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Male Rape is a Feminist Issue

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For my son.

ABSTRACT

This thesis is concerned with identifying postfeminist techniques, transformations and rationalities as interpellated through Foucault's notion of governmentality, and feminist works on patriarchy, gender and neoliberalism. In this instance, oriented to tracing and problematising discursive regularities around the construct of 'male rape' and its entanglement with populist feminism's anti-feminism, across corresponding domains of knowledge/power.

This thesis argues that the lines between pro-feminism, anti-feminism, and postfeminism are slippery, porous, contradictory and insubstantial. Situating 'male rape' within this discursive and political terrain is not quite as straightforward as has previously been asserted. Whilst the primary focus of this thesis is 'male rape' and feminism, fundamentally, what is really at stake here is neoliberalism, and the reproduction of gendered binaries, gendered inequalities and gendered norms that underlie its innately Patriarchal form. That feminism has become entangled in this process is already accepted by those adopting the stance and focus of a postfeminist analyst, that male rape plays a role in backlash is likewise already accepted, but that these two things might be intimately connected remains a stubborn lacuna.

This thesis suggests a space and significance for the male victim of rape squarely within the feminist project, whilst steadfastly contributing to it. Male victimity at the margins, must be fully centred in order to disrupt present circulations of Patriarchal power. As such, this work is in the spirit of feminism for everybody (hooks, 2014), and indeed, every body.

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Thesis Epigraph:

‘You do not have to be me … for us to fight alongside each other’

(Audre Lorde, 1984, p. 142)

PART ONE

INTRODUCTORY & CONTEXTUALISING CHAPTERS

'We know of course there's really no such thing as the 'voiceless'. There are only the deliberately silenced, or the preferably unheard' (Roy, 2004, p1)

RATIONALE

This thesis proceeds with the conviction that feminism can benefit all victims of rape, and all victims of rape can count for feminism. After all, as black feminists have long recognised, *'You do not have to be me…for us to fight alongside each other' (Lorde, 1984, p142)*. Shoulder to shoulder, my work stands with feminism, and with all rape victims – including males. I do not believe these things to be incompatible, though many do (Gavey, 2005; Gillespie, 1996). And I certainly do not seek to blame feminism, although if I did, I'd be in good company (Curry, 2021; Curry and Utley, 2018; Kirby, 2013; Abdullah-Khan, 2008). Problematising these dimensions, is pivotal to this thesis.

Aims, Questions and Objectives

The overall aim is to problematise the construct of the Othered 'male' rape victim as separate to & distinct from the normative female rape victim. In so doing, the research undertaken critically interrogates the construct of the male rape victim vis a vis feminism. More specifically, this thesis problematises the gendered discourse of rape that simultaneously posits the male rape victim as outside of feminism's auspice, and responsibilises feminism for this fate. The overarching aim, is to open up a space for male rape within feminism, whilst contributing to the feminist project.

My concerns, highlighted in this introduction, inform the principal research questions for this work. In its broadest form, this is simply:

- Why ‘male’ rape? Or, more explicitly, why do we denote the male in what is, in actuality, a gender-neutral legal category & victimity?

Arising from this are other, related, research questions:

- How is ‘male’ rape ‘known’ in criminology and victimology?
- How is male rape represented in contemporary socio-legal sites, and to what end?
- What significance does the construct of the ‘male’ rape victim hold for feminism and vice versa?

As a consequence, the principal research objectives are:

- To explore shifts and developments in the academic discourse around male rape
- To explore contemporary media, law and policy representations of male rape
- To explore male rape vis a vis feminist theory, seeking opportunities for conceptual development, as well as theoretical resonance, synthesis, and generation.

Ethic & Principles

A feminist ethic is rooted in the understanding that knowledge is situated. More specifically, that Orthodox knowledges, especially those produced in the positivist or scientistic tradition, present themselves as neutral and disinvested, whilst operating to reinforce gender roles and serve Patriarchy (Lindemann, 2005). As such, feminist research as ethical practice, must illuminate, critique, push-back and disrupt such knowledges as a first-line strategy of resistance. Feminist methods take this as their mandated purpose – revealing the matrices of Patriarchal power hidden and deployed in gendered truths and norms. It rejects

'commonsense', taken for granted knowledges and, going further, regards such complacency as servitude. As such, there is a clear intersection here with Foucault's Power/Knowledge dyad. And indeed, with his Power/Knowledge/the subject triad – the latter being clarified within Foucault's works on Governmentality.

Governmentality is a Foucauldian concept that refers to a modality of governance (or control) not confined to the state, but executed through various technologies and agencies of power, the cumulative effect of which is to extend the reach of governance whilst diminishing its appearance - diffusing rather than defusing power. As Rose (1999, p. 5) notes: 'the question of the state that was so central to earlier investigations of political power is now relocated. The state now appears as one element … in multiple circuits of power' – the influence of which is pervasive, normative and, above all, productive.

Foucault (2001, p. xxiv) talks of power 'from below' and in so doing, broadens his conception as beyond the macro institutions of the state to the micro sites, or 'capillary circuits', for example societal interaction. The Gramscian concept of hegemony (Nowell-Smith and Hoare, 1971) is key to this as it enables power relations to be perpetuated from 'below' by influencing the supposedly free interactions between individuals through the internalisation of normative values and the delimiting of conceptual or psychological schema, thus impacting on what Foucault regarded as the 'conduct of (potential) conduct', without the overt need to exercise the state's recourse to force. This notion of power explains how the status quo can survive liberalism. This is more than the iron fist in the velvet glove notion of disingenuous liberal facades though, as this conception of power implicates us all in pervasive and normative power transactions.

Governmentality goes further than previous notions of ideology or hegemony. For Foucault, changes in modalities are regarded as disingenuous 'transformation'. This mechanism of social control is effectively articulated and rearticulated to circumvent and deflect resistance. Change in expression thus demonstrates the adaptability of this technology within the social body, as it is not threatened by resistance but evolved through it.

Foucault is largely silent on gender, preferring instead to focus on sex and sexuality, and has been criticised for this apparent oversight by many. But in his work we can negotiate and mediate this silence, as Bell (1993) notes - where Foucault talks of sexuality 'he is necessarily talking about the creation of gender' (p27). I would suggest that whilst he neglects to address sexed *as* gendered individuals, his conception of 'asymmetric' power relations and 'transactional' notions of power provides a means by which this silence can be modulated. What needs to be revealed here is what Foucault referred to as the truth that functions as a weapon, and for feminist theorists, this is gender - tethered irreducibly to hegemonic masculinity and to Patriarchy as a system of power that both produces and reproduces gender - roles, norms, differences and division – inequalities that provide and seemingly justify guiding rationalities (Ortner, 2022). This is where orthodox, gendered knowledges become a strategic site for governmentality - standing shoulder to shoulder with Feminist conceptions of power within feminist socio-linguistics – their shared concern, of course, being reification.

Such ways of seeing resonate with other critical orientations to shared, popular or common knowledge, such as Becker's (1974, cited in Tierney 2006, p. 8) 'stereotypes of everyday life', Gramsci's (1971, 1971 cited in Jewkes 2004, p. 12) the 'philosophy of nonphilosophers'; and Hall's 'public image' (Hall cited in Jewkes and Letherby 2002, p. 117). It is essentially what everyone

knows to be true, and furthermore 'what everyone knows everyone knows' (Graham 2006, cited in Hassan and Thomas 2006, p. 64). The implications and reach of this is profound, being 'essential to public debate in democracies' (Hassan and Thomas 2006, p. 64). In this sense it is central to civil society, and to social control – to knowing others and oneself.

Foucault & feminism, as stances, are not just resonant, they are kith and kin. There is shared ancestry, blood and battleground here. My positioning, articulated and illustrated in this thesis, is what I've come to regard as Foucauldian/feminist, but might perhaps more authentically be regarded as feminist/Foucauldian.

Both a Foucauldian & a feminist ethic, and resultant standpoint, incurs a particular orientation to Orthodox knowledges – frequently dismissed as simply suspicious or cynical, what these actually share is a fundamental criticality (where being critical refers to a determinedly antagonistic relationship with regard to truths as power). A great many feminist methods originated from within literary theory, and textual analysis - certainly, my first exposure to this in action was within feminist sociolinguistics, and latterly within Critical Discourse Analysis. For a Foucauldian, and for a feminist, there is no such thing as 'just' a text, nor 'just' discourse[1]. By centring gender, in destabilising taken-for-granted knowledges and thus exposing 'the God trick[2]', in the focus on discourse, texts, and critical readings of the same, my methodological approach is intractably indebted to its feminist antecedents.

[1] For a detailed discussion of methodological approach, see the methods/ology section

[2] feminist research is called to address the 'god trick' at the centre of centristic knowledges (white, androcentric, heteronormative, knowledge production) which contends to see 'everything from nowhere' (Haraway, 1988, p. 581).

Structure

This thesis is determinedly curious, exploratory, and questioning. This work does not just seek to disrupt established truth-claims, it also invites (re)construction & (re)constitution of knowledges around various supposedly prefigurative elements: the subject/object, the researcher, and the theoretical prism – that we might become 'other than we are' (Foucault, 2012). Alongside foundational feminist strategies of disruption such as Hesse-Biber's (2012) 'complimentarity' and Rich's (2017) 'revisioning', the unconventional structure and sequencing of the thesis forms part of a disruptive strategy, intended to destabilise conventional narratives (a'la Handforth & Taylor 2016) around 'male rape' as contra feminism. Underlying this piece is a Foucauldian triangulation that speaks to domains of knowledge as sites for the insurrection of subjugated knowledges; overlaying this, a feminist triangulation that seeks to both highlight and undo the epistemicide integral to the post-feminist neoliberal Patriarchal project. As I understand the impossibility (and implausibility) of standing outside of this process, this includes an overlapping and wrapping-in of a continual reflexive sketch regarding my role as an author in the active construction of both my 'self', and in the construction of the object of my study, such that my precarious feminist auto/biography (Stanley, 1993) can be seen, and not conveniently effaced, simply asserted, or taken for granted. Indeed, the late placement of a turn towards a critical examination of postfeminism authentically reflects my own journey as a researcher, and my (un)becoming, as well as serving to ensure that feminism is pulled slowly into focus - rather than deployed to either prefigure the terms of engagement and obfuscate discovery, or to act as foil or scapegoat. Instead, presented in three distinct parts, and ending with theoretical discussion rather than denouement, this project is deliberately unconventional in its structure, reflecting an abiding imperative to disrupt established logics that might otherwise be unproblematically wheeled into place as validation strategies and techniques. This is not a confidently feminist piece that conveniently provides a feminist solution to an accepted

feminist problematic. Dissonance, refusal, and rejection have been employed as productive friends here, and, in so doing, have found surprising allies.

Overview

One of the central strands of argument within this thesis is that the male rape victim is not presently included adequately within feminism, and that he needs to be. The work undertaken here seeks to explore and illustrate this phenomenon, problematise it, and contrive a discursive space & political rationale that enables this to be remedied. This work is undertaken in three distinct phases – moving, in crude terms, from exploring what, to how, to why, and, to what end?

Part one presents a problematisation of knowledges in the academy, that reveals three issues of significance: that the rape was not always gendered, that the male is presently side-lined, that feminism is entangled in this process, and that the feminist rape model, the gendered Ideal Victim construct, and Patriarchy go hand in hand. As a whole, these contextualising chapters begin to map out a problematised 'history of the present' (Garland, 2014), oriented to destabilising our taken for granted knowledges in this area, illustrating that male rape remains an issue at the margins, irrespective of field, and problematises this 'natural' order - asking whether this is deserved, inevitable, and justifiable.

Part two, presented in three sections, takes the discursive regularities identified in phase one, and turns to face issues raised in respect of feminist methodological territories. This aspect serves to answer the question 'can we centre the male rape victim within the feminist

project?'. It then tracks those regularities across key domains of knowledge, illustrating the value of centring the male, and showing why we must. In so doing, this explicates the impact of such discourse in regards to the constitution of the (neoliberal) subject. In particular this posits that enduring male rape myths bolster rape myths in general, and thereby bolster their patriarchal foundations, and undermine feminism. The methods/ology chapters overall, build on the contextualising chapters, and my reflexive account, to consider the male rape victim's inclusion within work bearing a feminist ethic; clarifies and develops the overarching methods used in this undertaking, and outlines a debt to both Foucault & Feminism in the use of tools, such as critical discourse analysis. The problematisation chapters continue that work, and turn to consider the construct of the male rape victim, implicitly exploring what a feminist lens 'reveals', in reference to various societal artefacts, such as CJS policy, film, news and music.

Part three entails a critical consideration of, and response to, the implications of these findings. Conceiving of male rape as a subjugated knowledge, and complexifying its role in backlash, as a postfeminist artefact; or more accurately, an examination of how the present construct of male rape is governmentalized in service of patriarchy and postfeminism. These concluding chapters review discursive trends and patterns of representation & omission, critically considering their significance for feminism in general, and postfeminism in particular.

The title of this present thesis '*male rape is a feminist issue*'[3] is deliberately oblique, and intended to be read on several levels. The first interpretation is that male rape is an issue

[3] A problematique, in toto, that has sustained my research for over a decade

worthy of feminism's attention, the second that 'male' rape itself is a product of feminism, and thirdly, that male rape has been posited as a question for feminism to answer.[4] This work strives to bridge a distinct conceptual and theoretical gap that continues to inhibit feminism's integration of this issue and victim group: centring male rape *AS* a feminist issue.

[4] Dimensions that are explored in various ways in my previous works (see Cohen, 2014; Cohen, 2018 and Cohen, 2019)

Male Rape: What Do we 'Know'?

The discussions that follow within this section are concerned with illustrating the myriad marginalities of 'male' rape and the male rape victim, and in so doing, evidencing the significance thereof. This very step sets this work, and indeed this issue, apart from the work of peers concerned with the rape and sexual abuse of females. After all, to examine victimity in regards to women and girls frequently requires no such step. Womenandgirls are victims, victims are womenandgirls (Hutchinson, 2018; Hudson, 2017; Kirk, Mitchell and Reid-Walsh 2010). This is a truth known, accepted, and respected. As such, my work at this point is forced to conform to a (misperceived) need determined by convention, paradigm, hegemony and – irreducibly – rooted in prejudice, bias and ignorance. For shame that this is regarded as required. Some 30 years on since the ground-breaking publication by McMullen (1990) and those of us working in this area are still required to justify our concern for male victims full stop, and required to justify males as ever being victims of sexual crimes.

'No person is immune from the human potential to rape or be raped' (McMullen, 1990, p10)

Anyone can rape, anyone can be raped, all rape is bad, all rape is important. I am both sickened and angry that these realities have not yet been assigned the status of truth or widely accepted. That a justificatory section such as this is deemed necessary is a stain on us all – it

is, of course, especially damning that this be required with view to victimology or the justice industries. It rather calls into question those titular titles, no?

This section can be read as part of the broader tradition of critical criminology – indeed, critiquing CJS statistics both epitomises and demarcates the rise of critical criminology (see Sykes, 1974). All within a critical umbrella recognise that statistics are not infallible, to say the least; Foucault & Feminism have both made loud assertions in this regard. This section shouldn't actually contribute a great deal, but (unfortunately) it does. Even within the most critical of works on male rape, statistics are relied upon as a linchpin, satisfying a demand for 'proof', that itself is a key part of the problem. The discussion that follows will go wider and deeper than is usual practice in this field, in order to illustrate how statistics are generated here, and precisely why those of us that care about victimity should not so quickly lean on these phantasms – irrespective of the demands made for us to do so. This undertaking entailed engagement with, and interrogation of, a variety of primary sources in order to produce original data, analysis and insight. As such, these introductory and contextualising chapters actually form a core part of the empirical data and analysis central to my thesis.

'Counting' Rape?

This section will, in essence, illustrate how the establishment can justify complacency about this victim group. Suffice to say that it really helps to avoid seeing male victims of rape as a victim group, it helps even more to fail to see them as victims at all. Criminology 101: welcome to the endarkenment. Data is key here, and official data is the very best of all.

