

rappe

TOWARDS
AN UNDERSTANDING
OF
RAPE

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MYTHS AND REALITIES

WHAT DO YOU REALLY KNOW ABOUT RAPE?

WHO "GETS RAPEED"?

The largest number of victims are in the 14-24 age group,¹ but women of all ages are raped, regardless of economic class, race, dress, looks, marital status, etc. Men can also be sexually assaulted.

WHERE DO RAPES HAPPEN?

Studies² show a home is the most favoured location, with a car (while hitch-hiking or on a date) also common. Other places and situations include streets, alleys, parking lots; babysitting, family get-togethers, parties.

WHEN DO RAPES HAPPEN?

Usually at night, on a weekend.³

WHY AREN'T MANY RAPES REPORTED?

Conservative estimates say only 10% of all rapes are reported. (For example, approximately 70 rapes were reported in 1976 in the Greater Victoria area, including Colwood.⁴) Our society tends to condemn the rape victim as having caused the attack in some way, making her feel ashamed and guilty. She may feel reproach from her family and friends. Repeating the story many times can be stressful. Also, the conviction rate for rapists is lower than for any other crime.

WHY CAN ONE SEX TAKE BY FORCE, AND THE OTHER SEX "GET RAPEED" AND LIVE IN FEAR OF IT?

The history of rape reflects the history of woman's position in society. Traditionally, a woman was the property of her father, who could sell her, or of her husband, who had bought the right to be her sole impregnator through the laws of marriage. A man who raped a woman was "damaging the goods," and thus had committed a crime against another man's property. This attitude is especially evident in ancient laws where the father of a raped virgin was permitted to rape the wife of the

INTRODUCTION

Rape is a crime of violence in our society. It remains shrouded in secrecy, provoked by our feelings of fear, guilt, and inadequate concepts of sexual roles.

To discuss rape, our approach must be co-operative and must have the understanding and good will of all men, as well as women.

It is toward this goal that this handbook has been written. We hope that after reading it, you, your friends, teachers, and parents can talk more directly about the issues involved.

rapist.

Rape as an act of terror and humiliation, as well as a property crime, is very clear in warfare, revolution, and racial or religious persecution. It has been used as a weapon to weaken the enemy, to avenge the losers, or simply as part of the fruits of victory.

Many aspects of women's lives have changed, but marriage and rape laws still reflect the concept of woman as property: she does not have power over her own body. (See "Legal Concerns.")

HOW DO THE POLICE AND COURTS EVALUATE RAPE REPORTS?

"A Study of Rape in Canada: Phases 'C' and 'D'", by Lorene Clark and Debra Lewis, shows that the credibility of rape victims decreases when a woman is over 25, from an ethnic minority group or a low socio-economic background, or does not have a "respectable" female occupation such as cook, clerk, waitress, or housewife. These "less credible" witnesses seldom, if ever, have their cases proceed to preliminary hearings.⁵

It should, however, be noted here that the police are usually sympathetic and understanding of rape victims. Problems in victim credibility generally arise at the higher levels of the judiciary system.

Rape is a violent act, a sexual assault of a woman against her will. In one study, convicted rapists were shown as aggressive people who raped to abuse, degrade and humiliate a woman, more than for sexual release.⁶ Forty-three per cent of the rapes studied were pair or group rapes. Physical force was present in 85% of the cases. In 25%, the victim was subjected to some form of extra physical insult; the percentage is higher in group rapes. Most of the rapists did not differ substantially in psychological tests from ordinary men.

The picture of the rapist as aggressor and the woman as passive victim of abuse reflects cultural concepts about men and women in society. "He-man" and "baby-doll" are some of the approved counterparts of the rapist-victim situation. We know that behaviour is dominated by social conditioning; that is, society directs a person into identity appropriate to her or his sex. In other words, we tend to be what we are taught and expected to be. Attitudes toward the sexes begin with pink and blue blankets and proceed to form us for the rest of our lives.

*"What are little girls made of?
Sugar and spice and everything nice.
What are little boys made of?
Snips and snails and puppy dog tails."*

BLANKET STATEMENTS

Blue

wolf; rooster
constantly "proving" manhood
aggressive; direct action
shouldn't show emotion; tough
a person; a possessor
must win (ulcers, heart
problems)

Pink

bunny; chick
helpless; needs protection
passive; coy, indirect
emotional; sensitive, soft
a thing; a possession
can't win (nervous disorders,
headaches)

These concepts represent the opposite extremes of male and female roles. But definitions of these roles are becoming broader and more balanced, as we find that a healthy individual has traits of both sexes; for example, one can be strong and sensitive.

Stereotypes limit the potential and freedom of each sex. They can deprive a man of his sensitivity and push him to succeed in destructive ways. They are especially oppressive to a woman; putting her in a victim role, so that she is not able to defend herself or make firm decisions. Pornographic images make her into a toy or fuzzy-headed child to be controlled or abused. Let's take a look at some of these assumptions at work in a specific dating situation.

THE DATE

Scene I

In a school hallway.

GARY: *(There's Lisa. All the guys talk about her. She's really something. Maybe I could ask her out. Yeah, there's a dance Friday night. The old man owes me my allowance. I can probably borrow the old lady's car.)*

LISA: *(There's Gary. All the girls are just dying to go out with him. He's the captain of the football team. I wish he'd ask me out. The dance is Friday night. Dad owes me my allowance, so I could get that shirt I wanted. Maybe I could borrow my sister's sweater.)*

GARY: "Hi!" *(What if she says no?)*

LISA: "Hi!" *(Maybe he'll ask me.)*

GARY: "How are you? You finished your math homework?"

LISA: "Yes, wasn't that test a bummer?"

GARY: "You going to the dance Friday night?"

LISA: "Well, I'm not sure."

GARY: "Would you like to?"

LISA: "Why, sure."

GARY: "Pick you up at 8." *(Wait till I tell the guys!)*

LISA: "Great." *(Wait till I tell the girls!)*

Scene II

At Lisa's home.

