head back.

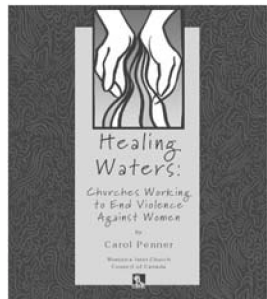
She is so still  
in the fading, the light  
then. She lifts a spoon and  
stirs  
until

she's done.

*Lesley Strutt is a student of the award winning poet, Patrick Lane. This poem is part of a series exploring abuse and the strange world abused women inhabit in order to cope.*

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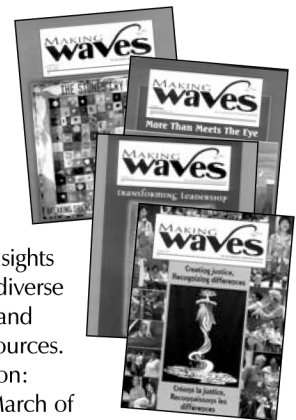
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