Priorities for policy and research are informed by our data, and as such are understood as being objective, evidence based, intelligence led. In criminology, significance is largely understood simplistically as statistical significance – the greater the number of victims, the greater the need, the greater the priority; whilst in criminal justice policy, significance is likely to be based on financial tests underscored by managerialism's 3 Es: Economy, Efficiency & Effectiveness (Jones, 1993), and in response to priorities set in relation to the UK's Sustainable Development Goals (17 Goals adopted by all UN Member States in 2015, as part of the 2030 Agenda for Sustainable Development) and, by extension, the UK's VAWG[5] strategy – once again, the greater the number of victims, the greater the cost, the greater the priority. But critical scholars, and in particular feminists, have long argued that rather than data informing our priorities, data is informed *by* our priorities - it is not, and cannot be, divorced from them. When we set out to count rape victims, what we really do is establish which victims 'count' in our society. That's vastly different to the stated objective behind the generation & use of such statistics, and is actually diametrically opposed to it.

This section will explore this complexity, and in so doing, seeks to undermine the usual surety accorded to data-led pieces, and to disrupt the existing zero-sum binary that exists between those who interpret the data to champion the male rape victim, and those who use it to diminish him in importance – vastly contradictory positions, each of which can be readily supported. Which, of course, should in itself give us pause, and should at least begin to unsettle the sacrosanct nature of statistics in this realm. By way of illustrating the contested and precarious nature of our data in regards to male rape, this section of the thesis will also establish the current legal, criminal justice and cultural context for male rape, introduce some

[5] Violence Against Women and Girls

key issues, and – ultimately - set up the need for a theoretical focus in this area, as opposed to yet a(nother) quantitative piece. And to those who vaunt their statistics as a crystal clear mirror onto society, and a neutral arbiter of justice policy and practice, please think on this: what can we see where we do not look, and what can we represent that we do not capture? How do we count what does not count?

Publications in the area of male victims of rape have chosen to justify significance of this victim group as follows: Field (2020) cites data from the charity SCOPE to assert that for rape of males, 1 in 10 of all rape victims is male, and 1 in 33 men have been raped; Javaid (2020) and Hammond, Ioannou, and Fewster (2016) both cite Ministry of Justice data to note that approximately 75,000 men are victims of sexual assault or attempted sexual assault a year, while 9000 men are victims of rape or attempted rape each year; whilst others prefer explicitly comparative approaches, contrasting the data for males with that of females, for example Struve & Colrain (2020, p7, citing Dube et al, 2005) note data that reveals that 1 in 4 females, and 1 in 6 males, have experienced 'sexual violation' in their lifetime. The most recent data I can utilise at the time of writing, is presented in table #1 and drawn from the UN SDG data (2021), comprising statistical bulletins from the ONS[6] and MOJ[7], including Police Recorded Crime and the Crime Survey of England and Wales.

[6] Office for National Statistics
[7] Ministry of Justice

TABLE #1: SDGs data (Target 16: Peace, Justice and Strong Institutions; indicator 16.1.3) Proportion of population subjected to (a) physical and/or (b) sexual violence, by gender (metadata[8] source dated 29/11/2021; SDG dataset last updated 09/12/2021)

England and Wales

Year	England and Wales physical and sexual violence	Men	Women	Sexual assault by rape or penetration including attempts	Sexual assault by rape or penetration including attempts, Men	Sexual assault by rape or penetration including attempts, Women
2004/05	2.61	1	4.19	0.581	0.159	0.998
2005/06	2.98	0.884	5.02	0.695	0.0994	1.35
2006/07	2.9	0.983	4.79	0.58	0.0694	1.15
2007/08	2.56	0.616	4.46	0.677	0.143	1.23
2008/09	2.16	0.539	3.73	0.514	0.0679	1.01
2009/10	2.08	0.814	3.35	0.436	0.0638	0.849
2010/11	2.32	0.803	3.82	0.682	0.159	1.22
2011/12	2.41	0.601	4.19	0.618	0.0494	1.27
2012/13	1.91	0.811	3.02	0.573	0.152	0.995
2013/14	1.47	0.712	2.23	0.378	0.048	0.705
2014/15	1.71	0.694	2.71	0.387	0.0911	0.678
2015/16	1.96	0.68	3.23	0.432	0.146	0.716
2016/17	1.96	0.836	3.08	0.457	0.0463	0.868
2017/18	2.72	1.23	4.22	0.48	0.0649	0.899
2018/19	2.86	1.23	4.45	0.678	0.251	1.09

[8] The nature of violent crime: appendix tables - Office for National Statistics (ons.gov.uk)

The data in TABLE #1 is generated for the UN, and derived from what is regarded as the most complete, respected and authoritative dataset we have in the UK (England & Wales): the ONS statistical bulletin for 'Crime and Justice[9]' (which incorporates the CSEW and Police Recorded Crime, and reflects the most recent iterations of each available at the time of writing). This data is exceedingly powerful. It informs local, national and international goals, objectives and policy. Principally, in this instance, it informs Britain's obligation as signatories to the United Nations, to 'Significantly reduce all forms of violence and related death rates everywhere' as part of our mandated Sustainable Development Goals. Expressed as a proportion of the population, what is sought via this data is an indication of prevalence & risk for the stipulated 12 month period. So, what can be seen here, and what does it mean?

The very first problem encountered in seeking to utilise or respond to such data, is precisely this. In reviewing this data, it can readily be claimed that women are victims of both physical and sexual violence in far greater numbers than men, that women have a far greater risk of both physical and sexual violence than men, that this differential between the genders has remained fairly static over time, and that both risk, incidence and prevalence of this type of victimity for women is getting worse, and again, more so than for men. That can all be readily supported through reference to this data. Hence the international and domestic focus on violence against women,[10] and the acceptance that male victims of sexual violence and rape are a minority (slipping into minor) issue. Certainly the convention in criminology is to accept this truth, and then seek to establish male victims as yet worthy of attention, despite their lesser and statistically insignificant numbers, recasting their importance in direct

[10] VAWG strategy

comparison with the female in some logical way – be that as growing in number, incidence and prevalence; as a minority in their own right and therefore subject to neglect, bias or prejudice; or simply as neglected in research and therefore in need of examination[11]. What is not questioned, is the very need to set up our investigations as predicated on this binary, nor – to any great extent - a critique of our evidence base. We are dealing here with a very powerful truism. For Critical scholars, that in itself should command careful interrogation. As critical criminologists, this requires that we shift our focus from what is true, to what is readily accepted as true, querying why, and exploring what the consequences might be. Aspects of this will be revisited throughout the thesis, but for now, I will share a critical consideration of the hallowed position of quantitative data in criminology and criminal justice. At best, it would be fair to say that I regard uncritical reliance on statistics as naïve, at worst, I regard this as complicit with and facilitating state violence.

Official statistics are vaunted in criminology for their credibility, whilst being widely castigated for their unreliability. We should not be so cavalier in simultaneously holding these two oppositional truths. The ONS – who collect, aggregate, generate and analyse CJS statistics – explicitly caution that such data is actually best used to indicate demands on police resources (ONS statistical bulletin 2021) – an assertion that should fundamentally change our orientation to such data quite considerably, but instead appears to have gone largely unnoticed. Looking at the data in this way would assuredly support the claim that female rape victims make more demands on police time than males, but it certainly would not support the data being used to make assertions about the scale of the crime, the level of risk, prevalence, incidence or even the number of victims in any given year. But that is how these

[11] Explored further in subsequent chapters

data sets are commonly (mis)used in criminology, in the wider academy, in driving policy, and in (mis)informing the public. A wondrous misdirection.

As the ONS so clearly caution (ibid), such data sets should not be taken at face-value. They cannot be claimed to reflect the social world. At best, they indicate demands on a public service, at worst – as will be discussed below – they reflect institutionalised practices that might fall far short of best practice. Either way, they cannot be said to convey 'truth' about rape, male or otherwise. So, the data shown in the table above communicates what? In accordance with the conventions of my discipline, and in line with my peers, I should be using this to assert male rape as a significant issue - just as others use it to demote this in comparison with the higher totals relating to rape of the female. A rather pointless tug of war whilst stood on nothing more substantial than thin air. I will do neither.

What I will do instead, by way of context to this thesis, is to outline the multitude of problems with data in this area, and in particular the tendency to use such data to reinforce a gendered notion of rape, underscore a gendered binary, and draw out the principle of female-as-norm; which, of course, underlies the mistaken need to 'male'[12] rape in the first place – a linguistic practice of othering long decried by feminists, thanks to the pivotal work of Dale Spender (1985) and other trailblazers in feminist sociolinguistics[13], a practice which in itself then should serve to red-flag this issue, rather than have its implied diminishment or denoted order of priority taken at face-value.

[12] The male rape victim is included in Law – the construct of rape is gender-neutral for the victim. This will be discussed in more detail in the following section.

[13] For an excellent Reader, see Cameron, D (1998, reprinted 2003) The Feminist Critique of Language, London: Routledge

Hard Data? Feminist critique of stats as 'facts'

Feminists have long raised serious questions around the accuracy of statistics for crime (Maguire, 2007), and the relationship between knowledge and power - such that this is celebrated as 'Feminism's most compelling epistemological insight' (Lennon & Whitford, 1994). Indeed, this critique formed the very heart of the founding of the feminist Criminological project, which as Britton (2000, p58) states 'can be somewhat arbitrarily fixed at 1976, with the publication of Carol Smart's Women, Crime and Criminology: A Feminist Critique'. A key part of that foundational text (Smart, 1976) which built on and amalgamated previous feminist works, and indeed the ongoing feminist project, is the express problematisation of the reliance on 'official' data in the social sciences. Classic, iconoclastic, feminist works such as Heidensohn (1985), Kennedy (1992) and Lloyd (1995) identified bias in criminal justice practice and legal constructs which collectively undermined notions of objectivity, and instead exposed the machinery of justice as the site of various mechanisms for the satisfaction and perpetuation of patriarchy. Criminology itself was regarded as likewise tainted – thus denounced as androcentric, phallocentric, or 'malestream' (Cain, 1986). Some 40 years on, 'the question of criminology's androcentrism remains a central issue for feminist criminologists' (Camenius and Sandman, 2021, p1), with a plethora of works seeking both to expose and reform our otherwise obliviously and unapologetically masculinised discipline (Rafter and Heidensohn, 1995), with 'ongoing debate over statistics' (Britton, 2000, p66) remaining – of necessity – firmly at its heart.

This has been brought into sharp relief in our current context – as Radermacher (2020) asserts, the Covid 19 pandemic has provided an object lesson in the importance of statistical data. I would argue that this is the case for all: those who subscribe to its primacy and

reliability, those who strive for its improvement, and those who problematise it. We have seen, played out on a global scale, the effective collection and sharing of data to expedite vaccine development and contagion protocols, to save lives; but we've also seen the fallacy of the norm regarding the significance of individual difference and inequalities; the brutality of managerialist decisions around 'harvesting' of at-risk populations, and other calculations of acceptable population loss, through cost versus benefit paradigms; as well as the concretising of bias through supposedly neutral algorithms. We are also, at the time of writing, very much in the middle of an experiment in data rejection - in the UK government's single-minded pursuit of herd immunity, against what is otherwise an almost universal adherence to a policy of Covid-mitigation worldwide. Statistical data for better and for worse. I mention this for several reasons, not least because 'being led by the data' has become dictum for the Johnson government, even where that data is in question, has been repudiated, rejected, or suppressed. 'Data' itself, or claims to the same, has been put on a pedestal – to explain, to defend and to justify. For some, this is to be celebrated as a 'return of the expert' (Mormina, 2021), for others, it is to be feared as 'governance by numbers' (Bouilloud and Deslandes, 2020). Either way, this period has provided a stark insight into both the use and abuse of statistics. With due regard given to works such as Benforado (2015) and O'Neil (2017), and more treatises such as Hall (2022) and Varona (2022) at the very least, we should endeavour to be wary of claims to statistics-as-facts – because there is some considerable distance between these two things, and particularly in their capacity to misrepresent reality, contributing instead to 'post-truth' (Prutsch, 2020). As Lehtonen (2019) asserted, there is instead a case for healthy mistrust and distrust of statistics in general, and we should heed this caution in regards to statistics on rape in general, and male rape in particular, with works decrying sexual violence during Covid lockdowns as the 'shadow pandemic' (Ravindran & Shah, 2020), and the sharp decrease in official statistics relating to

the same derided as masking 'the endemic amid the pandemic' (Sorenson, Sinko, Berk, 2020). But with the omission, as always, of male victims.

Informed by established feminist works on this subject, the following discussion will encompass not just our data landscape, but will seek to highlight for the reader its bedrock and its chasms: conventions, bias, neglect, invisibility, and distortions, amongst others, with the primary (but not sole) focus on rape of the male. In so doing, I will illustrate the complexity and precarity inherent in use of such data, especially where commonly used to illustrate social trends and to assert social norms.

Counting Rape Victims: Who & What 'Counts'?

> *'measurement is not passive, it often changes the very thing that we are measuring. And many of the measurements we hear every day, if strained too far, may have both caricatured the world and so changed it in ways we never intended. That limitation does not ruin counting by any means, but if you forget it, the world you think you know through your numbers will be a neat and tidy illusion (Blastland & Dilnot, 2009, cited in cited in Mosher, Miethe and Hart, 2010, p5).*

Counting in itself, creating statistical data, is not an objective pursuit that simply holds a mirror up to the world, revealing its truth. What we count, how we count, why we count, all influence our statistics. Not least because, fundamentally, these endeavours are skewed by both what 'counts', and what can be counted. In the social sciences, regarding complex social phenomena, it is especially erroneous to believe that counting can ever be value-free.

The first problem we face, and one frequently, conveniently, overlooked, is in relation to the construct of the legal categories that form crime itself, and so it is to that which I now turn.

The Law & Data

Legal definitions underwrite our statistics. Quite simply, when we count crime, this is what we count – acts that meet legal definitions. So far, so obvious. But this is worth spending some time with. As alluded above, historically, rape was only possible where the victim was female. Thus, it was perfectly valid at that point to claim that only women were victims of rape. Strictly speaking, this was true. Strictly speaking, *only* this *could* be true. The only recognition for the male victim of penile penetration without consent was contained within legislation for Buggery, which was not regarded as an equivalent of rape – not even when experienced by women. This situation was partially remedied through the 1994 CJPOA, which provided recognition of anal rape for the first time. It was further improved with the 2003 SOA[14], which also included recognition of non-consensual oral penile penetration as rape. There being no further changes to our legal constructs, law on statute in England and Wales at present provides that the crime of rape is satisfied where:

> *Rape*
>
> (1) A person (A) commits an offence if—
>
> (a) he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis,
>
> (b) B does not consent to the penetration, and
>
> (c) A does not reasonably believe that B consents.

[14] Sexual Offences Act 2003 (legislation.gov.uk)

(2) Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

In terms of its action upon the criminal justice landscape, and the statistics we derive from this, this is neither as straightforward nor as inclusive as it seems. Yes, it is correct to interpret the above as providing for male victims of rape, but it only does so for those men who are victims of penile penetration *by other men.* But this fails to provide for an entire category of victim: men who are 'raped'[15] by women (Cohen, 2014); what Weare (2018) terms 'forced to penetrate' cases - where the male victim is made to perform penile penetration of their female assailant. Indeed, with the benefit of hindsight, I can also recognise a category that neither she nor I noticed – the male victim forced to perform penile penetration of his assailant, and that penetration might be vaginal, anal or oral, and – in accordance with case law – 'made' here simply refers to the absence of consent, which does not require force.

This provides an apposite juncture to stop and identify values in meaning-making, as well as law making. When lecturing on this with my undergraduates, I find these current exclusions to the legal category of rape proper[16] to provide a significant challenge – cognitively, my students struggle to conceive of rape as anything other than penile penetration 'done to' a victim, and once understood, they struggle to believe it is possible, or if possible, they struggle to understand it as equally serious in terms of harm. The significance of this for me, is that these categories do not 'count' and cannot be counted. These omissions in law

[15] Inverted commas here indicate that this does not meet the statutory definition. These will not be used in subsequent chapters as I find it abhorrent to diminish the experience of harm in this way.
[16] By which I mean the proper legal construct – this is not a value judgement, it is a statement of legal fact

inevitably mean omissions in data – this is a problem for anyone who wishes to understand the reality of sexual violence, and ensure all victims count; it is – of course - much less of a problem for those who simply wish to count 'crimes'.