LISA'S MOTHER: "Those pants are far too tight." *(She looks like a tramp.)*

LISA: "Aw, mom! Quit bugging me! Everybody else wears them like this."

LISA'S MOTHER: "I don't care what 'everybody else' wears. No daughter of mine is going out in public like that!"

LISA: "Mom, when are you going to stop treating me like a child?" *(Gary would think I was a jerk if I dressed the way she thinks is proper.)*

Scene III

At Lisa's home, later.

GARY: *(Come on, calm down.)* Rings doorbell.

"Hi!" *(Those pants are really something!)*

LISA: "Hi!" *(He's finally here.)*

Lisa introduces Gary to her parents. They leave.

GARY: *(Well, that's over with.)* "Your parents are really neat and understanding." *(I'm going to have to move fast if she has to be in by 11. I've got to be in by 11:30; should work out fine.)* "Is your mother strict about what time you get home?"

LISA: "Well, yeah, she is." *(Oh no, he probably thinks I'm a little kid.)*

Scene IV

About 10:30. Gary and Lisa have left the dance early.

GARY: *(Wow! She must really want it to just leave half an hour early.)*

LISA: *(Oh, he really cares about me! Wonder how far I should go?)*

GARY: "We can go down to the point."

LISA: "Okay."

GARY: *(That didn't take much convincing.)*

They arrive, and start to neck.

LISA: "Maybe we should be heading home." *(But this is so neat.)*

GARY: "Sure, sure. Later."

LISA: *(This is getting too heavy.)* "Hey, look! Stop!"

GARY: "Come on, don't play dumb with me." *(Maybe she doesn't...no, all the guys said she did.)*

LISA: "No! I want out! Please take me home!" *(Oh no, he's going to force me. How could this happen to me?)*

He rapes her. He drives her home as she weeps quietly in the corner. She gets out of the car.

GARY: "Well, see ya around. Maybe we'll go out again sometime."

Scene V

The next day Lisa confides in a close friend.

LISA: *(I'm so confused. I'm scared and alone.)*

FRIEND: "Hi, Lisa. How was your date with Gary last night?"

LISA: "Please don't ask." She starts to cry.

FRIEND: "What happened?"

LISA: "He made me...you know, do it."

FRIEND: "Yeah?"

LISA: "Everything was fine. We were having a good time necking, but that was all I wanted. Then all of a sudden he just grabbed me and....and...."

FRIEND: "Tries to console her. "Lisa, you know how it is with guys. They get to a certain point and they can't control their urges anymore."

Scene VI

Gary talks to a friend.

FRIEND: "Well, how'd the big date go?"

GARY: "Terrific! She was really begging for it. She started saying no, but I knew she really meant yes. She loved it."

UNDERSTANDING THE PLOT

1) Gary had to take the initiative, plus provide the money and transportation. Meanwhile, Lisa had to wait passively for an invitation.

If Lisa could feel more secure about herself, she could state her needs, instead of waiting for someone else to voice them for her. If she could ask Gary out, it would remove some of the pressure to compete with other girls on the basis of looks. It would lessen his share of the responsibility and his fear of rejection.

If Lisa shared the cost of the date, she would feel less like she was being sexually bought. He wouldn't feel like he was "cheated" if the date wasn't sexually successful.

2) Gary went out with Lisa because his friends said she was a fast number. She accepted because he was a status symbol among her friends.

If Gary and Lisa had gotten to know each other before they went out on the big date, they might have felt more comfortable and seen each other as real people. They could have had a coke after school, gone on long walks together, or just relaxed and communicated.

3) Gary saw Lisa as a flirt who was "asking for it" by the clothes she was wearing.

Lisa wanted to look fashionable and be approved of; therefore, she dressed attractively. Gary assumed that if she dressed attractively, she wanted to be seduced.

Lisa has the right to wear whatever she pleases without being physically attacked.

4) When Lisa said no, Gary assumed she really meant yes.

Gary ignored what Lisa said. He only heard what his friends had said about her. He has been conditioned by the attitude that a woman's refusal is only teasing and not to be taken seriously. When a woman says no, she means NO.

5) Gary was just sowing wild oats; just having a good time.

This expresses the attitude that rape is acceptable behaviour, rather than a ripoff. Besides the humiliation and trauma for her, his "sowing" can add the burden of pregnancy and venereal disease.

POPULAR MISCONCEPTIONS ABOUT RAPE

MYTH: All women secretly want to be raped.

REALITY: This myth assumes that women have no will of their own; that they enjoy being abused and assaulted; robbed of their own human dignity. The media reinforce this concept: movies, books and pornographic magazines glorify and romanticize the man who takes a woman by force, refusing to see rape from the victim's point of view. They portray women as passive, willing victims; as sexual commodities to be used by men when and how they please. In this way they reflect and nurture social attitudes.

Many men believe that women are passive and masochistic, and therefore want to be violated and "conquered." Some women play a passive game for a multitude of reasons, not the least being that men find it attractive.

These beliefs become a popular rationale for hostile behaviour toward women. Rape becomes an assertion of masculinity through the enforcement of the femininity of women. Such distorted views of masculinity and femininity underline and exaggerate the stereotype of women as victims in real life as well as in the media. Rape is a violent and degrading crime. No woman wants to be raped. Men need to take responsibility for rape as a crime of violence, while women need to stand up and deny the victim image.

MYTH: Rapists have uncontrollable sexual urges.

REALITY: *Patterns in Forceable Rape* by Amir⁷ showed that less than one in four of the rapists studied committed spontaneous rapes triggered by impulse; that is, 75% of single and group rapes were planned. Most importantly, Amir's study revealed the rapist in a destructive, violent context, rather than in a sexual one. In psychological testing, 90% of convicted rapists were indistinguishable from ordinary men, except in that they exhibited a slightly higher tendency toward violence. Rapists seem to be sexually and psychologically normal. It has been shown that 95% of the rapists studied had access to willing sexual partners.

