

Michigan Law Review

Volume 91 | Issue 6

1993

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Recommended Citation

Peggy R. Sanday, *Rape Discourse in Press Coverage of Sex Crimes*, 91 MICH. L. REV. 1414 (1993).
Available at: <https://repository.law.umich.edu/mlr/vol91/iss6/21>

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RAPE DISCOURSE IN PRESS COVERAGE OF SEX CRIMES

*Peggy Reeves Sanday**

VIRGIN OR VAMP: HOW THE PRESS COVERS SEX CRIMES. By *Helen Benedict*. New York: Oxford University Press. 1992. Pp. 309. \$25.

In *Virgin or Vamp*, Helen Benedict¹ uses the lens of press coverage of sex crimes to examine public attitudes toward women, sex, and violence. Her explanation for why the press clothes the character of complaining witnesses in the garb of sexual innocence or neurotic obsession illuminates a social rhetoric that feeds American conventional wisdom about the nature of sexuality and its relation to charges of rape. I highly recommend the book because it makes accessible to a broad reading audience the pervasiveness of rape myths in the print press, where popular opinion is both reflected and shaped.

Benedict's argument rests primarily on an analysis of the coverage of four high-profile rape cases. The cases cover several types of sexual assault: marital rape (the 1979 Rideout case), peer gang rape (the 1983 New Bedford case), sex-related killing (the 1986 Chambers case), and jump-from-the-bushes stranger gang rape (the 1989 Central Park jogger case). Technically, the Chambers case does not belong in the book because rape was never established in the manslaughter conviction of Robert Chambers for the killing of Jennifer Levin. Benedict includes the case because the press treated it like a rape trial; they focused more on the victim's reputation than on the murder allegations.

Three of the four cases ended in convictions, which skews Benedict's sample because most rape cases, especially when the parties know one another, end in acquittals. However, one could also argue that the pervasiveness of rape myths displayed in the press coverage of these cases, despite the evidence against the defendants, strengthens Benedict's central point:

As the result of the rape myths, a sex crime victim tends to be squeezed into one of two images — she is either pure and innocent, a true victim attacked by monsters — the “virgin” of my title — or she is a wanton female who provoked the assailant with her sexuality — the “vamp.” These two puritanical images are at least as ancient as the Bible. They can be found in the story of Eve as temptress and corruptor

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1. Professor of Journalism, Columbia University.

(the "vamp"), and in the later Victorian ideal of woman as pure and uninterested in sex (the "virgin"). Indeed, rape is often seen as a punishment for women who dare to be sexual at all. [pp. 18-19]

Benedict opens with an important chapter on rape myths, language, and the portrayal of women in the media. She explains rape myths by describing ten attitudes commonly associated with reactions to rape scenarios. One could argue with the fact that Benedict does not actually define the concept *rape myth*; however, she should not be faulted here because the concept has never been adequately defined in the literature.

The term *rape myth* is problematic because it implies a disconnected, unreal, ancient attitude. However, Benedict's analysis leaves no doubt that rape myths dominate press reporting of sex crimes, which suggests that outmoded attitudes play a key role in American popular culture.

I prefer to substitute the term *rape discourse* for *rape myth*. The concept of discourse is useful for several reasons. First, discourse refers to a common sense way of talking, thinking, and representing a given subject. Second, discourse is not a single attitude, but a coherent system of thought represented in common sense notions and expressed through speech, standardized symbols, and rituals. Defining discourse in this fashion, Bruce Lincoln, Professor of Humanities and Religious Studies, notes that discourse is one of "the chief means whereby social borders, hierarchies, institutional formations, and habituated patterns of behavior are both maintained and modified."²

This approach to the concept of discourse is similar to Roland Barthes' concept of *mythologies*.³ Barthes defines *mythologies* as stories that transform half-truths and speculation into full-truths with the status of the natural, eternal, and universal. Like discourse, *mythologies* constitute a system of symbols supporting a political agenda that guarantees certain social relationships by reference to the eternal.

Because the rape myths listed by Benedict form a coherent system of thought that reinforces male dominance in the American sexual culture, the term *rape discourse* seems appropriate. Within this discourse, the virgin-vamp archetypes of Benedict's title can be conceptualized as personae with logical connections to other personae and relationships represented in the other myths she lists. A central organizing theme of this *discourse*, I suggest, appears in the first of the rape myths discussed — the idea that "*rape is sex*" (p. 14).