So, there are problems inherent in our legislative constructs that inevitably mean we struggle to ascertain accurate measurement of sexual violence in society – especially if the type of sexual violence we are interested in is the broadest understanding of rape as 'sex without consent' (as our law provides only for women raped by men, and men raped by men – no other variant counts as rape[17]). Of course, we've been here before – it was once the case that both anal and oral penile penetration were excluded from our legislative constructs, as was marital rape. Entire groups of victims for whom the law could not provide within the legal category of rape proper.

These exclusions, recognised as injustices, were the focus for second wave feminists. The contribution of feminist jurisprudence to law and legal theory has been immense, and has profoundly altered the legal and criminal justice landscape in regards to sexual violence. Key achievements here include statutory change to recognise rape within marriage, recognition of 'slow burn' in the defence of provocation[18], and inclusion of oral and anal rape within the category of rape proper, amongst others. Things that quite simply do, now, 'count'. As regards the latter, this paved the way to enable male victims of anal sex without consent to be recognised in law, for the first time, as rape victims. It is not overstating the case to assert

[17] Aiding & abetting rape must be mentioned here, for completeness
[18] R V Ahluwallia

that without feminist injunction and interdiction, the category of male rape simply would not exist[19].

Prior to 1994, with reference to CJS data, it is absolutely true to assert that there were no male victims of rape, but that assertion demands the rider that there could not be any such victims as they were not allowed for in law. That's quite different to claiming that there were zero male victims full stop. Where there is an exclusion in law, there is no concomitant exclusion from harm. Far from it. Indeed, feminist research has frequently argued precisely the opposite – that exclusion from legal redress acts to vulnerabilise, thereby making victimity through targeting and exploitation more likely not less. Exclusions in law are not unusual, and nor are they static, or perpetual. Shifts in our legal constructs are one of the many reasons why our statistics are unreliable indicators of the social world or social trends – certainly it makes longitudinal comparisons at best unwise, and at worst simply impossible. At this point, rather than argue for change in law, I will instead explicate where men who experience sex without consent by female assailants can presently find legal recognition; and where those of us who do wish to count them, might actually start, as well as the problems to be found along the way.

The Curious Case of Section 42

S.42 provides for 'causing sexual activity', and is where sex without consent/made to penetrate cases involving a female assailant of a male, can be situated. It must be made plain, that this category is not equivalent to the offence of rape proper in penalty, composition or

[19] The entwined history of male rape and feminism will be presented later in this thesis, for now, discussion will focus on the legal construct of rape itself.

recognition. Unfortunately, this category is not solely for this offence-type. It is rather broader than that. As such, it actually makes it more difficult to count the total number of victims of sex without consent, as the types of behaviours encompassed here go far beyond what might be included within rape itself. We cannot simply aggregate this data with that of rape to produce a total that can be said to include sex without consent for the male. If we aggregate this data, we are not just counting sex without consent, we are counting a range of sexual and sexualised behaviours. Whether these should also be understood as sex without consent is certainly an argument to be had, and indeed many of these are provided for as rape in U.S FBI data sets, so there is clear precedence to support their inclusion, but at this point, it must simply be recognised that the limits on penile penetration as the pivotal behaviour indicted within rape proper (for female victims) cannot be neatly demarcated within S.42 (for male victims made to penetrate female or male assailants). This present legal category then is most assuredly not a parallel or equivalent, and the data here serves to gives us less clarity, not more[20].

So, the law is the first place where – if we're seeking to understand phenomena in the social world - our data falls down. But it's not the only place. Even if we limit ourselves to a single jurisdiction, thereby avoiding errors inevitable in comparative approaches - given the differences between what constitutes rape in one country over another - and if we choose to overlook legal lacunae, and work simply with the data generated within the legal categories which we have at present, we still have to be circumspect in drawing conclusions. Not only

[20] It's apposite at this point to note that other legal jurisdictions do include 'made to penetrate' within their classification of rape. Other countries have seen fit to include a legal category for rape that reflects wholeheartedly sex without consent (albeit usually limited to the involvement of penile penetration – but to victim or to offender). Such countries include South Korea, and certain states in the US.

because there have been legislative changes over time, which make historical comparisons even within the supposed same legal category impossible, let alone between them; but also because our data sets themselves are not just a reflection of legal infractions in society, but instead also reflect practices within the CJS. These are shaped by various gate-keeping behaviours that serve to filter cases out, intentionally or not. Thus there is a significant difference, and more accurately a diminishment in number, as crimes progress through the CJS. Between crime that is reported, recorded, and convicted. Our official statistics do attempt to reflect this, but are far from transparent, and frequently raise more questions than answers. Limitations of data from the police, CPS, and the courts are widely recognised by criminologists, critical or not, and yet are still relied upon in criminological assertions around the truth of rape. The shaky ground here deserves a little attention, and rather begs the question – should we hold on tight and hope for the best, set about fixing the foundations, or look for another way around entirely?

CJS data

Police crime data

A layperson's understanding of police crime data might assume that a victim reports a crime to the police, the police record the crime reported by that victim. Simple. But this is far from accurate. Reporting a crime to the police does not mean that it is recorded as a crime by the police. There is a great ocean between these two states, and that is arguably never greater than when the crime concerned is rape. A tremendous amount of research has been undertaken to expose and explore this phenomenon, from a focus on policing practices (Grace, Lloyd, and Smith., 1992; Sleath and Bull, 2017; Baumer, Felson, and Messner, 2003) to a general focus on attrition (Gregory and Lees, 1996; McMillan, L., 2011; Jehle, 2012;

Hohl and Stanko, 2015), and comparative approaches (Polk, 1985; Daly and Bouhours, 2010; Rumney, McPhee, Fenton, Williams, and Sollé, 2019). A great pity that it is not acknowledged frequently.

One of the most endemic and long-standing of relevant practices is 'cuffing' – whereby offence x is reclassified as offence y, where y is fewer in number, allowing manipulation of targets; or is less serious, allowing for alternate disposals and diversion such as caution; or is considered easier to prosecute (Lea, Lanvers, and Shaw, 2003; Feist, Ashe, Lawrence, McPhee and Wilson, 2007; Fildes and Myhill, 2011). In regards to the latter, feminist researchers (Scully & Marolla, 1985; Larcombe, 2011; Heath and Naffine, 1994) unearthed entrenched reclassification of rape as a variety of other offences, in particular (where context allowed, such as co-occurrence) reclassification of rape as various property offences, such as burglary - the rationale here being that a successful prosecution was far more likely for burglary than rape, and the likelihood of conviction was of more importance than accurate classification of the crime an offender was charged with, irrespective of whether these offences are in any way equivalent in terms of seriousness or tariff (scales of punishment). Conviction for anything at all was better than no conviction at all. Similarly widespread is the practice of 'no-criming', whereby crimes that are reported are simply not recorded as crimes, based on an individual officer's judgement of whether the complaint (or complainant) is 'sound' (Jordan, 2004; O'Neal, 2019; Ricciardelli, Spencer and Dodge, 2021). At best, this means egregious false reports are weeded out, but at worst, this means that discretion, underpinned by a variety of cognitive biases, is used to erase offences. Police have also used informal strategies to dissuade rape victims from reporting, or once reported, to persuade them to withdraw their complaint, or to unilaterally fail to progress the complaint by falsely asserting that the victim failed to cooperate with requests for information or evidence. These

practices, for decades highlighted by feminist and other critical scholars, but considered minor issues of no great statistical significance by those in positions of authority, finally reached the headlines in the British press in 2013, as a result of a Commons Inquiry, when the Met revealed such practices as resulting in a loss of between 22% and 25% of all rape and serious sexual assault cases. This was supported as commonplace across all regions, by testimony from other Senior Officers. This 'attritional journey' (Brown, Shell, and Cole, 2023), once assumed to be a minor loss of data, of no great consequence, was revealed to be a major haemorrhage. Accurate statistics for rape? Welcome to the abyss.

Measures have now been put in place to prevent this type of data manipulation and associated injustice, but given that the pressures on police which motivated this dereliction of duty – target driven incentives, rewards and penalties – have not been removed, we'd be foolish to think the problem solved. Indeed, research in regards to property offences against the elderly shows precisely a continuation of this poor, and now proscribed, practice (Aplin, 2022). So yes, police are now supposed to log all complaints, and yes, there is data now included to supposedly show all instances where no-criming has occurred, but even if taken at face value, these data sets are far from reliable, transparent, or even sensible. There are practical problems with duplication (both in year and across years), with transfer out of area, and with exceeding the reporting year. For researchers hoping to turn this data into something meaningful, the ONS – ever the voice of reason, be they wilfully unheard - has helpfully cautioned against it. In this instance, criminology does not need to heed this alert, given that the very existence of this dataset, and its innate problems, is ignored almost entirely. Abysmal indeed.

CPS Crime Data

In comparison with the Police, the role of the CPS has largely escaped criminology's attention (Widdicome, 2021). It is vastly under-researched, despite playing a pivotal role in the CJS. I wonder if part of the problem here might simply be that a common-sense understanding of the CPS role & function persists? After all, it seems straightforward. We might expect that the role of the Crown Prosecution Service would be to ensure all cases attract the most suitable or accurate charge, and are progressed to the courts on the basis of merit – strength of evidence, confidence in the veracity of the complaint, etc. However, in reality, their role is not one of independent arbiter or first line adjudicator, but one of fiscal responsibility and accountant, with the likelihood of conviction set against the cost of the process in the CPS code, determining the prospect both of an initial charge and issues of dis/continuance (Rogers, 2006). Theirs is not so much a firm grip on justice as it is a death grip on the purse strings. A primary concern for this body is not whether a crime has occurred, but whether prosecuting that crime is in the public interest. This is frequently misunderstood, and perhaps it is wilfully titled thus in order to circumvent critique. It's worth noting immediately, that not every crime is automatically assumed to be in the public interest, nor innately worthy of prosecution. The public interest test might be assumed as simply that: would the public be interested in seeing justice done here? But it's rather a misnomer, as the public interest test is actually in relation to the public purse, not public opinion, need or want (and certainly not victim interest, opinion, need or want). Tests in relation to the public purse are predicated on the likelihood of achieving a successful prosecution, i.e., securing a conviction. Low probability in this regard is regarded as a poor case, and will see failure to charge, or as it progresses, failure continue. This inevitably means that crime types that have low levels of conviction are marked as unworthy of prosecution – considered a bad bet, poor use of public funds & a waste of resources. What

crimes are regarded as a particularly bad bet? Right. Crimes of sexual violence in general and rape in particular fall squarely within this black hole.

Since 2016, the 'bookmakers' approach adopted by the CPS was proscribed as an unfair test, one that embedded and reified jury prejudice and rape myths and actively entrenched injustice (Topping, 2020). As such, practice was supposed to change. It did not. Instead, the CPS doubled-down, by encouraging a determined weeding-out of 'weak' cases, and explicit encouragement of risk-aversion (where 'risk' simply refers to likelihood of a failed prosecution, see Topping, 2018). What was the impact of this policy? We might hope it small, considering it so staunchly advocated by those whose sole mandate is to achieve justice for all. In 2019, only 35% of cases were charged and progressed to prosecution. An astonishing 65% of rape cases were simply dropped by the CPS (Bowcott & Barr, 2019). Bear in mind that this is on top of the haemorrhage of cases that we already have built into the system, and the impact is certainly not small, it is nothing short of dire. This doesn't just fail to square with their express mission statement, it obliterates it. Justice for the few, only the safest of bets, by design.

Forensic crime data

Forensic data, speaking as it does to the evidence & not on behalf of any particular party, should be a strength of the CJS. Unfortunately, this data is besieged by problems. Not just that of whether it can be obtained from the crime scene (a term which includes the victim and their person), it also includes accuracy and availability (including proper collection in the first instance as well as storage and retrieval). The first thing to note here, as previously discussed, is that forensic evidence may fail to be obtained for reasons including victim lack

of cooperation as well as police mishandling, mismanagement and corruption. Where forensic evidence is not obtained, cases will not, and cannot, progress – lost to 'no further action', amongst other designations. As is usual, forensic data in sexual assault cases is a multi-agency enterprise; unusually, it necessitates pivotal contributions from healthcare professionals, and other experts such as those experienced with body-fluids, DNA and analytical chemists, as well as those whose role is to provide photo-documentary evidence. The workflow here is vast, and the pipeline complex (Dawnay & Sheppard, 2023) – there are many 'hands', and as is to be expected, rather than making 'light work', what these contribute is problems over and above the usual in forensics.

Once forensic evidence is obtained, it might be assumed that there'd be rapid processing, and progression of the case to court – as befits the seriousness of the crime and needs of affected parties. No. Instead, there is mass storage and backlog, and whilst this is repeated in other countries, and has deservedly long drawn a wealth of critical attention from criminologists, particularly in the US (Pratt, Gaffney, Lovrich, & Johnson, 2006; Strom & Hickman, 2010; Campbell, and Fehler-Cabral, 2022) there remains, in Austerity-battered Britain, a seemingly beleaguered acceptance of this plight, with a comparative dearth of interest in this vital area.

Such is the delay in getting cases to court, that vast volumes of forensic evidence are kept in storage for significant lengths of time, and for rape, this can result in several body-blows to the case. Firstly, forensic evidence can fail to be processed in a timely manner, it can be contaminated, mishandled, and/or lost. Even where the forensic evidence itself has been properly processed, stored and retrieved, victims – intent on rebuilding their lives in the

interim – might withdraw their cooperation due to substantial delays[21], and indeed, 1 in 2 cases are 'lost' this way[22]; where they do continue to support the prosecution, they might find their memory affected and/or that they no longer perform their victimhood convincingly to the jury.

This area and its importance is included here in order to illustrate how our data regarding rape is subject to confounding practices and variables. It is certainly not accurate to assume a strong case – even one with sound forensic evidence - proceeds unproblematically to court. This is important and needs to be borne firmly in mind. It is not possible to do simple maths here, tracking the progressed or dropped cases to draw conclusions about how many weak or unworthy – or even false – claims to rape there are; nor is it possible to make assertions about how many rapes there are within this data set, let alone full stop. Once again, there is data loss. Again, we might hope the impact of such loss to be minimal; again, we'd be wrong. In an 18 month period between October 2018 and June 2020, the Metropolitan Police saw 11,736 cases collapse due to missing evidence, 220 of these were sexual assault cases (including rape)[23]. To be clear, these are cases where victims have successfully reported, and where their case has successfully moved through a system largely set up against them, to achieve a rare charge and even rarer prosecution. The odds against reaching this point are vast. To then see their case dropped due to entirely preventable loss of evidence is simply unconscionable. Instances such as this should be Never Events. This isn't so much speaking for the evidence in rape, as it is burying the bodies.

[21] The average case takes 470 days to go from incident to verdict (Huang & Sweeting, 2019)
[22] See foreword to the Government's (2021) 'End to End Rape Review'
[23] See Crisp (2021)

Conviction data

Here we are at the end of our CJS journey (albeit simplified and truncated). Can we at least look at conviction data and have confidence in this, even if just from within the data set that reaches this point? Does conviction, and indeed failure to convict/acquittal, actually mean what we think it does? Of course not[24]. MOJ data from 2018 shows that of the cases that – against all odds – finally achieved their day in court, only 58% secured a conviction (Huang & Sweeting, 2019). Does this mean that only 58% are worthy of conviction? Does this mean that 42% of cases were found groundless? To put it more clearly, can we say that only 58% of defendants were guilty, and that 42% were not? And therefore that 58% of the complainants were raped and 42% were not raped at all? This would be an egregious abuse of this data. We simply cannot confidently extrapolate in this way, and nor should we; although, of course, we do.

Such is the widespread recognition of the entrenched failings in our system for rape cases, that the government undertook an end-to-end review in order to examine the victim's journey and identify areas for improvement. Interestingly, after doing so, the report, published in June 2021, concludes that the main problem with prosecuting rape cases is that a vast number of victims do not stay 'engaged' with their case. All focus for remedial action is geared towards improving victim engagement. This is a rather deft way of responsibilising victims, and is all the more offensive considering that they failed to consult any victims at all (Nazir, 2021).