MYTH: A woman can't be raped against her will.

REALITY: Is it therefore true that a person can't be held up and robbed against their will? A woman is usually smaller than a man and has been taught to be helpless, rather than to defend herself physically. A surprise attack puts her at a disadvantage; she may panic or freeze. The rapist often threatens her with greater physical violence if she does not comply. If he has a weapon, she may decide that realistically it would be too dangerous to resist.

He can threaten her psychologically, especially if he knows her, by saying he will tell everyone she wanted it anyway, or threatening to inflict further violence on her later if she tells the police or her parents.

The high number of single rapes, as well as group rapes, offer testimony to the cruel lie that a woman can't be raped against her own will.

MYTH: If rape is inevitable, you may as well lie back and enjoy it.

REALITY: This says that a woman should be able to enjoy sex in whatever form, no matter who it is with or how it is done. Rape is an act of violence and must be distinguished from a sexual act between consenting people. It is not enjoyable to have your basic integrity insulted, or to be physically abused.

MYTH: "Nice" girls don't get raped.

REALITY: This statement implies that unless a woman conforms to a certain moral standard, she can justifiably be raped. Rather than the blame being put on the attacker, who initiated the assault, the victim must assume the guilt.

MYTH: Rape is a street crime.

REALITY: According to Clark and Lewis⁸, approximately 78.3% of rapes occur in a private location, such as the victim's residence, the offender's residence, some other building or dwelling, or a vehicle.

Now that you have seen how our cultural assumptions keep rape happening, hopefully you will examine your own beliefs in sexual stereotypes.

We are in the process of creating freer models that reject the domination of one sex over another. Through this perhaps we can realize our common humanity, rather than always being separated by our differences.

SELF-DEFENSE

DIFFERENT KINDS OF ATTACKERS

TAKING CHARGE OF OUR LIVES

A most important part of self-defense is how you feel about yourself. It is basic to your well-being and safety to believe you have a right to go where you want, when you want, wearing what you want. Reasonable caution must balance these beliefs: we're not telling you to defy common sense!

People express themselves through body language. If you walk staring at your feet, looking around uneasily, trying to appear insignificant, you may appear vulnerable to a would-be attacker.

You can help yourself by breathing deeply. Let your breath flow through your body; relax your shoulders and hip muscles; plant your feet firmly with each step. If you practice this, especially when you feel safe, you will find it easier to cope with danger.

THE REALITY OF RAPE AND ASSAULT

Rape and assault can occur at any time and place, regardless of a woman's age and appearance.

Below are listed some possible realities of male/female attack. They are useful in considering how you would respond to an assailant.

Reality

He may expect no resistance.

He may want to humiliate and overpower you.

He may think he has a right to your body.

He may know you.

Response

Surprise him and resist. He may give up when he realizes you're not the passive female he expected.

Show him you are confident and powerful.

Be assertive in expressing your own will.

Many rapes are committed by an acquaintance. You could charge him with assault (there is no problem of identification, as with "stranger" rape).

Purse-snatcher and mugger

If all he wants is your money or purse, it might be well to let him have it and not endanger your life any further. Avoid carrying large sums of money and valuables.

Exhibitionist and peeping Tom

They may appear anywhere: in a car, on the street, in a park, at your bedroom window, at the laundromat. They seek shocked or frightened reactions. Often if you laugh at them, ignore them or look bored, they will give up. The secret here, as in most attacks, is not to give the desired response.

Rapist and sexual assaulter

Choose one of the following and stick to it:

- 1) Run.
- 2) Talk him out of it. (See "What if...?")
- 3) Act crazy. Fall to your knees and bark like a dog, roll your eyes, dribble at the mouth, anything that might frighten or disturb him, because it is an unexpected response. (Some of these techniques have been successfully used by potential victims.)
- 4) Use physical self-defense. (See "YARRRR!")

If any of these attackers are carrying weapons, this drastically changes the situation, and thus your response. Only people who have been thoroughly trained in self-defense should attempt to move physically against a weapon attack.

Your best defenses are to:

- 1) persuade him to put the weapon down;
- 2) play along with what he wants you to do until he is off guard and then act decisively;
- 3) do exactly what he wants, as opposition could prove fatal.

RAPE ALERT

Hitch-hiking

According to Clark and Lewis, in Vancouver between 1970-74, 10.6% of reported rapes occurred where the woman was hitch-hiking, and an additional 7.4% occurred where the woman accepted a ride, but was not actually hitch-hiking.⁹ We want to stress how dangerous hitch-hiking is. Avoid it if you can. Many men misunderstand your motives for hitch-hiking. If you must hitch-hike, do it with a friend. If someone stops and you feel uneasy, don't feel obligated to accept the ride. Before getting into the car, ask yourself these questions:

- 1) Is there evidence of drinking (e.g. bottles) or drugs?
- 2) Are his pants on and done up?
- 3) How many men are in the car? Don't take on more than one man per hitch-hiker.
- 4) Do you have a door position? Are there handles for the door and window? (Remember that some cars have driver-controlled automatic locks on doors and windows.)
- 5) Have you noted the licence number?

On the street

- 1) Walk confidently at a good pace, near the outside of the sidewalk.
- 2) An attacker may hide behind bushes, trees, parked cars, or any visual obstruction. Keep your eyes peeled.
- 3) Know the layout of your neighbourhood -- the corner stores, telephone booths. If you're followed, you can run to a well-lit house. Ring the doorbell or break the window if necessary.
- 4) If followed by a car, walk in the opposite direction and get the licence number.
- 5) Make sure someone knows when to expect you home.
- 6) Have your house key ready when you get home. (It can also be used for self-defense.)

