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Review Article

Rape Myth Acceptance, Gender Inequality and Male Sexual Entitlement: A Commentary on the Implications for Victims of Sexual Violence in Irish Society

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Abstract

We are currently experiencing a cultural climate where sexual violence has dominated media outlets in recent years, where global campaigns such as #MeToo and #ibelieveher have highlighted the prevalence of sexual assault and exposed rape culture. However, the issues of victim shaming and blaming, of Rape Myth Acceptance (RMA) and the dismally low conviction rates in criminal cases in Ireland have plagued our ability to fundamentally challenge and change the attitudes and behaviours that support sexual misconduct, harassment and violence in all its forms.

Rape myths are complex structures - someone can be sympathetic towards a rape victim but still believe that it was her fault she was raped. The acceptance of such myths have far reaching consequences which are physical, emotional, and psychological with extended socio-economic effects. Sexual violence against women continues to pervade society across the globe and is considered by the World Health Organisation (WHO) to be a violation of women's human rights. The WHO identifies three risk factors of sexual violence in society - traditional gender norms and social norms supportive of violence, ideologies of male sexual entitlement and weak legal sanctions. These factors then cascade down to impact behaviour at community, relationship and individual levels.

In the absence of clear policy, practice and outcome evaluation in relation to addressing complex issues such as rape myth acceptance and jurisprudence issues, this article will review gender and social norms in Irish society and examine their influence on rape myth acceptance, an issue, at times subtle and insidious, other times overt and unchallenged, can have devastating consequences on those who experience them.

Keywords: Criminal justice; Gender norms; Male entitlement; Rape myths; Rape myth acceptance; Sexual violence; Victims

Introduction

Sexual violence is recognised as a serious crime in most countries, including Ireland. The official statistics from our police force, An Garda Síochána, are collated by the Central Statistics Office (CSO). While we know that the prevalence rates of sexual violence are far higher than official figures suggest, the CSO [1] reported that there were 1,538 recorded female victims of recent sexual violence in 2019 - a staggering five-fold increase from 316 reported in 2016 [2]. The Rape Crisis Network Ireland (RCNI) reported that only 39% of adult victims who attended a Rape Crisis Centre in Ireland in 2019 had reported the incident to the authorities, an increase of only 3% from 2015 figures [3,4]. This suggests that the rise in reported crimes cannot be accounted for by an increased reporting rate by victims. And while it does confirm a vast majority of sexual crimes remain unreported officially, the figures highlight an escalation in actual sexual crimes being perpetrated against women. When set against a back-drop of #MeToo Campaigns and

numerous high profile cases internationally and nationally which have brought the issue of gender based violence to the forefront of critical debate, such a trend in the figures is extremely worrying.

Rape Myths and Rape Myth Acceptance

Rape Myths were defined by Carol Burt as "Prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists" [5]. The acceptance of such rape myths among men with deviant sexual interests (for example, fantasies of forced sex, rape, sexual aggression, coercion, or dominance) is well documented as a risk factor for the propensity to commit crimes of a sexual nature [6-10]. Specifically, rape myths result in blame being placed on the victims of rape, rather than on the perpetrator. Rape myths can feed into offending by making it socially acceptable to rape a woman because "She got what she deserved" or "She was asking for it" (e.g., seminal work by Scully & Marolla [11]. They can stem from cognitive distortions that arise from a foundation of implicit theories held by individuals, formed during childhood through learning from interpersonal experiences and are constructed in order to explain the world and the people around us [12]. They may also be supported or reinforced by cultural and family norms, such as a living in a male dominated society [12-14]. Rape myths can also be endorsed by victims whereby they fail to label their experience as a sexual assault [15,16].

Rape myths can also be fostered within the gender inequality that exists in a patriarchal society, resulting in the justification and perpetuation of sexual violence against women [17,18]. A meta-analysis of 72 studies assessing attitudes towards rape found that traditional gender role beliefs, adversarial sexual beliefs, needs for power and dominance and conservative political beliefs predicted RMA - all attitudes that pervaded Irish society in the 20th century [19]. The most fundamental myth surrounding sexual violence is that it occurs between strangers. This is an utter falsehood that has the immediate effect of inadequate reporting to the authorities by those who experience it within existing relationships or marriages. Time and again, research highlights that most sexual assaults on adult women are carried out by someone known to them - up to 86% in most recently reported figures from the RCNI [4]. Sometimes referred to as Intimate Partner Violence (IPV), it is often accompanied by emotionally abusive and controlling behaviours as well as physical violence that make it difficult for women to report the incident [20,21].

Unfortunately, it is those who are attacked by a stranger in a public place who are most likely to have their case prosecuted in what is considered a "Real Rape" [22]. Perversely, those who choose not to report their experience of rape to the police are more likely to possess higher levels of RMA themselves [23]. For example, it has been identified that while the experience of sexual victimisation may reduce the acceptance of some rape myths, e.g., those underestimating the prevalence of rape in society, it may also increase the endorsement of others, e.g., those that support victim blaming [24]. Essentially this means the woman will find herself somehow culpable for the violence perpetrated against her rather than recognising it for what it was; an illegal and deviant act.