Benedict provides an important service in showing that the *rape is sex* myth dominates sex crimes reporting in its tendency to dwell mostly on the "sex" and little on the crime. Introducing the feminist discourse that *rape is violence*, Benedict argues that seeing rape as sex

2. BRUCE LINCOLN, DISCOURSE AND THE CONSTRUCTION OF SOCIETY 3 (1989).

3. See generally ROLAND BARTHES, MYTHOLOGIES (Annette Lavers trans., 1972).

encourages people not to take it seriously as crime. Citing a comment made by Clayton Williams in 1990 when he was candidate for governor of Texas, "*If it's inevitable, just relax and enjoy it*" (p. 14; emphasis added), Benedict argues that this myth continues to sway newspaper coverage and shape defense tactics. Women no more "like" rape than they "like being mugged or murdered," she writes (p. 14). She concludes, "rape is best characterized as torture that uses sex as a weapon. Like a torturer, the rapist uses sexual acts to dominate, humiliate, and terrorize the victim" (p. 254).

Associated with the idea that rape is sex is the myth that lust motivates the assailant. Research demonstrates that most rapists are either married or lead regular sex lives. Accordingly, Benedict concludes that it is not lust that motivates rapists, but the need to dominate and terrify (pp. 14-15). This motivation crosses boundaries of race, class, and the usual signs of mental stability. Rapists are not necessarily perverted or crazy, nor are they usually black or lower-class nuts who jump from behind a bush, grabbing women and knocking them down. A comparison of the Rideout and the Chambers cases (which involved white males of ostensible mental stability) with the New Bedford and Central Park cases (which involved lower-class Portuguese and black males showing the same signs of mental stability) makes this point nicely.

The next myth Benedict discusses is that of the provocative female (pp. 15-16). The image of the enticing, loose woman-slut is well known to all of us. She is a logical extension of the feared-mother persona, who represents a dominant, though undiscussed by Benedict, symbol in popular rape discourse. The psychic energy fueling the cycle of the feared-mother, provocative-woman personae stems from the belief held by many in power — lawyers, reporters, policemen, even some academics (Camilie Paglia being the latest in a string of "feminist" theorists) — that women by their very being, by their looks, the curve of their bodies, the fact that all men are born of women, are responsible in different ways for stoking a man's lust. Relying heavily on the Freudian fiction of psychosexual development, Paglia, for example, claims that one can trace all sexual aggression to the fact that men were gestated by women, which confines them to a lifetime of projecting their masculinity onto others by way of escape.⁴ Given that rape is one of these escapes, women must protect themselves from the testosterone-driven, escapist sexuality of men. Provocative women are especially vulnerable because, by their looks or behavior, the discourse states, they "ask for it."

Benedict describes the press rhetoric that applied the "provocative woman" and "women must protect themselves" myths to Jennifer Levin, who was killed during what Robert Chambers described as her

4. See CAMILIE PAGLIA, *SEXUAL PERSONAE* ch. 1 (1990).

rape of him (p. 174). The press suggested that Levin "courted death" (p. 149), just as they also said that the Central Park jogger should not have been in the park after dark (pp. 194-95). The same sentiment was expressed about the woman who was gang raped in the New Bedford bar (p. 194). *What was she doing alone in the bar late at night away from her children?*

Of the other myths mentioned by Benedict, the *women cry rape for revenge* myth works to uphold both poles of the virgin-vamp opposition. Within the terms of the rape discourse sketched above, crying rape for revenge is acceptable only when it reinforces the rights of men in the sexuality of women. For example, no one in the white press ever contested the Central Park jogger's claim that she was raped. Because she was of their class, the print press was protecting one of their own against males from another class.

A woman's accusation of rape against a man she knows, on the other hand, is usually treated with suspicion. The fear of false accusers is deeply embedded in the American psyche and played a critical role in the development of the nation's rape laws. Until the 1970s, all juries in rape trials were read the cautions written by the seventeenth-century jurist, Lord Chief Justice Matthew Hale, who wrote that although rape is "a most detestable crime . . . [.] it is an accusation easily made, and hard to be proved, and harder to be defended by the party accused, though ever so innocent."⁵

I suggest that rape is "a most detestable crime" only when the rapist challenges another man's rights. If the alleged rapist is an acquaintance who by his act challenges a woman's right to sexual autonomy, the accusation becomes one that is "hard to be proved" against a man "ever so innocent," and the accuser is slotted into the vamp category.