Movies, bars, restaurants and discotheques

- 1) If you go alone and are hassled, report to the person in charge, or use verbal self-defense. (See "What if...?")
- 2) If another woman is being hassled, don't be afraid to give her support.
- 3) Try to arrange dependable transportation.
- 4) When in a drinking situation, be aware that in approximately 30% of rapes which proceeded to a preliminary hearing in Vancouver between 1970-'74, alcohol had been consumed by both the victim and offender.¹⁰

Confined and open deserted spaces

In any of these places it might be hard to run for help. Listen to your "sixth sense" when it warns you of danger.

- 1) Elevators:
 - a) If only one man is in it and you feel uneasy, don't get in.
 - b) Stand near the wall with your back to the wall. Don't corner yourself. (If necessary press all the buttons.)
- 2) Underground parking lots. Make sure you know where you left your car. Check exits and the location of attendants. On returning have your keys ready, and check the back of your car. (A flashlight is useful after dark.) If anything arouses your suspicion, drive out or go to an attendant.

Avoid open deserted areas. If you sense an attack, run immediately -- don't wait. If you can't run, walk confidently and remain alert.

Cars
(See also: Underground parking lots)

- 1) Keep doors locked and windows only slightly open.
- 2) If you're being followed or pushed off the road, drive to the nearest gas or police station and take his licence number.
- 3) If your car breaks down, put the hood up and sound your horn. When someone comes, it is wise to remain with your vehicle and ask them to get further assistance for you.

On dates

If he wants to go back to his or your place or off to a park, be clear about the terms or don't go. Remember: you do not owe him anything.

At home

- 1) Make sure all door and window locks work.
- 2) Have callers identify themselves before you open the door.
- 3) Make sure hallway and entrance lighting is adequate.
- 4) If you suspect your house has been broken into, don't enter. Go for help immediately.
- 5) If you live alone, list only your initial and last name. If you leave the lights on when you go out, your place will look occupied.

Clothing

Can you compromise between fashion and safety? It may make all the difference to your struggle and escape in an attack if you're wearing comfortable clothing and shoes you can run in.

Women helping women

Women can offer each other rides home, accompany each other on evenings out, give support to other women who are being hassled or assaulted, and report all suspicious situations to the police. Think of more ways we can help each other.

You are being attacked. You can't run because he has grabbed you, and you can't talk your way out of it because he has clapped a hand over your mouth. You have a simple choice: to be passive or to resist and get away.

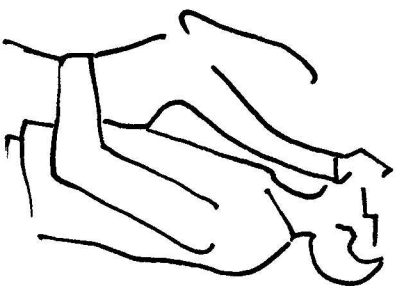
Women have been conditioned to the first response: panic; freeze; let him do what he wants. You do not have to be an Olympic athlete or Wonder Woman to get away. Some training in attitude and self-defense practice may often be enough.

If you wish to defend yourself physically, you should know which parts of your body you can use and how. Practise these moves many times over with a girlfriend. If you have to use a physical technique, it has to work. An ineffectively blow is worse than a passive response.

Vulnerable points

The vulnerable points on the attacker's body are:

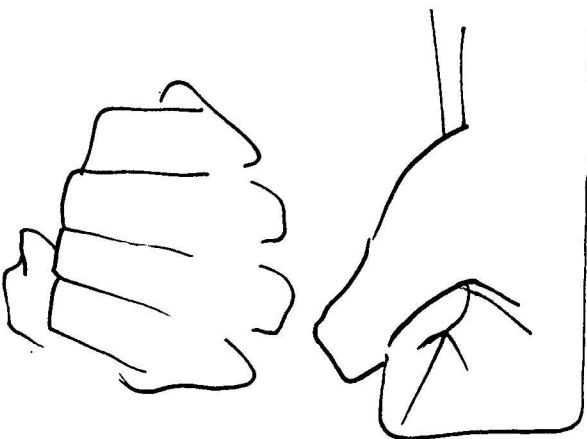
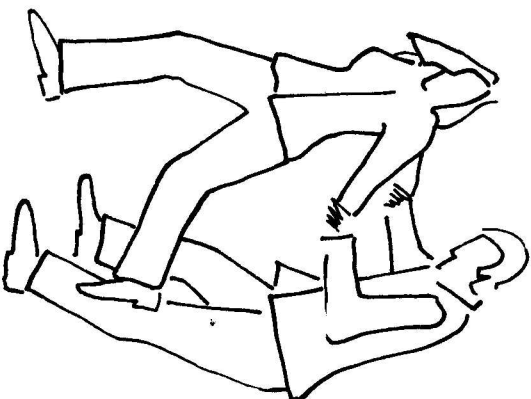
- 1) Face (including temples, eyes, ears, nose, mouth).
- 2) Throat -- hitting to the windpipe may be fatal. Only go for this if you are sure your life is in immediate danger.
- 3) Solar plexus -- a small spot under the ribs. Hard to aim for.
- 4) Groin -- men are very protective of the groin. (See point 5 under "Knees" below.)
- 5) Knees and shins -- a good place to kick; very painful and effective.
- 6) Instep -- stomp down on top of the foot.



Body weapons

A simple rule of thumb for physical self-defense is: yell; act; run. Surprise an attacker by yelling or screaming. Do something fast and run while he is still trying to figure out what happened. This is NOT for weapon attacks.

- 1) Head -- use your forehead or the back of your head to bang against his nose or mouth.
- 2) Elbows -- thrust them back close to your own body into the solar plexus or swing them up into the attacker's face.
- 3) Hands - fingertips, knuckles, fingers and nails can all be used defensively. Rap the nose with your knuckles. Pinch skin or tear hair with the fingers. Scratch with your nails.
- 4) Arms -- use your arms to keep an assailant away from you. Knees -- you can knee to the groin. Be fast and aim accurately. If you miss, he may become twice as violent. This is for extreme situations only.
- 6) Feet -- if standing, kick to knees or shins. If thrown to the ground, keep your feet moving fast in a kicking motion to prevent the assailant from falling on you.