Traditional Gender Norms and Social Norms supportive of Violence

The WHO recommends creating a climate of non-tolerance for sexual violence to enable its reduction in society. Ireland has already put in place some of its key recommendations around this by broadening the definition of rape to include intimate partners, changing legislation to ensure women have equal rights in education and work and, through changes in same-sex marriage and transgender rights, addressing traditional notions of masculinity and femininity which serve to control women. However, we are not fully there yet, especially regarding the recommendation of equal political participation. With the publication of the National Strategy for Women and Girls in April 2017, the then Tánaiste and Minister for Justice and Equality, Frances Fitzgerald, stated in her foreword, "I recognise that women continue to be treated unequally" [25]. The EU cites that Ireland still has some work to do in achieving true gender equality. Although progress has been made, Ireland has the lowest gender equality score in the EU in the area of political, economic and social power [26]. This means that women are not equally represented in the forum that is governing laws affecting their bodies and the administration of justice in rape and sexual violence cases. In Ireland, only 23.9% of decision-makers are women [27]. When women occupy the same number of influential positions as men do, women will be perceived by men as peers rather than threats and accepted as equals [28].

Social change in isolation does not address the community and individual factors that influence sexual violence. Leahy [29] suggests that while a legal definition of consent would be helpful in addressing victims' experiences within the criminal justice system, a public awareness campaign is also necessary to reduce RMA. One of SAVI's (Sexual Abuse and Violence in Ireland) key recommendations nearly 20 years ago was the development of a comprehensive public awareness campaign on sexual violence [30]. However, rape myth campaigns tend to be targeted at college students (e.g., Bystander Intervention Programme, University College Cork), research studies are infrequent [31] and the long-term effectiveness of such campaigns have not been tested. Despite the welcome report on "Ending Violence and Sexual Harassment in Irish Higher Education Institutions" [32], commentary around issues of consent does little to encourage victims coming forward when the lines of consent are blurred through alcohol and/or drugs. There are serious deficits in confident sexual communication and we need to consider factors specific to our culture. For example, McMahon and Farmer [33] suggest that rape prevention programmes should look specifically at the role of alcohol. Hanly, et al. [22] found that alcohol was a critical factor in sexual violence.

Over 80% of victims were found to have consumed alcohol around the time of the offence, with a figure of nearly 77% for the suspects involved. The SAVI report also found that alcohol was a significant factor in sexual assaults on women [30]. Both studies conclude that addressing Ireland's binge drinking culture is a key part of any public awareness campaign, with a particular need to educate young men that inappropriate and illegal sexual behaviour is a potential outcome of alcohol misuse. Therefore, broader health initiatives addressing sexual and mental health along with alcohol and drug misuse may be more effective [34]. Others argue that such programmes need to start earlier than college age and target young people before they become sexually active [35]. The WHO concur, stating that the most effective programmes are school-based and focus on helping children to recognise and avoid potential sexual abusive situations.

It has been suggested that even a small number of influential leaders and advocates can be key in raising awareness about sexual violence and addressing the imbalance of treatment by our institutions [35]. Vicky Phelan is an example of a prominent advocate for women's health, bringing her story into the public arena and acting as a catalyst for the Cervical Check cancer scandal [36]. Church and community leaders play a role in education by providing support, encouraging empathy and creating awareness of sexual violence towards women [37,38]. The media is also influential in reinforcing positive messages about legislative change and focusing public interest on the topic. This can legitimise and enable social change [39]. #MeToo is an example of the power of social media in instigating change [40].

Ideologies of Male Sexual Entitlement

Ireland has a hidden history of "Gendered violence and silencing of Irish women" [41]. It is only really in the past 30 years that the full history of women in Ireland has begun to be written [42]. From the late 1800s as an independent Ireland was emerging, the influence of the Catholic Church was immense and inextricably entwined with the State and lawmakers. Their goal was for Ireland to become a "Sexually pure and moral nation" [43], with the view that a woman's primary role was as a married mother. There was little legal recognition given beyond limited property rights. To maintain the virtue of women and to encourage high marital fertility rates, any other sexual activity outside the sanctity of marriage was not tolerated and essentially criminalised [41]. Women were not believed to have sexual desire and their proper conduct was directly associated with the moral functioning of society. Women were also seen as responsible for the sexual conduct of men, whose incontrollable sexuality was blamed on their biology. Therefore, if a woman wanted to, she could lead a man astray as they were deemed to be helpless in these situations [44].