[24] Miscarriages of justice can occur on both sides: erroneous conviction and erroneous acquittal.

Even more troubling, knowing what we do about target-driven justice, is the assertion that the government expect prosecution levels to reach those of 2016 by the end of the current parliament (an increase of circa 1000 more cases), and that more defendants will be expected to plead guilty. Processing more cases is straightforward enough, and can be achieved by reversing previous pressures on officers and the CPS; seeing more cases plead guilty is rather nefarious. These two aims together are downright troubling. We've seen before how a crass focus on simple statistical targets such as crime rates can lead to police practices such as 'cuffing' (discussed above); a focus on clear up rates can encourage further manipulation of data through 'nodding' putting suspects under pressure to wrap additional unsolved crimes into their offence in return for a lesser charge and/or where an offender has committed multiple offences, it might be agreed to remove certain of those altogether; and – of course – there's the spectre of false-confessions, referred to as 'stitching'. It's not just the police who can impact here though, the CPS can agree to reduce charges and/or penalties in return for guilty pleas. Most recent data from 2019-2020 reveals that 27% of cases that make it to court result in guilty pleas. The data does not reveal how that was achieved. It is not beyond the realm of possibility that some of those cases will be defendants who simply preferred to avoid court, or to take the lesser penalty, or who were put under undue pressure. Defendants, in other words, who may well have been acquitted, some of whom may well be innocent. At the very least, once again, this data should be used with caution, and extrapolation is best avoided.

The dark figure: shadows, spectres and black holes

So, what can the data tell us? The previous discussion has illustrated, throughout the CJS, that the data generated is far from reliable - best looked at solely in terms of what it can tell

us about various stages of the CJS process, but best avoided in regards to grand statements about wider social truths or phenomena. Can it be asserted that the greatest volume of convictions for rape involve a male offender? Yes. Can we extrapolate from that the vast majority of rapes are committed by men? No. The data cannot tell us that. Can we assert that the vast majority of convicted rape cases involve a female victim? Yes. Can we extrapolate from this that the vast majority of rape victims are female? No. Again, the data simply cannot tell us that. It is important that we do not go beyond the limits of the data. Not just important, but for those of us who respect the data, it is absolutely vital that we do not abuse it so.

Our CJS data cannot reliably tell us anything about rape offenders or victimization in the social world. This is not a controversial statement. This data loss through the CJS, referred to as attrition, and the impact, which is fully and widely appreciated, is far from slight. Decrying this 'dark figure' of crime, feminist and other critical researchers identified this as a major barrier to ascertaining truth and accessing justice. Daly & Bouhours (2009) identified that the first English language studies of police and court responses to rape originated in 1978, by feminist researchers in the US. As a consequence of this research, burgeoning activism, and criticism, a counterpoint to the CJS data was devised – thus the British Crime Survey was born. This mass exercise in the collection of crime and victimization data launched in early 1980s, and completely circumvented official statistics, using instead self-report questionnaires administered with a large sample drawn from the general public. Today known as the CSEW, it is highly regarded, and now forms a core dataset alongside that of the Police. This exercise is intended to give an insight into rates of crime beyond our formal gatekeepers. It is intended to give a glimpse into the dark figure, and is certainly celebrated as doing so for many categories of crime. But although widely valued & respected, it is not

without limitations. It certainly does not remedy all problems noted in our previous data sets, nor can it. Indeed, it even succeeds in offering up a few of its very own peculiarities & predicaments. A mirror to the world, it is not.

As has been widely cited (Javaid, 2018; Hughes, Lucock, and Brooker, 2019; Pritchard, 2023; Swanepoel, 2023), The Crime Survey for England and Wales (CSEW) estimated that '20% of women and 4% of men have experienced some type of sexual assault since the age of 16, equivalent to an estimated 3.4 million female victims and 631,000 male victims' (ONS, 2018, p15). This represented an increase, almost year on year, since male rape was first legally proscribed. However, the ONS (2021) data from the 'Sexual offences in England and Wales Overview: year ending March 2020' and ONS (2021) the 'Sexual Offences, Prevalence and Victim Characteristics', show that, for the overall category of any sexual assault, including attempts, from an unweighted base of 11,558 men who responded to affirm the experience of any sexual victimisation since the age of 16[25] (a total of 4.7% of the overall sample), 0.3% had experienced rape (excluding attempts); compared with 0% reporting having experienced this form of victimisation in the preceding 12 months, from a base for that category of 11,551. The ONS combined data for March 2018 to March 2020 shows much the same – despite the base increasing to 24,774 and 24,774 respectively, 0% reported having experienced rape in the previous 12 months. Table 7 seeks to estimate prevalence of crime across England and Wales. It does not do this in as granular a fashion as in the other tables, and instead uses the larger category of rape including attempts. This produces an estimate of 7 male victims of rape in this geographical region for March 2018 to March 2020 (with the lower estimate being 1, the upper being 12).

[25] The first data set refers to have you ever been raped, the second, have you experienced rape in the previous 12 months.

So, for the past 2 cycles, the CSEW has had reports of precisely ZERO incidents contained in their survey data. Given that this is our gold standard for CJS stats, where does that leave our male victim of rape? Seemingly far from significant. Quite the opposite. Indeed, perhaps at rates this low, male rape can simply now be considered a problem that has been solved? I can certainly see why some would seek to use this data in this way, but to my mind what this zero rate does is illuminate entrenched problems with the methodology integral to self-report, amongst which, and of key concern to me, is the language used – this is hobbled primarily by a concern to adhere to legal constructs and expression (certainly not unproblematic in this area, as discussed at length above), and has been further compromised by changes to the data points/categories that are deemed worthy of collection. To be clear, it must be noted that certain data points do not exist because they are deemed unworthy of collection. A choice has been made to exclude, despite the fact that it exists. Omission as an integral part of an exercise that purports to provide a check and balance, concerned solely with better-reflecting truth. Truth through omission. Fascinating.

Given that this is our check and balance within our official data, it is understandable to assume that all crimes are included. That this provides a holistic and complete shadow of police and court data. But this assumption is wrong. Use of this data to provide balance is misguided, to say the least. Its vaunting within criminology is nothing more than a beautiful lie. For example, the most recent iteration (as at the time of writing[26]) has seen questions concerned with S.42 (causing sexual activity without consent) removed in their entirety. Gone. Information on causing sexual activity without consent was collected in the CSEW

[26] October 2022

from April 2015, and 2018 was the first time it was included in the estimates generated (per Sexual offending: victimisation and the path through the criminal justice system. An overview of sexual offending in England and Wales, using a range of National Statistics and official statistics from across the crime and criminal justice system (ONS, 2018); this was then removed for the two most recent iterations. Even if one does not subscribe to the likely significance of this category for male victims of female sexual offenders, we must still query the sudden erasure of an entire category of offence. What is most perplexing is that this move to omit categories where female sexual offenders and male victims are captured in our data, is happening at a time when other legal context and policing jurisdictions are making efforts to include them[27]. What is happening in our own legal context, if the aim of gathering those statistics is as claimed, beggars belief.

By removing the category 'unwanted sexual activity', which is the category under which female rapists are prosecuted in our legal context, from the CSEW, our data collectors are moving swiftly in the opposite direction. Given that this category of offence (22A) accounted for over 800 offences in this same period (ONS, 2021), [28] it seems the CSEW is acting in this instance to black-out our gaze into the dark figure, rather than shine a light. We should at least question how this decision can have been taken, let alone query whether this would be at all likely were the erasure to impact the archetypal rape scenario of male assailants and female victims instead. A choice has been made here to omit an entire category of sexual violence, how does this serve to capture or reflect reality? Furthermore, where is the outcry?

[27] See discussion of CDC findings, below

[28] 871 for 2018 -2019 and 875 for 2019-20, per Table 13, sexual offences prevalence and characteristics tables (ONS, 2021).

Male Rape Victim? I never called it rape/do not call me a victim!

This provides an apposite point to turn to a consideration of the importance of gender-inclusive linguistic forms and expression. I intimated above that language is important, and as important as the inclusion of legal categories (irrespective of whether they themselves are inclusive). A fantastic example of why this is so can be illustrated through reference to crime and victimisation data collected from across the US by the CDC[29]. The CDC uncovered substantial, and almost identical rates of sexual victimisation between men and women, simply by changing their questions from crime related ones to behaviour related ones. In one deft move, they removed any mention of rape or victimization. In accidental echoes of Robin Warshaw's (1988) feminist classic 'I never called it rape', this uncovered a torrent of hidden rape victimity that the subjects themselves could not have articulated as such. This latter point will be discussed in more detail below, and revisited in the concluding discussion of this thesis, but for now, simply note that - as outlined by Black et al (2011) - The CDC's National Intimate Partner Violence Survey (2010), revealed rates of victimization, uncovered by using behavioural terms rather than criminal or legal ones, at levels almost equal to women: 1,267,000 vs 1,270,000. This level of parity has long been suspected, but never before reflected. It stands in stark contrast to any other recorded data, and cannot be said to hold any statistically significant disparity. Contrast that with our official data, discussed in the previous sections. The difference is stark, and the implications for what we (think we) know about rape, are enormous.

[29] Centre for Disease Control

The role of various cognitive barriers in reporting are widely accepted in research relating to both males and females (Hahn, Hahn, Gaster, and Quevillon, 2020; Lathan, Koon-Magnin, Selwyn, Isaak, and Langhinrichsen-Rohling, 2023; Brockdorf, Holland, Kumar, Jaffe, and DiLillo, 2023), but we are clearly yet to heed the lesson. Ground-breaking feminist research here includes Robin Warshaw's (1988) 'the Ms Report' and Susan Estrich's (1987) 'Real Rape'. Each of these works noted victim inability to recognise their own victimization (be that due to issues such as cognitive dissonance, ignorance of the law, or the impact of sexual scripts and schemas on understanding). Research informed by these works were responsible for the 1 in 3 figure for the reporting vs non-reporting of female rape victims that is now widely accepted. This inability to report (not failure), effectively prevents a great mass of rape victims – the vast majority - from ever approaching the CJS. It is surely salient for males too. That being the case, our data collection practices are assuredly operating counter to the interests of data collection.

Weighting, guesstimating and 'sense' checking

CJS data is prone to omission, errors, manipulation and confabulation – despite popular perception to the contrary, it is not 'hard', 'clean' or 'sacrosanct'. Orthodox criminologists would urge me to let the data speak for itself, but as Skogan (1974) asserted over 4 decades ago, doing so entails that we make only modest demands of our data in the first place – and expecting our data to reflect social truths is a long, long, way from a modest expectation; Butterfield (2001, cited in Mosher, Miethe and Hart, 2011, p2) goes further in his caution, observing that all the data can reliably tell you is that 'crime is very difficult to measure'. For myself, I would urge that at the very least, we should seek to ensure transparency, consistency and – above all else – be circumspect. After all, "awareness of the shaky

foundations of criminological knowledge does not mean that one should abandon the collection and use of statistical data about crime…*so long as their limitations are fully recognised*,' (Maguire, 2007, p142, italics in original).

So, if we regard it as important to gather data on rape, make all efforts to do so – no omissions, no peculiarities, no errata; whereas, if we regard data as of secondary importance, due to recognition of irregularities, we must also accept that the implications and reach of this is wide, and impacts on all. This would necessitate, for example, that under-reporting, under-recording and under-counting are acknowledged for all, and not just for some. So, works like Gavey (2005) should not go unchallenged in simultaneously holding that the data relating to women reflects paucity of data collection, and therefore vastly minimises the reality of rape for women, whilst simultaneously asserting that the data for men can be taken at face value and reveals a truth in relation to their obviously lower rates of victimisation. To put it simply, data, its presence or absence, should not simply be used in support of ideology, or to service confirmation bias. We should be careful of having our data cake and choking on it.

Unfortunately, we are a long way from achieving either – as Lime Culture's (2019, p13, italics added) report for Nottinghamshire's PCC & NHS Midlands observes 'there is *no* complete source of data' that can be used in respect of victims/survivors. Indeed. This is something long recognised in feminist research. What is perplexing is that a great deal of data that is already gathered, albeit tangential to the CJS, is not necessarily fed anywhere; and in addition, agencies that are directly aligned to the CJS and/or funded by the MOJ, could very easily gather data, and yet are under no obligation to do so. This truly is data loss.

So, what exactly does our data show? It's used so decisively, it speaks so loudly. But what of? Does it actually speak of that which we expect it to? Look again at the opening table of data. The contrast between males and females is stark. But we shouldn't be so easily influenced nor satisfied. All measurement is interpretive – it involves decisions on what to count, what not to count, how to count, and why. At the heart of this process is human fallibility – including various types of bias, prejudice and, sometimes, plain old incompetence. This is further exacerbated by restricting data capture to the CJS and BCS, and by wilfully ignoring then that the greatest volume of rape is never reported at all, and that some of it simply cannot be. As such, it must be asserted that works which assert the male rape victim to be statistically insignificant, commence on shaky ground, but, unfortunately, in very good company, sometimes even amongst those who advocate for the male rape victim.

Between them, what self-report/survey data, the Ms report, & CDC data reveal is that our official statistics are besieged with problems. Precisely because this is already recognised, (whether understood as data loss, erosion, double-counting and other errors, or manipulation - including under-reporting, omissions, gaps etc), action is taken to build-in adjustment. Various steps are taken to 'clean' the figures, in order that it better represents 'reality'. Needless to say, this is not a disinvested process, it is not uncontentious, nor is it entirely transparent. But it is wholly accepted and acceptable practice. The Home Office (1999) 'Research into the Economic and Social Costs of Crime' recommended figures simply be adjusted upwards using a multiplier of 3.4 for rape offences, and 16.5 for other sexual offences (including S.42) – this continues to inform estimates from the ONS, and indeed it is recommended to use these estimates over other data in informing policy etc. Similar approaches are also advocated by other agencies, such as the World Health Organisation. But, of course, doing so only serves to increase the supposed raw totals for rape, it doesn't

change the percentage, proportions, or the gender ratio. The assumed deserved gap between the genders remains, unchallenged. This is problematic.

For me, the significance of our data is threefold: it reveals a great deal about our structural inequalities, institutionalised practices, and our priorities. It speaks not of a reality in regard to the act of rape in the social world, but of a reality in the significance we as a society accord to rape. For male rape, the consensus amongst researchers in this area is that the level of under-reporting is likely to be even greater than that for the female. Much greater. Significantly so. In 1999, Pino & Mier's research suggested this to be as much as 1.5 times lower in comparison with female reporting. Subsequent research on male victims of rape has consistently revealed far more than the Ms (1988) standard that 2 in 3 fail to report, indeed, Tjaden and Thoennes (2006) put that figure as standing at 7 in 8 for men. Whilst recorded crime for rape is accepted as the tip of the iceberg, for male rape it is more like the tip of the last ice crystal on the peak of the iceberg. Some researchers in this area (Sitto & Lubinga, 2020, p2, citing BBC, 2018) estimate only 4% of male rapes are reported, whilst '96% of male rapes go unreported'. If this is widely accepted, it begs the question why we still insist on applying the 3.4 multiplier as a flat multiplier, irrespective of gender, as well as what would happen if we didn't.

In the interests of illuminating male rape victims as a hidden population, who vastly under-report, this introduction will now turn to a discussion of the case of Reynhard Sinaga – reputed to be the most prolific rapist in UK CJS history, and one who targeted solely men. This case, along with other high-profile examples, will be discussed in the section that

follows. The likely retort here will be to note that these cases are rare. The obvious response to that at this point, is how the hell do we know?

Male Rape breaching the shadows? Pivotal cases

It's long been known that targeting male victims provides a low level of risk to the average rapist. In 'Riding the Bull at Gilley's' (Scully & Marola, 1985), an incidental finding from one of their case study participants (convicted serial rapists) revealed that whilst assuredly heterosexual in identity, he purposely selected males to rape due in equal part to the physical challenge he saw that provided validation of conquest (the simile used by him was compelling enough to become the title of the article – literally, he saw the challenge of raping a male akin to 'riding the bull', the mechanical rodeo bull at Gilley's bar. Implying that when males fight back, they thrash & buck, and he enjoyed overpowering them, thwarting their attempts to throw him off). But the other bonus, equally satisfying and possibly far more important, was that he asserted secure knowledge that they never reported the assault. All fun, no cost.