Carrying weapons

We do not recommend the use of any weapon, be it a comb or a knife. They are all dangerous and tend to incite further violence. Your own body is the best weapon because it cannot be turned against you. However, here are some weapons you might carry with you.

- 1) Umbrella -- use in jabbing motions to keep an attacker away.
- 2) Hairspray or any spray -- use to the face.
- 3) Keys -- hold them ready between your fingers. They can be used to scratch.
- 4) Tail comb for jabbing.

Check out your purse and see what you carry that might be used in self-defense. Whatever you use must be ready in your hand.

This information must be used with great discretion.

TRAINING YOUR BODY AND MIND

We are not going to talk about punches, kicks and other more sophisticated techniques here because they need to be demonstrated and practised thousands of times over, with someone there to correct you before you can rely on them.

Self-defense courses for women are currently available in some centres in B.C. They usually last from 6-10 weeks. You can find out about them through your local women's centre, rape relief centre, or IWCA. We encourage you to participate in a course taught by a woman, and to pass on what you learn to other women.

However, if such a course is not offered in your area, there are usually traditional martial arts schools or courses. The main difference between a women's self-defense course and a martial art is that a women's course bases its teaching on the way men attack women, while a martial art is usually based on the way men attack men. Fights between men are usually foreseeable events acted out according to certain unspoken rules. When a man attacks a woman, it is usually a surprise attack and there are no rules.

It is best therefore to choose a martial art that bases its techniques on many forms of attack. Below is a brief description of some martial arts commonly available. We suggest you go and watch one or two classes of an art that interests you before finally choosing. Most instructors welcome visitors.

Aikido is a modern Japanese method of self-defense that teaches how to neutralize attack through fluid, harmonious movement, the extension of energy, and a calm spirit. Aikido means "the way of the harmonious spirit". Disturbing characteristics are: working in partners; falling; throws; wrist and joint techniques; sword and staff practice; a multiplicity of attacks and defenses. There is no competition.

Judo is a modern Japanese sport that teaches throws and holds through utilizing balance, a low centre of gravity, speed and timing. Judo means "the gentle way", and features working in partners, falling, throws, holds and ground work (wrestling). In judo there is no attack as such, but each person tries to throw the other. Judo includes competition.

Karate is a Japanese martial art which sprang from the same tradition as kung-fu. It teaches mostly kicks, chops, punches, and blocks in controlled, linear movements. Workouts are usually very exacting; precision, power, speed and timing are highly valued. Attacks are usually in the form of chops, punches and kicks. Karate includes competition.

Kung-fu is an ancient Chinese art based on the movements of animals (e.g., tiger, snake, monkey and dragon). Movement may be linear or circular. Kung-fu emphasizes punches, blocks, kicks and open-handed techniques. Swords, staves and a number of other weapons are used in training. Flexibility, speed and timing are valued. Attacks are similar to those of karate. Students work alone and in partners. Kung-fu includes competition.

Tai chi is similar to kung-fu in its basic movements, but quite different to watch. Movements are executed very slowly; power is concentrated but appears gentle. Control, breathing, centering and spiritual discipline are emphasized. Students work alone or with partners. There is no competition in tai chi.

WHAT IF ...?

Below are some situations in which you could be attacked. Try to think how they might all be avoided in the first place: prevention is the best form of self-defense. If you are already in a dangerous situation, first try to talk your way out of it. Failing that, be prepared to use physical self-defense.

You might practise acting out these attacks and your responses with a girlfriend. Confronting an attack mentally in quiet moments is another good way to build your confidence. See yourself getting away safely.

- What would you do if:
- 1) You were hitch-hiking and the driver came on to you in a disagreeable manner?
 - 2) someone grabbed your wrists and began dragging you into a deserted park?
 - 3) a man at a bus-stop was pestering you to go for a drink?
 - 4) you woke up in the middle of the night to find a would-be rapist holding you down in bed?
 - 5) someone were following you home?
 - 6) your boyfriend assaulted you in your home?

- 7) an older male relative or friend of your family was making sexual advances? (It is important to take this situation seriously and discuss it with a responsible member of your family.)

If you cannot think of responses, we recommend you talk to a friend or call the Rape Relief Centre for advice on the situation you are concerned about.

WHAT MEN CAN DO TO PREVENT RAPE

Developing your own understanding of rape is of utmost importance. Here are some positive steps you can take:

- 1) Encourage your sisters and friends to take some kind of self-defense course, preferably one taught by a woman. It is best that they learn from someone who understands the nature of male/female attack.
- 2) Encourage anyone you know who has been assaulted to report it.
- 3) Give unqualified support to anyone who has been assaulted.
- 4) Talk to men you know about rape. Try to find out what motivates a man to rape.
- 5) Read what women have to say about rape. You may find that we have some different answers from men.
- 6) Refuse to joke about rape, and question other people's lack of seriousness about this crime.
- 7) Broaden the definition of rape. Consider if you have ever pushed a girlfriend to have sex with you -- was that rape? What is meant by psychological rape?
- 8) Think how you might further use your understanding of rape to decrease its incidence in our society.

WHAT TO DO IF YOU ARE RAPED

MEDICAL CONCERNS

A rape victim is suffering both physically and emotionally, and should seek medical attention. She should be taken to the local hospital emergency ward. The primary concerns are physical injuries (external and internal), venereal disease treatment, and the possibility of pregnancy.¹¹

If a woman plans to prosecute, she must have a medical examination. Although the first thought after a rape is to clean up, this destroys any evidence. Therefore the person should not wash, douche, or change clothes. Also, she should take a change of clothing to the hospital, in case her clothing is taken for evidence.

If the woman calls the Rape Relief Centre, someone can meet her at the hospital to answer any questions and to be with her during the examination; or she might want to call a friend to be with her.