In the 1990s the birth of the Celtic Tiger facilitated women's increasing presence in the workplace with further employment equality legislation. Two female presidents in succession were elected and with that, the perception of women began to change in Ireland [45]. The wrongs of the past also began to be addressed as the horrors of the Magdalene Laundries were revealed when a mass grave was found in 1993. The last laundry closed its doors in 1996 [46]. As we moved into the second decade of the 21st century, more progress was made to make amends for this dark history. After gathering momentum from the 1990s onwards and with support from the United Nations Committee Against Torture, in 2011 survivors of the Magdalene laundries won their long-fought campaign for a formal investigation when the Irish government set up the Inter-Departmental Committee to establish the facts of State involvement with the Magdalene Laundries [46]. Their report was published in 2013, which identified significant state collusion in the admission of women into the institutions [47]. In 2015, the Mother and Baby Homes Commission of Investigation was established following the discovery of the bodies of almost 800 babies and children at the Bon Secours Mother and Baby Home in Tuam, County Galway. In his state apology for the Mother and Baby Homes earlier this year, The Taoiseach Micheál Martin acknowledged that, during a cold and harsh period in the country's history, "All women suffered serious discrimination [48]."

The hugely restrictive abortion laws in Ireland were deemed by the United Nations to violate international human rights conventions before the Irish people voted to repeal the Eighth Amendment in May 2018 [49]. Prior to this, abortion was driven underground or abroad as women sought to take back control over their bodies and reproductive health [50]. This was momentous in the women's rights movement in Ireland and suggests a huge shift in Irish society since the 1983 referendum which voted against abortion [51]. A referendum to further liberalise the laws was approved by a landslide vote of 82% in 2019 [52].

Weak Legal Sanctions

Gender inequality can pervade society even without the legitimisation that comes from discriminatory legal structures, but certainly when men possess higher status and greater power than women, sexual violence can prevail [35,53]. It wasn't until the 1970s that two key pieces of legislation were enacted in Ireland to address inequality in employment law and single women were no longer forced to retire from the civil service upon marriage [54]. Up until the referendum of 1995, restrictive divorce laws forced women to remain in unhappy marriages where they may have experienced domestic violence, emotional abuse and been raped. Marital rape was only criminalised in 1990, even though as early as 1982 it was estimated that 14% of married women had been raped by their husbands [55].

As rape myths can be accepted throughout society, they can also be found the criminal justice system. Rape myths can contribute to the formation of schemas about rape cases

among police officers. These can influence their response to and interactions with victims [56]. One Irish study found that rape victims had mixed experiences with Gardaí. For example, 42% considered withdrawing their complaint, with the main reason for this being poor treatment by the Gardaí [22]. Following through to the courtroom, rape myths can affect how victims and their testimony are treated - comparing her evidence with the "Real Rape" stereotype, discrediting her, discussing her sexual history and endorsing rape myths such as highlighting what she was wearing [57]. It has been said that in rape cases, the rules of the game are different. This was evident in a highly publicised Cork trial in 2018 in which the victim's underwear was used as evidence that she was somehow willing to having sex with the defendant. The case highlighted how rape myths can be used very effectively by defending barristers to appeal to potential jury bias [58]. The resulting backlash caused a change in legislation around the reporting of trials, but the defendant in that particular case was found not guilty [59,60].

It has been suggested that guidance should be given in trials to educate jurors on victim behaviour, both after the assault and when testifying. This can avoid barristers playing upon stereotypes about the normal or rational way a woman should behave, as the average juror may not be aware of individual differences in this [15,61,62]. Tuerkheimer [63] summarises these problems effectively: "When rape victims confront a law enforcement regime predisposed to dismiss their complaints, they are effectively denied the protective resources of the state." (p. 2) However, it's worth mentioning that Hanly, et al. [22] comment in their study of Rape and Justice in Ireland that the system does work for most survivors and Iliadis [64] recognises that Ireland has come a long way in victim inclusion in the process.

The Harrassment, Harmful Communication and Related Offences Bill [65] and the Criminal Offence of Coercive Control [66] will empower our police to deal with such damaging behaviours far more effectively. However, we are still without specific laws around Stalking, another serious issue within the broader context of sexual violence.

Conclusion

Gender inequality and male dominance excludes women from decision making and normalises the view that men are superior to women, allowing sexual violence to continue unpunished [34]. Edwards, et al. posit that "Discourses on sex and gender, masculinity and femininity, sexuality and heterosexuality, sexism and racism, and other systems of social oppression must be addressed through... institutional-level approaches" [35] in order to reduce RMA in society. These conversations have taken place in Ireland through the State inquiries described above, the divorce, same-sex and abortion referendums and the global #MeToo movement. This appears to have been a watershed moment in women's rights and a challenge to rape myths in society. It has highlighted the role of male privilege, the prevalence of sexual victimisation and the difficulty for women in coming forward. Rape has finally been reframed as a means of exerting power and control, rather than stemming from uncontrollable sexual desire.

Let's be in no doubt about the long-lasting health and psychological impacts that sexual violence has on victims. There are two critical issues for society. One is how we understand, support and care for victims of sexual crime, the second is how we understand, assess and deal with those who perpetrate it. There are complex needs to be addressed for both victims and perpetrators. They are not necessarily mutually exclusive but should be considered in the context of the root causes of gender inequality at societal, community and individual levels. Tackling it requires a multi-pronged focus in all of these domains.

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