Classic research in the area of male rape has noted the same – that males are specifically targeted by rapists, and particularly what we might term 'career rapists' because they are high-satisfaction & low or no-risk. This has been accepted for a very long time, but defying all logic, this knowledge hasn't impacted at all on our understanding of, or reverence of, our statistics. The absence from our statistics should be regarded as reflecting low or no reporting for male victims, not low or no rapes of men. The difference here is vital. Taking the implications of this into account, our statistics then reflect not a lack of male victims, but a shocking impunity for male rape, and a gross miscarriage of justice.

In this section, I will present three cases illustrating this phenomenon, driving home the point that an absence of data does not mean an absence of victims. A 'justice' system that pretends otherwise cannot possibly serve justice. Criminology that fails to counter that erroneous narrative should question precisely what it stands for, whilst critical criminologists who blithely pander to the status quo here should give serious consideration to whose side they are on. In the section that follows, consideration will be given to the cases of Reynhard Sinaga, Stephen Port, and Imogen Brooke.

Shame, Pain & Disdain: a damning indictment of 'justice' for male rape victims

Reynhard Sinaga

In January 2020, Reynhard Sinaga was found guilty of rape. In this, he is not unique. In the year 2019-20, there were 1,439 convictions for rape in England and Wales (Topping & Barr, 2020). As a sex offender however, he was certainly unusual in that his offending behaviour resulted in a conviction – the 1,439 who were found guilty of rape in this period represent the unlucky few amongst their peers, given that the staggering total of reported rapes for that period stands at 55,130 (ibid). But there is more of significance to this case than merely this. Not only were the CPS, and trial Judge moved to make condemnatory pronouncements in regards to this offender, so was the Home Secretary. In particular, the scale and modality of his offending drew ire.

Convicted of 159 sexual offences, including 136 counts of rape involving 48 victims, with a further 70 victims forensically identified by the police, but yet to come forwards, this serial

sex offender carried out his attacks with impunity for a period of 2.5 years between 2015-2017; and police have cautioned that they expect he may well have been actively predating for a period of 10 years in total, with scores more victims as yet unidentified. As a consequence, the Crown Prosecution Service declared Sinaga to be "the most prolific rapist in British legal history" (cited in BBC news, 2020), with the Home Secretary, Priti Patel, moved to condemn Sinaga's "truly sickening crimes" (ibid) and compel an urgent review[30]. Judge Goddard in her summing up, described him simply as a 'monster' (ibid).

In terms of the scale of his offending, and the success in his conviction, Sinaga's case is significant full stop. What makes this case unique however, is that this convicted, serial sex-offender, solely targeted adult males. He is our, regrettable, male rape unicorn. Our case in point. As such, this case is vitally important in the history of male rape. It reveals something about our present context and recent past. In regard to male rape, Sinaga is a watershed moment – Although whether this case can also indicate a sea-change in terms of awareness, stigma and access to justice for male rape victims (the red-headed step-child of rape proper) - is yet to be seen.

What this case should do, very effectively, is throw into sharp-relief the vast level of under-reporting for male victims. It should most assuredly undermine the credibility of assertions drawn from our official statistics regarding gendered patterns of victimity, and gendered priorities. In particular, this case should sound the death-knell for notions of rape as significant only for females, or that male victims of rape are likely insignificant in

[30] into the adequacy of controls and penalties around the drug GHB, which he used to incapacitate his victims, in order to facilitate assault.

comparison with females. As far as our official statistics are concerned, Sinaga's victims simply could not be counted - should that then mean that they simply do not count? Our official crime data is a vastly inadequate way to capture the complex reality of the social world. As regards rape, and male rape, it cannot be relied upon. We must bear in mind that ONS (ibid) caution, all it shows us is who makes demands on the CJS - this is not at all equivalent to drawing conclusions about victimization.

Let me try to illustrate the scale of this omission. Reynhard Sinaga targeted solely males (heterosexual or otherwise). Over the course of 2 and a half years, he raped at least 136 men - only one of whom actually reported any crime (BBC 2020). That's a rather concerning circa 0.7% rate of reporting, with a staggering 99.3% unreported. It's a far cry from the standard multiplier of 3.4 advocated by the Home Office (ibid). The only similar case we have for male on female rape is that of John Worboys, whose level of offending prior to arrest was indeed appalling, at 19 victims, but the scale pales in comparison with 136+. I'm not suggesting modification to the multiplier, I'm suggesting the absurdity of using any multiplier with confidence. The Sinaga case should provoke massive attitudinal & institutional shift in regards to male rape victims, let alone careful reconsideration of the collection, construction and massage of the data we base our present policies on. It should at the very least give pause to any assertions around the supposed insignificance of male rape when compared with that of the female.

Stephen Port

In the case described above, invisibility of the male rape victim might commonly be explained (and the finger of blame pointed firmly at) the male victims, over 70 of them in

total, who ‘failed’ to report their experiences. Such ‘failure’ will be unpicked in the conclusion to this thesis, but at this point it’s the seeming logic here that requires attention. Rape is notoriously difficult to prosecute, and highly improbable without a complainant, yes. Accepted in line with this reasoning, we might then be far more confident of a rapist being held to account where his victims were raped and murdered. After all, as the old police saying goes, the only good rape victim is a dead rape victim (because, as previously discussed, almost anything is easier to prosecute than rape, and of the alternatives, murder is the very best of all – even the most hardened of jurors struggle to dispute a dead rape victim). That confidence, however, would in actuality be grossly misplaced here. Even in the case of sexual homicide, male victims still go unnoticed - despite presenting as the ‘good’ rape victim/solid case that the police desire.

A case in point is that of Stephen Port, who between June 2014 and September 2015, a period of 15 months, drugged, raped and killed four men after matching with them on the popular online dating app, Grindr. Motivated by sexual gratification, he disposed of the victims’ bodies in a careless and cavalier manner – with three of his victims left at the same spot, in a graveyard, very near to the offender’s home. Two of those, just two weeks apart. This, coupled with his use of social media to recruit his victims is a modus operandi tantamount to recognition of impunity rather than reckless disregard for penalty. And our predator of male victims was quite correct in his confidence. Stephen Port’s crimes, despite being blasé, evaded recognition as crimes, as this offender surely believed they would be. His victims simply were not regarded as victims. They were regarded as dross, incidental, human detritus, and dismissed as a waste of police time. Assumed to be addicts who overdosed accidentally or took their own lives, despite a raft of evidence to the contrary. Police were far too easily satisfied that these cases were not cases at all. Yet the victims were not in a high-

risk bracket for suicide or overdose, let alone plausibly so in a public space. They were not vagrants or drug abusers. They included a chef, a student, an economic migrant, and a forklift truck driver – the latter's employer routinely undertook random drug-testing as a necessary condition of employment. These men were not living on the margins or scraping an existence, they were simply young, gay and male. It was left to the victims' families to build a case against Stephen Port – had these men not had families in a position to do so (or been selected rather more carefully so that they had no family at all) it's likely this offender would still be at large. One wonders precisely how many dead men would need to be stacked near Port's flat in order to pique police curiosity.

Again, as in the case of Reynhard Sinaga, where cases involving male rape victims come to light, we should most definitely not be reassured that justice is finally seen to be done, but horrified at the implications for the likely scale of continuing and entrenched injustice for male rape victims plaguing our society. These cases should not salve our collective conscience, they should prick it. And they should certainly be regarded as fatal for the myth of sound statistics in this arena.

Imogen Brooke

Convictions for women charged with causing a person to engage in sexual activity without their consent (as discussed above, this is an offence created specifically to sit as equal to m/f & m/m rape) are very rare. Considering what it takes for a case to get to court, this is more than a little disappointing. One wonders if part of the issue here might be the standard direction to the jury – whereby the judge must explain that in English and Welsh law, a woman 'cannot' rape a man. Strictly speaking this is true, but it's also very inaccurate where

common sense understanding of rape is simply sex without consent, and as such it is possibly misleading, and likely to undermine any case presented thereafter commensurate with rape.

The case of Imogen Brooks is included here as a case in point, her being 'cleared' of rape solely on the basis of her defence - that she was too overweight for non-consensual penetration to be viable. Was the defence really that persuasive to the jury, or had the prospect of conviction already been irretrievably undermined by the judicial direction cautioning that rape isn't possible in the case of male victims of females here?

CONCLUSION: Male rape stats as facts?

In the preceding section, I have detailed problems with regarding statistics as truth, and I have mapped out key sites and vehicles where the truth of male rape is compromised. At the very least, take from that discussion that rape cannot be said to mostly impact women, it cannot be said that women have the most or greatest need. Women report most often, and our statistics reflect this. We must understand what our data really means, and the limits of what we can generalise from it. In closing this introduction, wherein I've discussed the statistical fallibility & fallacies that plague that CJS data (thereby compromising any glimmer of reality we might ever hope to glean), let me now reassert explicitly that the single most significant problem with crime statistics is that they are understood as reflecting real levels of crime in society, when they'd be far better understood as reflecting individual and institutionalised behaviours; and in particular, as being understood to bear the weight of absence and omission - the invisible, indelible, mark of attrition.

Attrition is a well-respected concept within feminism, being a major continuation of feminist research and theory in the area of sexual violence. It is also widely accepted, underlying the cleaning, rebalancing and sensitising activities undertaken by government agencies. As a consequence, the reasons why men do not appear so readily in our statistics has been well-researched. Shame/stigma/prejudice/bias/discrimination/bigotry/ etc. Underlying all of this, is the dead-hand of male rape myths - these bear some scrutiny, as do their function, and so it is to a consideration of these in the established literature that I now turn.

Damned & Damnable Victims: 'Failure' to Report

The tautological loop – low stats justifying low stats/ low visibility justifying low visibility – is unrelenting, and it is a doom loop entirely of our own making. Male rape myths, or, to be clear, myths around the rape of men, underpin how we 'know' this offence, this victim group, and how the male victims of rape know themselves. Just as in the area of female rape, myths here carry a great deal of weight in the social world – including its institutions of justice. These are barriers to accessing justice, impacting at all levels, from that of the individual who fails to recognise or to accept their own victimhood, to the police who fail to record a crime, a CPS who fail to prosecute, a jury who fail to convict, a government who fails to be inclusive of this victim group, a media who fails to represent them and charities who fail to advocate for them. Failure, failure, failure. And our failure to challenge and overcome these? Justified through reference to the statistics. Round and around we go.

In addition to this, and no less important, is the fact that when men do report, they not only do so in smaller numbers, but with a far greater time lag than their female counterparts (Pino & Mier, 1999; Tewkesbury, 2007; Walker, Archer & Davies, 2005). The issue here is twofold,

the greater the time lag, the less likely there is to be a successful conviction – this impacts both on the chances of a successful outcome in court, and on the case ever getting to court, as it's more likely for both police and CPS to filter such cases out; and, of course, we must question why is there a lag at all?

Less likely to report, less likely to report in a timely manner. Male rape victims 'fail' to act in their own interests in these two crucial areas. And more. They are also less likely to engage in help-seeking behaviours – this might not seem relevant from a 'data-led' perspective, but it really is. Victims of rape are not only filtered out through various institutions, they are also filtered in. Key sites for this are charities such as rape crisis, counselling services, and the wider NHS (GPs, hospitals, psychiatric services etc). Data is collected from a variety of these (albeit not all, as previously intimated), which provides a useful complement to CJS stats, and at the same time, clients/patients are encouraged to report to the police. These mechanisms only work if victims come forward.

Once again, women access support in far greater numbers, and sooner after the assault, than their male equivalents. Our data wonks simply pretend that this is not pertinent, but how can it not be? The case of Jimmy Saville & his lengthy career of gender-inclusive sexual violence, leaving a raft of victims, in plain sight, is a perfect case in point here.

Believing is Seeing: Male Rape Myths – dimensions of attrition

It is widely accepted that research into male rape lags behind that of women (Sleath & Bull, 2010; Anderson, 2007; Jina, Machisa, Labuschagne, Vetten, Loots, and Jewkes, 2020)

indeed, it has been said that research in the area of male rape is some two decades or more behind that of female rape (Pearson, and Barker, 2018), and considering that this allegation was originally levelled some 30 years ago by Scarce (ibid) & McMullen (ibid), this is an indisputable gap, and one that refuses to close. And worse. We can observe at this point that attitudes to males as a sexual violence victim group also lag significantly behind, in what has been called a cultural gap[31] (Anderson, 2007), although judging from the results of more resent research in this area (PeConga, Spector and Smith, 2022), this might now more accurately be regarded as a rather galling empathy gap[32] and is currently generating research in this vein (Patterson, Fiene, and Cole, 2022). So, why is there a lack of empathy for male victims, and why might that impact our data? Enter male rape myths – discursive constructs that colour perception, misperception and understanding.

As I've asserted elsewhere (2014; 2018; 2019), myths thought long-dead in regard to female rape are alive and kicking in regard to the male. As will be discussed in subsequent chapters, male rape provides a discursive sanctuary for misconceptions around consent, risk, and fault. Attributions of blame now regarded as vile misogynistic rationales where applied to women, are given new credence when oriented to men, and are thus free to continue circulating in the public consciousness. It is to an overview of these myths, and their impact, that I now turn.

McMullen (1990) was the first to research in the area of male rape, and male rape myths, and his ground-breaking monograph, founding of UK based male rape charity *Survivors*, contribution to male-specific trauma counselling, advocacy and political lobbying, was

[31] indicating lack of awareness
[32] Low recognition of/value given to harm where men were the victims

pivotal in addressing male rape myths head-on (albeit without using that terminology), and indeed on fomenting the intellectual ground on which those of us researching in this area all stand upon. His contribution here was iconoclastic and continues to be pivotal. His research was quickly built on by Struckman-Johnson & Struckman-Johnson (1992) who, influenced by the burgeoning and long-standing work of feminists (such as Brownmiller, 1975) in regard to rape myths oriented to the female, coined the term 'male rape myths'. They defined these as the 'prejudicial, stereotyped or false beliefs around male rape, male rape victims and male rape perpetrators' (ibid). These false beliefs are powerful, and have an impact far beyond the merely cognitive. They impact the social world, by supporting misperceptions of 'the culpability of victims, the innocence of rapists, and the illegitimacy of rape as a serious crime (Lonsway & Fitzgerald, 1994, cited in Chapleau, Oswald and Russell, 2008, pp601-602). Of particular significance was the call by Struckman-Johnson et al (1992) to adapt Burt's (1980) Rape Myth Acceptance Scale to include male rape myths. Unfortunately, and keenly illustrative of the lack of urgency in this area, that call was finally taken up by Hine, Murphy & Churchyard some 25 years later, resulting in their Male Rape Myth Acceptance Scale (MRMAS) finally being published in 2021.

The various domains of male rape myths have been expressed in different ways by different authors, but do not deviate significantly. The origins can be located in Turchik & Edwards (2012) influential work, which identified nine discrete categories:

1) Men cannot be raped
2) 'Real' men can defend themselves from rape
3) Only gay men are victims/perpetrators of rape

4) Men are not affected by rape
5) A woman cannot sexually assault a man
6) Male rape only happens in prisons
7) Male on male rape causes homosexuality
8) Non-heterosexual victims deserve to be raped because they are immoral/deviant
9) If a victim shows signs of sexual arousal, they must have wanted to be raped

I would argue that rather than separate categories, these are all sub-categories of that first myth: men cannot be raped. That is the master-construct operating in this area, and rather than this being that from which all other myths and misconceptions are derived, it is more accurate to say that all else bolsters that master construct, and indeed, that is their function.

These myths don't form degrees of exclusion, they serve to create a totality of exclusion. Thus: persistent belief that men cannot be raped, or, disturbingly, that at the very least 'real men' cannot be raped (Lisak, 1994), the implication being that those who are raped, must therefore 'want' it – meaning of course, that it is not rape. To be clear, I would argue that the logics here dictate that the experience of rape in a male negates a claim of rape. It really is quite brilliant, and blindingly obvious once pointed out.