A rape victim is a priority in the emergency room unless there are more crucially injured patients. The victim must give written consent to examination and treatment; if she is under 17 years of age, she must have her parent's or guardian's consent. Her doctor is called and either comes to the hospital or gives consent to an examination. If she has no doctor, one is assigned. A registered nurse is present during the examination.

HOSPITAL PROCEDURE

A history is quickly taken, including: time, place and circumstances of the attack; use of drugs or alcohol; type of sex (e.g., oral or anal); whether penetration and/or ejaculation occurred; date of last intercourse prior to the attack; use of contraceptives; last menstrual period; pregnancies; last gynecological examination; specific symptoms; and emotional state of the patient.

Physical examination

A closer check for bruises, cuts and scratches is made, and a description of torn clothing and general appearance is recorded.

Pelvic examination

External and internal checks are made for injuries. Samples of vaginal fluid are taken to detect the presence of sperm and semen. If the history indicates it, oral or anal checks may also be made.

Blood tests

The doctor will ask the woman to sign a consent form allowing blood samples to be taken for alcohol and drug levels and for a VD serology. This is a legal procedure. Evidence from these tests is used in court.

Veneral disease

Cultures are taken for gonorrhoea from the vagina, and from the throat and anus if there was contact with these areas. The doctor usually gives penicillin or tetracyclin and a follow-up card for further tests at the VD clinic. A re-test for gonorrhoea is done in four to seven days and for syphilis in four to eight weeks. The victim should be aware that she could be spreading VD if she has sexual contact before the tests are confirmed.

Pregnancy

The hospital takes a urine sample for analysis (a routine check for infection) and pregnancy testing, in case the woman was pregnant before the assault.

She is probably not pregnant, but must consider the possibility. She should try to determine whether she was fertile at the time of the rape, by calculating where she is in her menstrual cycle. However, this method is not completely reliable. The doctor may offer a Morning-After Treatment, which is a short-term, high dosage of synthetic estrogen, which prevents implantation of a fertilized egg in the uterus. This can either be DES (diethylstilbestrol, usually 50 mg. daily for five days) or ethinyl estradiol (5 mg. daily for five days).¹² There is much controversy over these pills, as there is some connection, unclear at present, with cancer. As a result of DES use by pregnant women from the 1940s to the 1960s, some daughters from these pregnancies have developed cervical and vaginal cancer. Also, a high dosage of any hormone causes some shock to the body. A short-term side effect is nausea and vomiting. All these add up to a certain amount of risk, and the woman should consider carefully before making a decision.¹³

A pregnancy test is not reliable until six weeks after the last menstrual period. So if she is pregnant, there are two alternatives:

- 1) abortion - before she is 12 weeks pregnant.
(This is a personal matter that should be discussed with her family doctor or at the Rape Relief Centre.)
- 2) having the child and keeping it, or arranging for adoption.

The Rape Relief Centre is available for further counselling on these alternatives.

The whole medical procedure can be threatening or stressful to the woman, who is already under stress. She should not hesitate to ask about something she does not understand, or to tell the examining doctor if she/he is too rough, etc.

EMOTIONAL CONCERNS

The emotional implications of the rape are more complex. As with other life-crisis situations, people will respond differently according to age, experience, how the incident happened, etc.

The rape victim's concept of herself, her environment and social interactions may change drastically. Fear and anxiety can increase and emerge in physical symptoms: headaches, nausea, vaginal pains. She may lose weight, gain weight, start or increase smoking. She may doubt her own ability to make decisions, and feel increasingly dependent on others. Counsellors who work with rape victims say there seem to be three phases a person will go through:

- 1) Initial shock, for a few days to a week. This can be manifested by acute disbelief, anxiety or numbness, or perhaps extreme guilt or shame.
- 2) Denial -- she tries to "forget the whole thing," and return to "normal."
- 3) Integration -- recurring nightmares, physical symptoms, difficulty in personal relationships, or other difficulties create the need for a healthy re-examining of the incident and feelings. The victim can usually talk about it, express anger and hurt, re-evaluate guilt in terms of social myths, and take positive steps to feel more physically and mentally secure.

How long this process takes depends on the degree of support she gets from her family and friends. If they condemn her or add to her guilt, her anxiety may be overwhelming. Listening with sympathy, encouraging her in her decisions and actions, and showing belief in her sense of self can be the turning point between a feeling of life-long trauma and one of renewed hope and growth. The Rape Relief Centre can help in her understanding and expression of her feelings. Most of all the counsellor can assure her that she is not alone in her struggle.

LEGAL CONCERNS

A LOOK AT THE LAW

Rape is the fastest-rising violent crime in North America, with British Columbia having the highest rate in Canada. Still, the number of rapes reported, compared to the number of suspects arrested and brought to trial, is lower than the rate for any other crime against the person. In Vancouver between 1970-74, no more than 2-5% of those who committed rape were convicted.¹⁴ Estimates have it that only one out of 10 sexual assaults is actually reported. It is becoming more and more evident that the criminal law system is failing to combat the incidence of rape in any substantial way. Why is this so?

Forcible rape

According to the Criminal Code of Canada, section 143:

- "A male person commits a rape when he has sexual intercourse with a female person, who is not his wife,*
- a. *without her consent, or*
 - b. *with her consent if the consent*
 - i. *is extorted by threats or fear of bodily harm*
 - ii. *is obtained by impersonating her husband, or*
 - iii. *is obtained by false and fraudulent representations as to the nature and quality of the act."*¹⁵

In law a husband cannot be convicted of the rape of his wife. However, lesser charges such as assault or assault causing bodily harm are often used in husband-and-wife situations. Furthermore, a male person under the age of 14 cannot be convicted of rape.

For a rape charge to be maintained, sexual intercourse must have occurred: intercourse involves the slightest penetration of the vagina. If there was no penetration, a lesser charge must be filed, such as attempted rape or indecent assault.