The well-known American evidence scholar, John Henry Wigmore, expressed the vamp side of the polarity when he said, "[t]he unchaste . . . mentality [of women accusers] finds incidental but direct expression in the narration of imaginary sex incidents of which the narrator is the heroine or the victim."⁶ "The real victim," Wigmore opined, was "the innocent man," victimized not only by the woman accuser but also by the courts who believed her story too readily.⁷

My argument that rape myths, such as those listed by Benedict, are part of a broader common sense discourse undergirding and reproducing sexual asymmetry is supported by the second part of Benedict's

5. Hale's instructions are quoted in Note, *Checking the Allure of Increased Conviction Rates: The Admissibility of Expert Testimony on Rape Trauma Syndrome in Criminal Proceedings*, 70 VA. L. REV. 1657, 1661-62 n.14 (1984).

6. 3A JOHN H. WIGMORE, EVIDENCE AT TRIALS AT COMMON LAW § 924a (James H. Chadborn ed., rev. ed. 1970) (1904).

7. *Id.*

analysis of each of the four cases, in which she presents an incisive discussion of why rape myths are not evenly implied. According to Benedict, the type and number of myths that play a role in the press coverage of a given case depend in large part on the race, class, and gender of the victim and the circumstances of the crime itself (p. 19).

In his study of jurors in rape cases, sociologist Gary LaFree demonstrated the importance of race and gender. LaFree found that nicely dressed white males were usually acquitted, while African-American defendants were often convicted, especially if the complaining witness was white. If the complaining witness was black, the chances of conviction were greatly reduced regardless of the race of the defendant.⁸ As one juror said to LaFree, "Negroes have a way of not telling the truth. They've a knack for coloring the story. So you know you can't believe everything they say."⁹

Benedict identifies eight social factors affecting the application of rape myths by the press (p. 19). She attributes the acquittal of John Rideout to the fact that seven of these factors operated against Greta Rideout.

She not only knew her alleged assailant, she was married to him; no weapon was used to give the public or press a reason to pity her; she was of the same race, class, and ethnic group as her supposed assailant; she was young; and she was perceived as attractive. The only ingredient in her favor was that she was not deviating from her traditional womanly role when the rape was supposed to have occurred — she was at home with her daughter. The defense quickly took care of that by trumpeting her supposed lesbian and extramarital affairs, abortions, and "serious sexual problems" in court — by painting her as a social deviant. Those biasing ingredients enabled both the defense and the press to push Greta into the unsympathetic role of vamp in the rape narrative — the woman who teases and tempts the man, then cries rape for revenge. Greta thus fell victim both to the foibles of press habits and to the worst of the rape myths. [pp. 86-87]

The mainstream press treated the Central Park jogger with reverence and respect because she had the fewest factors weighing against her. Because she did not know her assailants, the scorned woman myth was not applied to her. Because her attackers were of different race and class, the rape was not construed in sexual terms but "as a rampage of class against class, race against race" (p. 244). Unlike the other victims, she escaped with her reputation intact. The press spared her because she was white and upper-middle class, like most reporters and editors. As one of their women, she had to be protected from the evils of the underclass.

Robert Chambers was from the same class as the jogger, a "preppie[]" with a "posh address[]" (pp. 148-49), as he was labeled by the

8. GARY D. LAFREE, RAPE AND CRIMINAL JUSTICE 114-47, 219 (1989).

9. *Id.* at 220.

press. According to Benedict, the press coverage of the “preppie murder” was “the best example” of how the press tends to represent sex crimes in terms of rape myths (p. 184). Jennifer Levin, his victim, was labeled a “voracious vamp,” who “pursued” Chambers for sex and “courted” her death — “the classic ‘women provoke’ myth” (p. 184). Despite his burglaries, his cocaine use, his lying, and his expulsion from more than one school, Benedict writes, Chambers was portrayed as the “handsome, silent-hero type, who had been driven beyond his usual passive nature by this ‘wild’ woman into a ‘terrible tragedy’ ” (p. 184).

Benedict believes that Levin fell subject to this kind of reporting partly because there were so many biasing ingredients against her. She knew Chambers, he did not use a weapon, she was of his age and social class, “she was young, she was attractive, and she had been drinking and flirting late at night in a bar before her death” (p. 185). In other words, she was the classic *vamp* of popular rape discourse, a young woman who had long since given the finger to men who claimed rights over her body. She was a free woman. But, as we see from Mary Gordon’s provocative analysis of sexual asymmetry in American fiction, a free woman’s fate is death.¹⁰

Benedict ends with useful suggestions for press coverage of sex crimes. She strongly recommends against naming the victim (p. 254), a conclusion I heartily endorse. As long as women are exiled to live in a society where rape is sex and anyone who *cries rape* is automatically conceived as a vampish-false accuser and a revolutionary, it makes no sense to name complaining witnesses, thus forcing them to live as public figures subjected to any male reader who feels he has a god-given *natural* right over women’s bodies.