These serve to deny recognition of rape full stop, in the same way as they once did for women – running akin to patriarchal rape narratives that posited an unbearable catch 22: that the only woman that can be raped is chaste, all others must be sexually promiscuous and precipitative, and therefore not raped; but a chaste woman cannot be raped, she just needs to choose not to relent, and where rape has occurred, it is because she relented – again, negating

the rape. This 'just keep your legs closed' rationale is in evidence for both males and females, but remains accepted only in the case of the former. The likelihood that this bears zero impact for justice is slim to emaciated.

The literature on male rape myths is well established, and complements that of the work of feminists in regards to female rape. In almost all areas. With some notable differences and exceptions – in particular the questioning of gender and sexuality. These elements are solely for male rape. However, whilst it may be tempting to draw on homophobia and masculinities here, we should not be distracted. Both myths operating in this area, those targeting women, and those targeting men, ultimately serve to bolster Patriarchy – they may draw on sexism, cisgender, heteronormativity etc, in different ways, and to varying degrees, but nonetheless, they all write back to reinforce patriarchy. Theorising male rape and its relationship with Patriarchy is an area my ongoing work has contributed to significantly. The significance of male rape myths to Patriarchy will be discussed later in this thesis, but for now, discussion will remain on the impact of these myths on our data.

Interestingly, as Walfield (2018) observes, across all published research in regards to MRMA, the most consistent finding uniting all studies relates to the gender of the participant as a predictor of subscription to male rape myths – males are far more likely to subscribe to male rape myths than women. However, this is not to say that women do not hold male rape myths, indeed, in his own survey, Walfield (2018) found that the majority of individuals, regardless of their own gender or that of the assailant, adhere to male rape myths. Whilst in their 35 year replication study, PeConga, Spector, and Smith (2022) found – counterintuitively - that the situation is getting worse. Their results demonstrated that

contemporary female students were more likely to attribute victim encouragement and enjoyment to a male victim of rape, than females who were sampled in a historic study. Taken together, these results are more than a little disturbing. This, of course, is likely to have a substantive impact at all levels for male rape – from our institutions of culture, to civil society, to those of criminal justice; from our communities; our third sector; our families; and our individuals, who cannot countenance, recognise or name the harm they have experienced. Attrition is endemic, injustice is 'baked in', and our data? Standing as firm as a house on quicksand. It rather begs the question, who the hell is stupid enough to build on quicksand in the first place? Or, as this thesis will discuss in turn, why and to what end?

The Academic Terrain[33]

Introduction

This discussion traces the contours and transformations of 'knowledge' produced in respect of male rape within the academy[34]. It builds on my critique of data, to illustrate how the academy has responded to the issue of male rape. Principally, this chapter forms a critical literature review that seeks to address the issue: to what extent is our gender-neutral and corporeally inclusive legal construct of the rape victim reflected in our academic texts? Is rape victimity as depicted therein gender-neutral and corporeally inclusive too? This inquiry builds on the tradition of iconoclastic research into gender bias within feminist pedagogy, and adds to existing analyses oriented to the criminological field, such as Love & Park's (2013)

[33] This chapter is largely taken from my 2014 publication, but explicitly aligned to feminism & updated to reflect developments, and lack of, in this area. In particular, this chapter will illustrate why the omission of the male within feminism is counter-intuitive and will lay the foundations for my later analysis which posits exclusion of the male as an act of self-harm

[34] Albeit limited largely to anglophone, western publications

analysis of gender-biased images in criminology textbooks, research into gender-biased topics (Manza and Schyndel, 2000) and gendered tropes (Wright, 1995).

Discussion here illustrates the shape of the academic terrain, over time; and in line with the legacy of groundbreaking feminist work in the criminological field, it pays particular attention to instances of 'gender neutrality, gender myopia, as well as gender-bias…in order to construct a gender-agenda' (Davies, 2010, pp 4-5). This chapter will commence with a focus on textbooks, before moving on to journal articles. Ultimately, this exercise vindicates the need to think differently and expressly explicates my resultant problematisation.

TEXTBOOKS

I will first turn my attention to those texts that seek to reflect and induct into disciplinary spaces – textbooks. These are vital for their role in the transmission of disciplinary norms, and their demarcation of discursive disciplinary spaces. In essence, they assert, for our future practitioners, mandated areas of concern – the what, where and why that becomes part of the guiding rationalities for our present students and future professionals. The impact of this cannot be overstated. In particular, I will present here findings from my engagement with recommended reading lists from 2010, and will compare these findings with a detailed examination of new editions of those textbooks that were subsequently published. I will then take steps to broaden my search to include other pertinent textbooks, and will bring it up to date by examining the most recent textbooks published in the field[35]. A sizable number of textbooks were sourced in all (14 for 2010 and 15 for current editions and recent

[35] Principally generalist criminology texts, generalist victimology texts, and specialist texts oriented to rape and sexual violence.

publications), entailing a considerable amount of close reading[36]. However, despite the scale of this task for me as a researcher, and despite best efforts to reach beyond any confines to capture more and better, it cannot – of course - be claimed to be representative. This then is not a systematic review of all textbooks available, in print or otherwise; it is exploratory & indicative only.

My initial inquiry used a quasi-random technique, in line with Landrum's (1993) review of introductory psychology texts, whereby he identified six texts of significance at that time from the major publishers' lists, and from books used in his own courses. At the time of writing, the texts listed here were all recommended reading on relevant modules within my department (my own modules and those of my colleagues within the Department of Law and Criminal Justice Studies, Canterbury Christ Church University, UK; used in generalist Criminology undergraduate provision, as well as pre-service awards for students entering the Police Service, and for Warranted Police Officers on the Kent Serving Officers Programme). The goal here was simply to note omissions. There were omissions of male rape and the male rape victim in core texts in forensic and generalist psychology (for example in texts by: Ainsworth, 2000; McGuire, 2004; Hansell and Damour, 2005; Bartol and Bartol, 2006; Memon et al., 2006); omissions in sociological and generalist criminology (such as: Maguire, Morgan and Reiner, 2002; Burke, 2003; Carrabine et al., 2004; Williams, 2004; Barkan, 2006; Watts et al., 2008); I found that it was even routinely overlooked in the specialist textbooks relating to sexual violence in general and rape in particular (for example in: Seilke, 2002; Bumiller, 2008; Horvath and Brown, 2009). This led me to conclude at the time that many popular criminology, psychology, sociology and victimology textbooks revealed the conspicuous absence of the male rape victim. But that was over decade ago. One would

[36] See method and methodology discussion later in this thesis

hope that revisiting this exercise would produce a different result now, and indeed it does. Mostly. But as will be discussed, different is not necessarily substantively better, nor inevitably progressive.

I first looked to identify the previously analysed texts, where revised and/or with new editions. Several did not meet this criteria and therefore were excluded;[37] others did meet this criteria, but were unavailable to me at the time of writing and could not be included[38]; Those that could be revisited comprise just one of the previous texts for Forensic & generalist Psychology, Bartol & Bartol, 2015, 4th Edition; four texts for criminology, The 6th Edition of the Oxford Handbook of Criminology (Liebling et al, 2017[39]); Hopkins-Burke, 2019, 6th Edition; Carrabine et al., 2020, 4th edition; Williams, 2012, 7th edition; and just one of the specialist sexual violence texts, Horvath & Brown, 2022. These will be discussed below.

First, a necessary methodological interlude. Whilst not a wide-ranging sample, it isn't intended to be. It is not intended to be systematic, representative or generalisable. It is exploratory, opportunistic and indicative only. In line with Gray (2007, p. 81) this is a 'brief peek', an exploratory snapshot which makes no claim to being either 'scientific' or 'accurate'. Guided by my overarching research questions, this serves to illustrate representations of male rape, and to take the opportunity to revisit a particular sample over time, and after crucial time-periods in male rape history.

[37] Ainsworth, 2000; McGuire, 2004; Memon, 2006; Barkan, 2006; Watts, R., Bessant, J. and Hil, R. (2008); Seilke (2002); Bumiller, 2008;
[38] Hansell & Damour, 2008, 2nd edition – unable to obtain a copy at the time of writing. Noted here for transparency.
[39] Formerly Maguire et al, 2002

Textbooks are vital in terms of ascertaining 'knowledge' in any given field, and – more so – in ascertaining the approved presentation of knowledge in any given field. Inclusion of an issue or area in textbooks can be taken not only as an as indicator of whether or not it is likely to be widely taught, and so how students and future academics are being instructed (Blumberg, 2007), but also of how those future academics and practitioners are being inducted into the conventions of their respective disciplines (Lynch and Bogen, 1997), and indeed the prejudice and biases of those disciplines (Peterson and Kroner, 2006). Textbooks are our convention-makers, and they both reflect, produce and reproduce our discourse, its acolytes, and its disciples.

Whilst textbooks are not commonly the focus of academic enquiry in Criminology, there is precedence here. Works examining both content and omission in criminological textbooks, include, for example, ideological and/or theoretical bias, such as Wright's (2000) quantitative enquiry into the omission of critical perspectives from introductory criminological texts; works focussed on the absence of particular crime types, such as Lynch, McGurrin, and Fenwick's (2004) examination of the erasure of corporate crime research in criminological literature, Rothe and Ross's (2008) critique of the marginalization of state crime, and the neglect of cyber-stalking by Huffman & Overton (2013); whilst in terms of issues around representation, misrepresentation, prejudice and discrimination, there is Glover's (2019) identification of ethnocentricity and racism in criminological textbooks, and researchers interested in religion, disability, race and sexuality such as For example Ellis' (1985) examination of criminology textbooks vis a vis religion, Park, Kim, Park, Kim and Cuadrado's (2021) investigation into race in criminology textbooks, Gateley's (2020) examination of sexuality in criminological textbooks, and Drakeford, Leone and Hamlett's (2005) critique of disability issues in introductory criminal justice textbooks. The single most

significant contribution here though is the body of feminist works critiquing malestream criminology's androcentrism and phallocentrism – such Sharp & Hefley (2007), Cook (2016), and Wachholz (1996).

These works typically have low citation rates when published in regards to criminology, and certainly much lower than their equivalent texts in Sociology. I've found that such endeavours are commonly dismissed as 'just' pedagogy within Criminology, but they are so much more - as a former secondary school teacher, I'm perhaps more sensitised to what textbooks actually are, and as a Foucauldian, I'm open to understanding what they actually do, but it's my history as a feminist that makes me aware of the great body of work that has gone here before, and it is feminist works that continue to break new ground. Most assuredly, feminist researchers take textbooks seriously (Chisholm, 2018; Aoumeur, 2014; Esmaeilzade, Mahram, and Vakili, 2022).

In engaging with the revised editions, the logical starting place is to scrutinise the content of the Oxford Handbook of Criminology (Liebling et al, 2017) – this is considered to be the criminological 'bible', and the current edition is its 6th iteration. A simple keyword search of the online version, using the usual designation "male rape" returned zero hits. An index entry search was then performed, looking specifically for entries where male rape victims might be found – for example looking for sexual violence, rape proper, or victims in general - again, this proved fruitless. An entry for "gender symmetry" however, within a chapter on domestic violence/intimate partner violence was identified. This should include men, it specifically should be inclusive of the male, given that this is the entire point of the "gender symmetry" concept. However, rather than gender symmetry, what was revealed within this section was a determined focus on women and girls, with an in-depth rejection of symmetry performed – in

essence, this discussion aligns gender symmetry with gender-equivalence, in order to discredit it. Importantly, that conflation is not expressly made, but it certainly performs this function. Bizarrely, the authors manage to engage with this without mentioning male victims of rape even once. Quite an achievement. Also of significance here is that where rape as a general (and innately gendered) topic is included, it is solely as a contribution of feminism.

Williams (2012, 7th edition), again, zero returns for pertinent keyword searches. An examination of the index, and close reading of relevant entries also proved fruitless. Males here are very much represented as offenders, particularly in rape and domestic violence – but omitted entirely as victims of the same. Again, both rape and domestic violence are largely contained within discussion that situates these as feminist contributions, and women's liberation.

Carrabine et al (2020) includes male rape explicitly (see p229) on a chapter entitled "crime, Sexuality & Gender", and does so within the first paragraph. However, in a disturbingly familiar pattern, this inclusion is quickly dropped, and the remainder of the chapter reoriented to female victims. I was heartened to see female sexual offenders mentioned, but this was also swift, and doesn't explicitly denote male victims (p235-6). Even the section on rape myths doesn't include those pertaining to the male. Strangely, or revealingly, the section on date-rape speaks only of female victims, and seeks to dispute myths around 'teasing men' (p240). GHB[40] is mentioned here, that great leveller in facilitating rape through incapacitation, but again no mention of males. Even in regards to rape as a weapon of war, and citing Rwanda, it is solely female victims. And this rather concerted erasure is repeated in a subsection on queering criminology (p244), which is simply astounding; and again in

[40]Date rape drug

regards to prostitution; a section dedicated to charting legislative changes within sex crimes, and detailing the significant reconceptualization contained within the 2003 Act, it is still just women designated; and yet in discussion of paedophilia, its offenders and victims, the gender denoted and cases included are solely female as victim, male as offender.

Hopkins-Burke's (2019, 6th Edition), is a beacon of hope within an otherwise bleak disciplinary scape. His textbook 'An Introduction to Criminological Theory' devotes an entire sub-section to male rape, over four pages in total, and he is at great pains to reflect key authors in this area – myself included, and indeed foregrounded. Although as a much-respected former colleague & long-time champion of my research, I can't overlook the personal influence here. That aside, Hopkins-Burke's excellent (2019) treatment of this issue shows just what can be readily achieved here, if of a mind to do so. He rather puts to shame all those who fail to do so, and continue to fail.

Finally, we come to the one specialist text on sexual violence in this snapshot sample, Horvath & Brown's (2022) second edition of their text 'Rape: challenging contemporary thinking – ten years on' which certainly didn't manage to challenge thinking in regards to male victimity, in that first edition I examined. This certainly should include the male this time around. At the very least I expect to see that male included in order to invalidate and move us on from previous criticism I voiced in regards to this text (Cohen, 2014). As usual, the search for male rape was performed and returned very few relevant hits – in point of fact, just two were relevant, each of which was actually a citation. Unsurprisingly, one of those was for my 2014 monograph that had originated the critique. Keen to source more returns, and not able to use 'rape' (as this is a book solely on rape, it's nonsense to try to interrogate the text using that keyword). Instead, keen to identify passages on the male victim, I

searched my own citation, only to find this: ‘we decided to focus on women as victims-survivors as they are the majority. We recognise that men are the subject of rape, sexual abuse, and exploitation, but we feel that this deserves so much more space than we were able to give and has been the subject of other books (Cohen, 2014; Javaid, 2018)’ (Horvath & Brown, 2023, p1). Not at all what I was expecting. This is a high-profile text, by two highly regarded and eminent academics, and for them, within the topic of rape, male victims are simply too insignificant to include – in a specialist text on rape, oriented to critiquing current discourse.

As I said previously, the above is a small sample, intended solely to be indicative. As such, it can be quite easily dismissed by those of a mind to do so. As a consequence, at this point, let me turn my attention to several more recent introductory texts. After all, perhaps the previous ones, Hopkins-Burke (2019) notwithstanding, were simply poor examples. This next step in my inquiry will focus solely on criminology texts, for the very simple and rather obvious reason that rape of the male is a crime, and therefore we might reasonably expect to see this included in texts which solely focus on crime. This shouldn’t be contentious. And certainly, we should expect to see this victim group represented in criminology textbooks where the crime of rape is included.

It is true to say that all texts published since male rape was first included on statute in 2003 should include the male rape victim, but clearly – in view of the texts consulted above - that bar is already too high. So, let’s instead shift the criteria to textbooks published after high-profile cases involving male rape victims – principally Saville (2014), Port (2016) and Sinaga (2020). Although it’s worth noting that in the previous sample, the only text that actually doesn’t meet this criterion is Williams (2012). In any case, what follows is findings from an

interrogation of thirteen generalist criminology textbooks, sourced using a keyword search in several databases, and limited only by virtue of date (2017 onwards[41]) and topic (generalist criminology[42]). In each case, these were read in context in order to ascertain gender neutral or gendered treatment of the issue. This was a labour-intensive and invested exercise.