The one big issue in the majority of rape cases is whether or not the woman consented to having sexual intercourse.

Evidence which could be used to prove absence of consent would be:

- a) victim's testimony
- b) other witnesses' testimony
- c) physical condition (bruises, torn clothing, etc.)
- d) emotional condition (fear, shock)
- e) evidence of weapons
- f) promptness with which she reported the assault

The present law does not define a sexual assault on a male as rape. There are other offences related to male victims, such as indecent assault on a male and gross indecency. The one instance where men may experience fear comparable to that felt by all women is in prison, where some men live with the threat of homosexual rape. There we find an all-male power structure where the younger, weaker first offenders are forced to enact the role assigned to women in society.

Rape is an offence punishable by life imprisonment.

Statutory rape

This offence is sexual intercourse between a male over 14 and a female under 14, whether or not he believes she is 14 years of age or more. Consent is not an issue here since the victim is seen to be too young to consent; the only issue is whether or not the act was committed by the accused.

Sexual intercourse with a female between the ages of 14 and 16

A male person who has sexual intercourse with a female person:

- a) who is not his wife,
 - b) is between the age of 14 and 16,
 - c) and is of previously chaste character,
- is liable to imprisonment for five years.

Seduction of a female between the age of 16 and 18

Every male person 18 years of age or more who seduces a female person of previously chaste character who is between the age of 16 and 18, is liable to imprisonment for two years.

Attempted rape

This offence generally exists when the only element necessary for rape that is not proven is penetration.

Attempted rape is punishable by 10 years' imprisonment.

Indecent assault

Indecent assault is a lesser charge related to something less than completed sexual intercourse. The charges of indecent assault and attempted rape are often used interchangeably.

This is an offence punishable by five years' imprisonment,

except in the case where a man indecently assaults another man, in which case he is liable to 10 years' imprisonment.

Convictions for indecent assault are often the result of failure to prove more serious charges.

In addition to these, there are other very specific sexual offences that are beyond the scope of this booklet.

REPORTING THE CRIME

Reporting a sexual assault is a decision that a woman will have to make for herself. It may be difficult at times to even talk about it. Her reporting it, though, will help police apprehend repeating offenders. Her information may confirm another victim's story. In reporting to the police, there are certain things she should be aware of.¹⁶

Preserving the evidence

It is extremely important that you preserve any evidence that could possibly lead to apprehending the attacker:

- 1) Don't wash up (See "Medical Concerns").
- 2) Save torn clothing, or buttons of both attacker and victim, or any articles that may have the attacker's fingerprints on them.
- 3) Get a description of the attacker (what he was wearing, his height and colouring, etc.)
- 4) If a car was involved, try and remember the licence plate number, make of car, etc.

Fear can paralyze the strongest of us, but anything you can remember is going to help.

Write down details of the attack

Your story has to be told a number of times before it's all over, and it may be some time before the case actually gets to court. Any discrepancies will work against you. Writing it down will help you keep the story straight. The first person/s you talk to will have to testify if you take it to court.

Calling the police

It is important that the police be called immediately:

- a) as evidence that the complaint is real and urgent,
- b) so the accused may be more easily apprehended, and
- c) so chances of finding and preserving fresh evidence will be greater.

The sooner it is brought to the police's attention, the stronger your case will be in court. Clark and Lewis found that all victims who reported their rape more than one hour after the offence had their testimonies disallowed by the court. In addition, 20% of the reports made within one hour were

disallowed because the judge ruled that they were not made at the "first possible opportunity."¹⁷

The job of the initial investigating officers is to learn as much as they can about the alleged offence. They will want to know how, when, and where it happened, and may confiscate any possible evidence. The most important thing they will want at this point is a description of the attacker.

After the police have taken a statement and feel there is enough evidence to show that a rape really has occurred, they will take the woman to the emergency room of the nearest hospital. Even if the woman is not sure whether or not she is going to prosecute, it is important for her own health that she be medically examined.

If the detectives are available, they will be involved in the case as soon as the call comes in. If not, they will be in touch with the woman as soon as possible. She will be asked to relate the whole event once more and may be asked to look at mug-shots if the suspect has not yet been apprehended.

The interview itself may be extremely unpleasant. The detectives will go into her background in order to determine her credibility. They will go into detail about the rape, and if she was attacked by an acquaintance, they will go into detail about her past relationship with him. For the validity of semen tests, they will want to determine whether she had intercourse at any time shortly before the assault. It can be embarrassingly difficult for a woman to discuss such intimacies of her life with the police, especially if they are men.

Though women officers are still few in number, they are increasingly utilized in sexual assault situations. Friends or persons from the Rape Relief Centre are extremely helpful in counselling and assisting the complainant, but rarely sit in on the initial police interviews.

It is possible that the police may suggest reducing the charge to indecent assault or common assault, if there is not enough evidence to support a charge of rape. They may suggest dropping charges altogether, in which case it becomes an "unfounded rape." This means only that it would be difficult, if not impossible, to prove in court.

Once the suspect has been apprehended, the woman will be asked to come in to identify him. The line-up technique is frequently used and sometimes a special room with a one-way mirror is utilized.

If a woman is under 17, she may report the case and the police will investigate. However, if she wishes to prosecute, parental consent is required.

Court procedures

Taking a case through the courts can be a long and grueling experience. It may be anywhere from several months to a year and a half before the whole thing is over. But the individual, male or female, has the right to be protected from any violent assault and has the right to fight it in court. The more cases reported and brought to trial, the more

the public will be made aware of the necessity to take action against rape.

Bail hearing

This is usually held within 24 hours of apprehending the suspect, and usually involves a sitting with the judge, the suspect, defense counsel, Crown counsel, and sometimes the police. Bail is granted in the majority of cases, usually on conditions of reporting and supervision, and almost always on the condition that the accused remain absolutely away from the complainant. The only time it would not be granted is if the suspect is considered dangerous or likely to skip bail.