Because it is a form of torture, Benedict argues, rape will carry a stigma whether the victim is named or not (p. 254). Like any act of torture, the stigma is burned into the victim’s psyche, leaving a lasting residue. “To name a rape victim,” she concludes, “is to guarantee that whenever somebody hears her name, that somebody will picture her in the act of being sexually tortured. To expose a rape victim to this without her consent is nothing short of punitive” (p. 254). In addition, if the victim has the eight biasing ingredients against her, her reputation will be more than dragged through the mud; she will be pilloried by the press and possibly hounded out of town — as happened in the New Bedford case. In the carnival atmosphere of most rape trials, publishing the victim’s name only turns the screw. “The only way to destigmatize rape,” Benedict concludes, “is to change the ways in which sex crimes are reported so that victims’ reputations will not be automatically destroyed and the rape myths will not be automatically called upon to provide inaccurate and harmful explanations

10. See generally MARY GORDON, GOOD BOYS AND DEAD GIRLS 3-23 (1991).

of rape" (p. 259). Additionally, Benedict suggests that publishing the name of the *accused* should be withheld before formal charges are brought (p. 253).

Benedict provides a number of useful guides for the press in covering sex crimes. She suggests that reporters and editors become familiar with the rape myths that trap them into unfair coverage, and she encourages reporters covering sex crimes to take a course in rape counseling and read the important books on the subject (pp. 262-63). Such training would increase the probability of fair and accurate, rather than sensational, sex crimes reporting.

The reforms suggested by Benedict are among the many steps necessary to facilitate greater social parity and gender balance. Her book is important because, in addition to listing concrete, workable reforms, her analysis of the current bias is very persuasive. She is reaching for nothing short of a transformed *rape discourse* that is more consistent with research results and the rape reform legislation of recent decades. At the same time it invites abuse of women, the current discourse also demeans men. The unspoken male complement to the virgin-vamp polarity is the weakling/nerd-macho/rapist conception of manhood. As long as the press perpetuates either one of these polarities, we are stuck with the other. Sex crimes coverage would better serve women by exposing the social factors that encourage male sexual aggression rather than extolling the good boy, hero narrative as the press did in the Chambers case.

The media must address some important questions about male socialization. For example, why do our sons adopt the macho-rapist orientation with such enthusiasm? What are they trying to escape? What is it about "nerd" status that is so dreaded? How do gangs — be they street gangs or groups of athletes and fraternity brothers at our nation's prestigious schools — set boys up for the macho-rapist persona by closing off all other possibilities? How do we, as parents and professionals, collude in this setup?

National statistics demonstrate that one in four of our daughters experience rape or attempted rape by the age of twenty-one.¹¹ Just as we study our daughters, we need to study their abusers. We must also examine the macho discourse of abuse that dominates media representations of maleness. Women are abused and raped by sons whose masculinity was molded by the steady diet of violence we feed them daily — in comics, cartoons, MTV, and movies. My cross-cultural research demonstrates that a culture of violence marks rape-prone societies in contrast to the respect that characterizes interpersonal relations in rape-free societies.¹² This and other research demonstrates conclu-

11. ROBIN WARSHAW, *I NEVER CALLED IT RAPE* 2, 11 (1988) (based on survey administered to 6,100 undergraduate women and men at 32 college campuses).

12. Peggy R. Sanday, *The Socio-Cultural Context of Rape*, *J. SOC. ISSUES*, Fall 1981, at 5.

sively that we cannot pin male sexual aggression on motherhood. Male sexual aggression is intimately related to how we define our heroes. The current rape discourse and associated practice will be with us as long as we continue to be fascinated by the virile, sexually powerful hero who dominates everyone, male and female alike.¹³

13. For more on this fascination and its roots, see PEGGY R. SANDAY, *FRATERNITY GANG RAPE: SEX, BROTHERHOOD, AND PRIVILEGE ON CAMPUS* (1990). For an excellent early analysis of the relationship between rape and the culture of violence in Philadelphia, see MENACHEM AMIR, *PATTERNS IN FORCIBLE RAPE* (1971).