I chose to interrogate these texts in order of newest first, with the understanding that what is here should be the cream of the crop, and could be considered in terms of complexity, trends and nuance, and that earlier texts could then be examined for responsiveness and patterns of omission. These most recent texts should be the most fruitful after all, given that they were published well after every single one of our high-profile cases Saville (2014), Port (2016) and Sinaga (2020). Hence I will turn to those published in 2021: Davies & Rowe (2021), Jones (2021), Hagen & Daigle (2021), Case, Manlow, Johnson, Williams, and Smith (2021).

I chose to start with Davies & Rowe (2021), for the simple reason that one of the editors here, Pamela Davies, is a high-profile woman in criminology who I have a great deal of respect for. She's the author of quite simply far too many pivotal pieces in feminist criminology and victimology for me to list here. It is fair to say that I was looking forward to reading her latest take on the discipline. However, in Davies (2021) *An Introduction to Criminology*, there is just one relevant return in a chapter on gender by Nicola Groves, wherein an article on male rape by Lowe & Rogers (2017) is cited. This was reiterated in the index, with a clear naming of male rape there also pointing to this chapter. As a consequence, this chapter was read in full. It in a promising fashion, outlining gender based violence[43] in gender neutral terms, and quickly goes on to state that 'literally speaking, "anyone" can experience GBV

[41] This is to allow for usual & unusual delays in the publication cycle
[42] Again, for their role as inductors into the discipline
[43] GBV

(males, females, non-binary)' (p339). There's no time to get one's hopes up though as immediately after the brackets, she moves to erase the categories she's just included, thus: 'however this idea fails to take on board feminist theorising that locates the source of the problem in historically-rooted gender hierarchies' (p339); and in case the point there escapes the reader, she asserts that 'even a cursory glance at research into GBV illustrates a consistent pattern in which girls and women are more likely victims and boys and men are more likely offenders' (p339). The remainder of this chapter denotes only the female victim, women and girls, #MeToo, but no #MenToo; and – despite including Jimmy Saville, makes no mention of his gender-neutral predation. On page 343, there is note that 'some now argue it [feminist theorising] neglects men's and LGTBQ people's experiences of violence', but in building on this she only orients points to the latter category, not males in general, who are simply treated as if they were never mentioned at all. The only case involving a 'male' here, is a transwoman, described as 'a transgender male-at-birth prisoner' who was convicted of rape. This despite the array of hate crime, and sexualised hate crime, up to and including rape, that transgender subjects experience. When men as victims are included, in a dedicated subsection, she does mention male victims of rape – in a short sentence - but discusses in detail only men as victims of domestic violence, giving almost two paragraphs to this. In moving on to discuss LGBTQ as victims, and to specifically highlight homophobia, the case chosen to illustrate this involves a female couple. This is a sizeable chapter overall, and one that could and really should be inclusive of the male victim. The final case here illustrates 'lad culture' & rape, again with no male victims of it, and moves to a statement on violence against women and girls by a high-profile contributor and voice of authority. Discussion closed. The exclusionary circle is closed in the author's recommended reading list (articles, books and websites) which includes nothing for our male victims of rape or sexual violence,

or intimate partner violence. That one citation, included solely in the references here, really was it.

Jones (2021) 'Criminology' once again has zero hits for male rape, and many more for rape. Whilst the search function in this e-copy returned relevant chapters as opposed to all mentions, the same strategy was employed – to read all that were returned in context, and to perform a close reading of other plausibly relevant chapters. This produced the following: 10 unique returns for male rape, which were anything but when read in context – these were invariably male designated as offender or offender in potentia in discussions around rape. In a chapter on the fallibility of statistics, discussing rape in particular, and underreporting of it, only women are mentioned – 'there may be cultural expectations that women accept physical and sexual abuse without complaint' (p36), the standard ratio of 1 in 4 women as victims of rape is parsed, without mentioning males at all (p46). A chapter on gender and crime discusses the criminalisation of female sexual behaviour, for example prostitution and underage sex and promiscuity, but does not discuss females as sexual offenders at all. Where men are mentioned in relation to sex crimes here, it is as offenders. Even in discussing masculinities, the trope plays out – it is used here solely as an explanatory concept in relation to male offending, and not considered at all in respect of male victimity to sexual violence and exploitation.

Case et al (2021) 'The Oxford Textbook on Criminology' produced 12 unique returns for male rape, again, none of these were actually male rape, except for one, included in a chapter on victimology by Angus Nurse, citing (Duggan, 2018).

In Hagan & Daigle (2019) 'Introduction to Criminology: theories, methods and criminal behaviour', a keyword search for male rape returned nothing, whilst there were 97 unique returns for rape. On reading these in context, the following pattern emerged: rape was often included solely as a list of offences, with no further discussion. In that sense, it was neither gendered, nor could it be said to be inclusive. Where rape was discussed in any detail at all, it was overwhelmingly gendered – even in contexts where male victims have long been recognised, for example as a weapon of war (p83). Where images were included, these were of females. A few notable exceptions include when comparing rates of victimity by gender, the author does mention males albeit to specifically reassert the norm 'females remain at increased risk compared with males' (Truman, 2015, cited in Hagen, 2019, p122); and a chapter on sexual assault does succeed in noting changes to FBI recording practices that move to include male victims and female offenders of rape, stating explicitly that 'this definition includes men and boys as victims' (p256). Albeit quickly dismissed in the remainder of the chapter, over some 6 more pages, where only female examples, female cases and female pronouns are used. I must point out that male victims are included once more, but solely within a section of paedophilia, not as adult males, and even here the author takes pains to assert that 'the typical act of child molestation involves an adult male and a female victim' (p26).

I'll now move from a consideration of the most recent to those published in 2018; and will just provide an aside to remind the reader that publications between 2019 and 2020 may well have been pushed back due to the global pandemic – these have not been deliberately excluded, the search I performed using the databases I had access to, and with the stipulation that e-copy be available to expedite the keyword search, simply returned none.

In the meantime, relevant generalist criminology textbooks, available in e-copy, published in 2018 comprise: Deskeredy & Dragiewicz (2018), Triplett (2018), and Lilly, Cullen & Ball (2018). I will start with DeKeseredy & Dragiewicz's (2018) Routledge Handbook of Critical Criminology, again, because of previous awareness and the greatest of respect for this author whose work on rape and sexual violence is pivotal in our field, and in his capacity as a critical criminologist, is usually a pleasure to read. A key word search returned nothing at all for male rape, but 60 hits for rape. Once again, these were read in full, in context. The very first entry, within a chapter on 'the intersection of physical and sexual violence' (p296) resulted in my exclaiming aloud 'well that's sad'. Why? Because the very first sentence in that chapter is this: 'Sexual violence in intimate partnerships is a prevalent and serious problem which has been the focus of increasing study over the past 40 years'(p296) fabulous – no gender specified here, and no innate gendering evident either. But in the next sentence, this wonderful inclusivity is revealed to be entirely misunderstanding on my part, as the author swiftly moves to gender the issue by stating that 'a variety of factors contribute to men's perpetration of sexual assault against female intimate partners' (p296). I did feel saddened by this. Bereft in fact. With 60 returns to examine, one might hope that this will be anomalous. But at the end of that first page, I've read 'women' more times than I care to remember, and not one mention of males as victims – not even in a discussion around legislation. In a discussion on women as perpetrators, the author dismisses gender symmetry (implicitly equating it with gender equivalence, which it is not) and – whilst still not mentioning men as victims – asserts that female-perpetrated violence in interpersonal relationships is usually self-defence (p298). No mention of female-perpetrated sexual violence at all, just one mention in explicit terms of men as victims of IPV, but again only to dismiss them 'their [men's] violence was likely to be much more severe than women's

violence against men' (p298). There's not even any inclusion of men as victims within same-sex relationships. I'm baffled and disappointed by the parameters and tone of this chapter.

Triplett's (2018) *The Wily Handbook of the History & Philosophy of Criminology*. Made no returns for male rape, but 26 returns for rape. Reduced to 15 once errata removed[44]. On page 96, a paragraph on rape discusses solely female victims and violence against women in relation to Marxist theory; in a dedicated chapter on the contributions of feminism, all discussion is gendered female; a chapter outlining the antecedents of race and crime, through an examination of the history of colonialism and slavery in the Southern US, mentions rape, and does not immediately gender this. But it is gendered in quick order by the statement that 'the fear of violence was often greater for enslaved women as they had no right to their own bodies' (p276), a statement that is simply stunning in its exclusion of male victims – for whom rape, sexual torture, sexual exploitation and sexual murder are documented and recognised in the literature (Beattie, 2005; Baptist, 2001; Foster, 2011).

Lilly, Cullen & Ball (2018) *Criminological Theory: context & consequences* produced zero hits for male rape, and 55 for rape. Once again, many of these could be discounted and/or were included solely as a named offence in a list of offences. Of those that were discussed, these were invariably gendered. On p28, a case involving rape is female. In a chapter on conflict theory, discussing rape as a weapon of war, and citing Chambliss (1987, cited in Lilly et al, 2018, p174) it's noted that 'American and Korean soldiers raped, stole, assaulted, intimidated and generally terrorized the Koreans' which is certainly not gendered, although as the next mention of rape within a subsequent paragraph (p175) states 'sowing wild oats', whether this earlier mention is as neutral or inclusive as it appears is debatable. The issue is

[44] e.g. the name 'Draper', and intrapersonal, and titles in the bibliography

explicitly gendered within a chapter on critical criminology, where rape is raised as a feminist issue and one concerning only women (p198). Where discussing sexual exploitation and sex trafficking, gendered terms and gendered concepts are used (eg: 'the boyfriend model of grooming'), with the focus explicitly that of women and females. The chapter on feminist contributions had by far the most returns for rape, and no mention, examples or discussion that included men as victims. Not even in consideration of rape law. And just in case one might attempt to read these chapters as if they are inclusive, statistics relate solely to women as victims, initiatives are only for women as victims, pronouncement oriented just on women as victims, etc. Again, discussion of #MeToo does not result in any mention of #MenToo. For those of us trying to read our male victim in, there is no room here.

The final book here is by another criminologist for whom I have high regard. It would be fair to say that I came to this text with high hopes, again knowing the author by excellent reputation. Walklate's (2017) *Criminology: the basics* has 4 hits for male rape, one of which is a citation, one is in the index, and one is errata, just one is part of a discussion in the text. In comparison, there are 19 returns for rape. Nevertheless, it is there. So, looking at that example of male rape within the text, how inclusive is the treatment? This is very interesting – it's included in a chapter on the problems with crime measurement, where rape in general is used as an illustrative example. In a list of findings on rape and sexual assault, male rape is included & denoted. However, that list starts with solely female centric data, and out of a total of 9 paragraphed points, 7 are female only. Of the two relating to men, one concerns rape in prison, the other which immediately follows it simply repudiates male rape as 'homosexual' in nature (p68). A reader could be forgiven for thinking that rape in the community only affects females, and that male rape is a phenomenon of incarcerated populations only. I'm not at all sure why the 7 other points – facts and stats about rape –

included nothing on male victims, especially given that many of the examples here are drawn from research and data sets where men should be represented. So, included, yes. Inclusive, no. I read the 19 returns for rape in context, to ensure there were no males hidden here, and can advise this was not a productive exercise.

Perhaps this isn't fair? Maybe male rape victims, despite being recognised in law, included in our criminal justice statistics, and present in high-profile cases, remain too niche a concern for generalist textbooks? Having previously examined specialist texts on rape such as Seilke (2009), Bumiller (2008), and Horvath & Brown (2013; 2023) and others of this ilk, I entered an interrogation of specialist texts with rather less than optimistim than when I began this endeavour.

In such texts, once again, the male rape victim is not included on a par with the female, he's often only briefly mentioned, 'ticked off' the list so to speak, then either forgotten or erased. He is not readily included, reliably included nor conscientiously included. How specialist do we need to be to see inclusion of the male? Very. Books entirely focussed on the male. That's where we can confidently find our male victim included, and indeed is the only place where Horvath and Brown (2023) can see him fit. Rather too specialist, one might argue.

This examination of textbooks reveals that, despite several high-profile cases, very little has changed for our male victims of rape in the last decade. They are not routinely included, not readily recognised, and frequently only grudgingly acknowledged - with only the very meanest word count given over to them before a swift dismissal is deftly made. This is not a pretty pattern, it's not a positive pattern, and it's not a progressive pattern. It is a most regrettable, regressive & damning pattern. In horrible echoes of Renzetti's (1993) critique

regarding the lack of inclusion of feminism in mainstream textbooks, we too can decry that this issue is still 'largely invisible' (p226). And where our male victims are included, again, like Renzetti (1993) we can state that these are marginalized as special topics – not integrated, not included, not 'normal'.

The Academy

Male rape is a growing field of contemporary interest that crosses disciplinary boundaries. The review of literature in this area performed by Graham in 2001 (published 2006) identified only 50 specialist articles, much like that of her contemporary, Ellis (2002); whilst Rumney and Jamel's (2009) piece some eight years later cite around 100 relevant sources. Today, the figure is far higher, and not only is the literature increasing apace, but literature reviews themselves in this area far greater in number (for example Thomas & Kopel, 2023; and Langridge, Flowers and Carney, 2023). There are also now several meta-analyses, a type of academic inquiry considered as gold-standard, and seriously lacking in the erstwhile recent history of this issue - not least because the paucity of research historically here rendered a meta-analysis fairly redundant. That these types of inquiry are now possible is heartening. There is also notable increase in a key marker of academic terrain: doctoral theses. This section commences with a description of that terrain.

A Focus on our 'Wo/men of Letters'

Online repositories such as the British Library's 'Ethos' returns 15 records for "male rape", 10[45] of which are solely focussed on this victim group; searches in Google Scholar for

[45] Allen (2001) 'male rape as a threat to masculine identity; Abdullah-Khan (2002) 'survivors of male rape: the emergence of a social and legal issue; Walker (2004) A study of male rape survivors; Jamel (2009) 'an investigation of the prevalence, response to and representation of male rape'; Candida (2010) 'prosecuting

Masters' theses using relevant search terms is now also productive (eg Cleaver, 2022; and Kanine, 2023), whilst the US focussed ProQuest repository returns a total of 1,890 unique hits for dissertations and theses, with 831 of those within the past 10 years, and 27 within the past 12 months, albeit the latter reduced substantially to just one thesis, once errata and issues outside the scope of adult victimity, community contexts, and rape proper were taken into account[46] (i.e.: Rundle, 2023). In all, activity here is very positive, and certainly points to an area that is gaining interest and traction.

It would be tremendously easy to rest on our laurels at this point, but before we pat ourselves on the back for a job well done, it behoves us to compare the present situation for male rape research with that of female rape. Rather than point to raw totals, which will be logically, justifiably and inevitably higher due to the relative 'newness' of male rape on the legal & academic agenda, I'll instead limit my search to modalities of research and time periods in alignment to those in the above sample. So: literature reviews within the past 12 months, meta-analyses full stop, and PhD theses over the past decade.

Several problems encountered here are revealing of the intractable issues in this aera. Firstly, that our search criteria cannot be easily replicated. Searching 'female rape victims', or variants thereof, whilst entirely logical, is utterly misguided. For various repositories, searching "female rape" for example, actually returns male rape, not rape of the female at all. This is simply because it is frequently the case that women and/or the female is not denoted

male rape'; Shoultz (2011) barriers to reporting: police officers discuss male rape; Pitfield (2013) 'male survivors of sexual assault: to tell or not to tell?'; Javaid (2017) male rape, masculinities and sexualities: understanding, policing and overcoming male sexual victimization'; Gustaffson-Wood (2019) 'male rape in film comedy: representation in contemporary Hollywood'; Widanaralalage Don (2022) 'A solitary place: a phenomenological examination of male on male rape and sexual abuse.