The bail hearing is open to the public, and is the only time in the court proceedings when it is permissible to bring up the suspect's past; i.e., previous convictions, whether he has ever skipped bail, etc.

Preliminary hearing

The preliminary hearing will be held to determine whether there is enough material evidence for a trial; i.e., whether it is more likely than not that the suspect committed the offense. It may be several months after the bail hearing before the preliminary hearing actually takes place, and it usually lasts two days.

Present at the preliminary hearing are the judge, the suspect, the rape victim, the police, the doctor, the defense counsel (for the accused), the Crown counsel (for the woman), and any other important witnesses.

The hearing revolves around:

- 1) whether there is sufficient physical evidence of the act, be it assault or rape;
- 2) whether the rape victim is a competent and credible enough witness, and
- 3) whether the complaint has any possible validity.

The preliminary hearing is open to the public, but may be closed if so requested.

If the judge decides there is enough evidence to go to trial, the suspect chooses how he wishes to be tried -- by judge alone, or by judge and jury.

Trial

The trial will finally decide the case. Again, it may not take place until several months after the preliminary hearing, and may last several days. A rape trial is open to the public, but may be closed by the judge if requested and if satisfactory reasons are given. Present at the trial are the same parties as those at the preliminary hearing, plus, in most cases, a jury.

The trial is quite often a long, difficult experience, and it seems that any one case is as much determined by court decisions on previous cases as by newer laws. A woman will

need all the support she can get, especially from friends and family.

The major issue in rape trials is still whether or not the woman consented to have sexual intercourse with the accused, and it is up to the Crown to prove that there was no consent. The defense does not have to prove that there was consent. This is where the promptness with which the rape was reported comes into account. The woman's credibility is being tested, and if she waited to report the assault, her credibility goes down a notch; i.e., it becomes that much harder to prove lack of consent. Defense counsel will also be constantly comparing her story told at different times to different people.

The rape victim usually takes the stand early in the proceedings. She is cross-examined thoroughly by the defense counsel. New changes in the law, though, are giving more protection to the rape victim in court. In cases of rape, statutory rape, attempted rape, and indecent assault, it is no longer permissible to bring up the past sexual conduct of the complainant with anyone other than the accused, unless notice in writing is given as to why the defense feels such evidence would be relevant. The judge will then decide, in the absence of the jury, whether or not such evidence is necessary. Recent cases have adopted very strict tests to prevent the admission of evidence of previous sexual conduct. However, in the instance of sexual intercourse with a woman between the ages of 14 and 16, or seduction of a female between 16 and 18, "previously chaste character" is the main stipulation of these laws. In other words, her past sexual conduct is still admissible in this case.

The accused does not have to take the stand, and usually would not unless it could favour his case.

Corroboration and verdict of the jury

Corroborative evidence is some kind of material evidence that will back up the complainant's testimony that she was indeed assaulted; e.g., bruises, torn clothing, etc.

Under the old laws, the judge was required to warn the jury of the dangers of convicting if the complainant's testimony was not corroborated. This applied only in cases of sexual assaults.

This section of the Criminal Code has now been abolished for cases of rape, attempted rape, statutory rape, and indecent assault. This does not necessarily mean it is now easier to convict an alleged rapist. It simply makes the standard of proof for sexual assaults the same as that for other criminal offenses: proof beyond a reasonable doubt. The jury's verdict of guilty must be unanimous to get a conviction.

Sentencing

Sentencing usually takes place two to three weeks after the trial. The judge will take into account the

seriousness of the case as well as the history of the accused. A pre-sentence report is often prepared and character witnesses are called. Prison terms almost always follow a conviction for rape. Generally, sentences for rape range from two to four years, and sentences for lesser offences usually six months to two years.¹⁸

Changing the Law

Though there have been some encouraging changes in the Criminal Code, much of it still treats women as second-rate citizens. New laws must be made that will reflect an equality, sexually and economically, between men and women.

Because rape is now defined as sexual assault, the victim is often perceived as a participant in the rape event. The onus is on her to prove that she did not consent to intercourse. This framework also permits the accused to be perceived as someone who intended no harm to the victim, and who is motivated only by normal sexual desires.

The proposed amendments to the Criminal Code delete any reference to sexual assault, and in its place create two new assault offences: criminal assault (without bodily harm) and aggravated assault (with bodily harm). This emphasizes the fact that rape is essentially assaultive in nature. It is a crime of violence perpetrated by one person against another, regardless of marital relationship. All assaults, including those on the sexual organs, are potentially life-threatening.

The way the Criminal Code now stands, a convicted rapist is liable to imprisonment for life. Juries are hesitant to convict because of such a high maximum sentence. Under the proposed amendments, anyone who commits a criminal assault causing bodily harm to any part of another person would be liable to imprisonment for a maximum of 12 years.

Changes come about slowly, but they do come. It is important that people speak out about what they believe in, about what they want to see happen. It is people who made the laws and it is people who can change them.

WHAT ARE RAPE RELIEF CENTRES ?

Rape Relief is a group of concerned women providing support and information to victims of rape and sexual assault.

Rape Relief offers support to a woman whether or not she decides to report the rape.

Rape Relief:

- gives support and counselling to women who have been raped, be it recently or long ago.
- is available in crisis situations on a 24-hour, 7-day-a-week basis.
- will accompany a woman through the police investigation, medical procedure, and/or the court process if she so desires.
- will provide information about the police investigation, medical needs and legal procedures.
- has an educational programme. Speakers and reading material are available through Rape Relief Centres in British Columbia.
- will provide medical and therapeutic referrals.
- will file "third party" reports. In this case, a report of the crime is made to the police, but the woman's name is not mentioned.

There are Rape Relief Centres and crisis lines throughout Canada. In B.C. the following centres offer support to victims of rape:

KAMLOOPS.....374-8551
NANAIMO.....753-0022
VANCOUVER.....732-1613
VICTORIA.....383-3232

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