[46] Reduction here is due to the way ProQuest searches its database – whereas Ethos searches solely titles and abstracts, ProQuest searches within the body of the thesis. As a consequence, even work which states the exclusion of male rape will be picked up in a search for it.

in the titles, key words listed and/or abstracts of such outputs. Unlike our male, the female is regarded as intractably the focus of rape, she is the victim, it is only the Other, the abnormal, the exception, that requires highlighting. So, we are left with an interesting predicament, in that a direct comparator cannot be reliably drawn here for the purpose of delimiting our searches and datamining. Or so we might assume. In actuality, the means by which we overcome this hurdle is depressingly simple: search without gender denotation. Whilst those pieces returned from just "rape" should be gender neutral and inclusive of both male and female, they are more often, and almost exclusively, not.

Searching in Ethos for "female rape", for example, returns just 7 theses, the vast majority of which are actually concerned with male rape victims, not female at all. Searching "rape" returns 633 theses. Of course, the first response here is to simply observe that there are far more than our 10 total that were returned for a search in regards to male rape. If we limit these results to 2001 (the earliest piece returned by Ethos in relation to the male), and remove errata[47] and irrelevance[48], we are left with 220 articles on "rape" out of a total of 460, starting with a piece by Russell (2001), and finishing with the most recent piece by Zaccour (2023). So still a substantial difference in number. But perhaps they are inclusive?

I performed a keyword search on sample[49] of 46 drawn from the 220 theses on "rape" to see if they were aware and/or inclusive, and by what measure. Wherever possible, the theses selected from each page of returns had no indication of gendered focus in the title (on the basis that, logically, these really should be inclusive in order to satisfy the purported

[47] Eg: Farming and biology focussed pieces.
[48] Eg: Child abuse, pieces who scope was far beyond that of rape and sexual violence, and those that were solely focussed on the male and were therefore duplicates from the first search
[49] This is not ideal, but was necessary in order to keep this task manageable. One thesis from each of the 46 pages of returns was examined. The first relevant return was used for this purpose, in order to ensure no selection bias.

neutrality). The results here were far more progressive than I'd expected, showing a significant level of awareness of our male rape victim - with male rape at least being mentioned in the majority of theses sampled (28 out of 42[50]), and moving towards inclusivity in a small number (7 out of 28). However, theses focussed on rape, with no gender specified, remained far from gender-inclusive. Furthermore, where those sampled denoted a female-focus, it was rare that they would acknowledge the male victim.

To put these findings in less positive terms, one can gain a doctorate on 'rape' despite being either wholly ignorant of male rape, or in giving only the most glancing of acknowledgement of this victim group. To put this into rather starker context, I excluded more doctoral theses on turnips[51] than there were genuinely inclusive pieces on rape. It also bears mentioning that where male rape was acknowledged by the author, it was most often solely to rebut the need for inclusion of this victim group, frequently by casting them as low in number, insignificant in priority and/or otherwise outside of the scope of the study – even where that study was supposedly neutral. At the very least, we should consider this intractable sidelining of the male rape victim, and the ineluctable assertion of female-as-norm, to be a cause for concern. With that in mind, the next section engages with the academic literature in this area.

A Focus on the Academic Literature

It can be readily observed that research and interest in our male victim pales into seeming insignificance when compared with activity within the topic of female rape victimity, but whilst not a burgeoning nor rapidly growing area, it is evidently receiving more attention and

[50] Four theses could not be included due to embargo of the only relevant return on that particular page of 10 results

[51] Due to conflation in search terms returning errata papers from agriculture and farming

is most certainly not static. It's certainly no longer the case that we can look to the academic literature and bemoan omission of this victim group or crime. Instead, I would argue that the most pressing concern is not so much the academy's reluctance to engage with this issue, but rather precisely how those within academia *are* presently engaging, and what the repercussions of this might be. After all, the boundaries of knowledge might be marked by absence, but they are policed by inclusion. Thus it is not so much sites of resistance or limited engagement per se that are of urgent concern, but rather the manifestation of convention and consensus, obfuscation and deflection amongst those scholars who are addressing this phenomenon – irrespective of their agenda, politics or impetus.

The discussion that follows is divided into four sections. As will become clear, they represent thematics to be discussed rather than neat time periods. These thematics were drawn from issues arising in the literature. On first engaging with this area, I conducted a standard literature review, seeking to organise by issue/topic/observation – modes of presentation already well-established in this area. Having done so, I asked what might be revealed if – informed by Foucault - I thought & engaged 'differently'. What was undertaken then was a genealogy of sorts, though of course cursory in nature. Instead of sorting by topic, I arranged pieces largely by period, and asked myself to consider their function rather than their 'truth' – this was deeply unsettling in regards to existing presentations of 'development' in this area, and it was more than a little concerning. The draw of 'progressive historicism' was then further unsettled by arranging these in reverse chronological order. As such, these move from 'battle over the male rape victim' to 'discover of the male rape victim' and finally 'the forgotten history of the male rape victim'. This counter-intuitive presentation is intended to facilitate reflexive engagement with, and disruption of, those logics and guiding assumptions that have become conventions in this area.

This chapter both draws from and adds to the literature reviews that exist at present (Poropot and Rosevear, 1992; Rentoul and Applebloom, 1997; Davies, 2002; Davies and Rogers, 2006; Graham, 2006; Rumney and Jamel, 2009; Lowe & Rogers, 2017; Pearson & Barker, 2020; Edwards, Mauer, Huff, Farquhar-Leicester; Sutton, & Ullman, 2022), but it must be noted that, as a critical literature review incorporating a thematic analysis, informed by a Foucauldian genealogy[52], and sensitised by both Foucauldian and Feminist works around knowledge and power, my contribution differs substantially from that which has gone before, both in its immediate method, its process and its conclusions.

Whilst other reviews recognise various trends and limitations in the published research, they do so in a fashion that is embedded in a search for truth. They prefer to focus on ascertaining the size and nature or incidence and impact of the problem, and seek to examine the weight of empirical research, rather than reflexively engaging with the messages and assumptions such research espouses. My critical examination of the literature around male rape thus remedies a gap and, sensitised to the situated nature of knowledge construction, not least of which is in regards to socio-historical context and shifts in consensus - it contributes a wholly new dimension.

Battle over the male rape victim

Current contours of knowledge construction in regards to 'male rape' are characterised by polemical engagement amongst invested participants. 'Male' rape has become a political and politicised issue, set up in relation to the normative female – and by extension the champion of the female rape victim: feminism. The current context for debate about male rape is mired

[52] Albeit a cursory one, which seeks to situate, unsettle and disrupt

in the issues of justice and parity for the male victim in relation to the female victim – or rather the allegations of injustice and disparity, and rationalisations of those states. This comprises the present battle over male rape.

In privileging one truth over another, present research in this area fuels combative and polemical academic engagement of the ilk denounced by Bhattacharyya (2000). This combativeness is clearly seen in the works of Graham (2006) versus Rumney and Jamel (2009), where these authors struggle over a denouncement of feminism versus its vindication. It can also be seen in published reviews of my own work, in particular the ad hominem attack by Salter (2015) that was undoubtedly intended to provoke a response piece and failed – because I recognise fully the divisive trap that sets for us all.

This positioning is recurrent in the literature, where dialogue about male rape frequently invokes a discussion of feminism – polarised as either denounce or defend - such as can be noted in some of the earliest specialist monographs, for example, Scarce (1997) and of the more recent, for example, Abdullah-Khan (2008) and Javaid (2018). The pertinent question for me, though, is not who is right – it is how did we arrive at this point? Under what circumstances, in what contexts, and moreover why might the competing 'truths' espoused by such authors be supported?

It remains the case that many elements of conventional wisdom in the understanding of female rape become contentious when applied to men. For example: authors accept that rape is a women's issue, but struggle to conceptualise it as a men's issue; they accept that women suffer trauma and other serious harms, but debate this for males; they accept that rape is not sex when women are assaulted, but query this for men; they denounce the relevance of victim

culpability for women, but consider it for men; they accept that for female victims the number and frequency of offences are much greater than official statistics show, but discuss whether this is likely for males. Thus - as the following discussion will illustrate - male rape is presented as a discrete area, and is frequently interpreted as at odds with or incongruous to female victimhood, which operates as a norm in this area. It is important to note that it is dispute arising from these areas of supposed contention, due in no small part to orientation to the female-as-norm (subscription to or rejection of), that is generative of present research in this field.

Contemporary Male Rape Research – snapshot

At the time of writing[53], specialist articles returned by Google Scholar[54] for "male rape" published/added within the previous 12 months, total 18 pieces. With errata, non-English language, and irrelevance removed,[55] these comprise a total of 13 English language articles, two of those being unpublished theses, but included here. Issues arising include the veracity of claims to 'freezing' as a response to sexual violence (Osterman, 2023), gendered legislation (Dike and Anya, 2023; Gokul, Raj, Garg and Bhardwaj, 2022.), generalist male rape myths (Renken, 2023; Kanine, 2023; George, 2023; Tselenti, Cardoso, and Carvalho, 2023; Brown, Tzani, Fumagalli., Reynolds. and Williams, 2022; Widanaralalage, Reed, Lobo Antunes, DeJong, Pinchevsky, Lovell and Cummings, 2022; Widanaralalage, Hine, Murphy and Murji, 2022), a generalist literature review (Thomas and Kopel, 2023), neglected research methods in this area (Kambashi, Rechdan, Noon, and Wilson, 2023), female rapists

[53] 21/07/2023

[54] Use of this online database and archive is controversial, yet becoming more commonplace in the academic literature (see Gabbidon & Collins, 2012; Roche, Fenmore & Jennings, 2019)

[55] Hesketh (2023) – a generalist sexual violence textbook; Lynne (2023) German, no English translation available, Bachsin (2023) Indonesian language thesis, no English translation available; Ekundina, Ejelue, and Omon,(2023) generalist forensic science regarding rape; Listiorini and Vidiadari (2022) generalist LGBT representations in the media

of men (Mhizha, 2022). At present, publications in this area consist almost solely of works dominated by awareness raising and myth-busting vis a vis the supposed normative female. Close reading of these articles does not improve this – without fail, rape of the male is set up vis a vis that of the female. He can only be constructed in her shadow; only known as a mutation of her image.

Perhaps the situation is improved by changing search terms? Instead of "male rape", would simply "rape" buck this trend? The first issue of import is to note the scale of this new task – whereas there were just 18 returns in Google Scholar for "male rape" within the past year, there are a mammoth 4,000 returns for just "rape". In order to make this task manageable, and to impose some contrived parity, as well as a tenuous claim to random sampling, I limited my reading to just the first 2 pages of results generated by the repository (parity therefore with the 2 pages total received for the first search). Ideally, these articles will be gender-inclusive. After all, the legal definition of rape is, and I've certainly included nothing in the search criteria to stipulate female-only or female-centric. Where those articles include men, ideally they would do so with parity. If they are not gender-inclusive, perhaps they would at least mirror the trend above, and have the male included to compare/contrast. Whilst not unproblematic, this would at least indicate some type of parity of approach to, if not treatment in terms of gendered groups.

Out of a total of 20 articles returned, 13 were discounted, [56] the remainder, totalling 7, were subject first to a skim of their abstracts and key words, then a close reading of the articles in

[56] Irrelevant/ outside of the scope of this study, foreign language with no translation. This included works on gynecology (Endler, Hassan., Gemzell-Danielsson, Babak and Sohail, 2023; Mulyaningsih, E.A., Juwita, S., Argaheni, N.B. and Ningtyas, S.F., 2023.); generalist trauma/child abuse (Ray, 2023); generalist forensics (Meintjes-van der Walt and Olaborede, 2023), generalist morality (Dulmer, 2023); farming (Tang, Wang, Holm., Hansen. and Brandt., 2023; Carcamo, Herle, Schwinghamer, Robinson, Reid, Gabert, Wist, Tidemann, and Costamagna, 2023; Hrustić, Mihajlović, Stevanović, Gašić, Grahovac, and Tanović, 2023), non-English (HODGE, BOTTERO, BRICE., WELCH

full. These included works on generalist rape myths (Das, and Bhattacharjee, 2023), legislation (Botha, R. and Peens, J., 2023), sexual offenders (Gesser, N., Eby, F.G. and Anderson, R.E., 2023.), depictions/representations (Dressel, 2023; Csikós, D.J., 2023. Taylor, S.J., 2023), rape culture (Klukken & Wasmuth, 2023).

In examination of these articles, it is striking that neither bar for claims to parity can be satisfied. In Das & Bhattacharjee (2023), the article quickly moves to gender its subject matter by determining the relevant context as "violence against women", then #MeToo - with no mention at all of male rape victims, or the phenomenon of #MenToo, despite this being a significant part of the legal and cultural landscape. Interestingly, they do not explicitly state they are focussing solely on women, nor do they move to delineate their focus consciously and conscientiously to exclude men, rather this is implicit. Male victims simply are not considered here at all. Ironic, considering their focus is rape myths, and the myth that men cannot be raped is the most longstanding and stable of all. It might be assumed that their geographic context, India, can go some way to explaining this blind-spot, but in actuality India does recognise male sexual victimity, albeit as a serious sexual offence (Shukla, 2023), so this does not account for the omission.

In Botha & Peens' (2023) legal paper focussing on rape law in South Africa, there is no gendered language apparent – although it is important to note that this was not yet available in full text, only as an abstract, nor were key words included. However, it does look promising.

and STOUT, 2023; Roque and Alves, 2023; Guamán and Castro, 2023) and one duplicate entry (Hodge, Bottero,, Brice., Welch and Stout, 2023); child abuse (Lourenço., Polidoro, Piloto. and Martins, 2023)

Gesser et al's (2023) paper looking at rape perpetrators is a positive outlier in this sample – male victims are mentioned in the first sentence of their introduction, albeit compared to women, and mentioned second in that order. Unfortunately, in contextualising their research, they foreground procreation, in drawing on the evolutionary model of rape, and patriarchal dominance of women, in drawing on the feminist model of rape. Neither of these can readily include our male victims, and nor is any recognition included of this omission. Even in drawing on the confluence model, which can and should include male victimity, they orient the theory towards female victims solely by stating "hostile attitudes towards women" as a principle risk factor within the model. It's worth noting that they could have maintained neutrality here by making their point in a more inclusive way, the simplest, for example being to rephrase that as hostile masculinity – which is an explicit factor included in that model, or by reorienting their point to state attitudes towards partners, or to state misogynistic, misandrist, and homophobic attitudes, or even just derogatory gender-stereotypes. When discussing pornography and sexual violence, not just rape, they only denote the male offender, contra to their legal context; in generating their college sample of potential offenders, they included only men, again, contra to their legal landscape; in examining subscription to rape myths, they retained the standard, gendered, rape myth acceptance expression and focus regarding women. The remainder of their study design and discussion is remarkably gender-neutral, but of course, a great deal of damage is already done. One wonders whether such implicit gender bias might account for at least some of the 'missing' data that they noted on their returned questionnaires. But of course, it's inevitably resulted in missing data, full stop.

Dressel's (2023) analysis is solely focussed on a female rape-revenge arc in classic literature, with no mention of male victims. Whilst this might be considered reasonable in the context

she's examining, Early Modern England, she does seek to situate her discussion as having current resonance. In which case, gendering victimity is not so readily defensible. It must be noted that this text is a monograph, with only the abstract available at this present time.

Klukken & Wasmuth (2023) seek to analyse the utility of the social movement SlutWalk for victims of rape culture in Occupational therapy. In their abstract they make some moves to be inclusive, by stipulating "women and sexual assault survivors", with these categories echoed in their keywords. This effort to be inclusive continues in their introduction, where they state that "rape and sexual violence remain a reality for hundreds of thousands of Americans, a vast majority being women" (p1), this pattern – of being inclusive, then asserting women as the concern, and not mentioning the male at all, is repeated in their next line "rape culture is an environment where the prevalence and tolerance of sexual violence is high…particularly against women" (p1). The second paragraph quickly moves away from any semblance of inclusivity, by naming solely the female where gender is raised in regards to victimity, thus "violence against women" (p1), "women and girls" (p1), "condemning women" (p1), "hyper-sexualisation of women and girls" (p1). Males are only mentioned as perpetrators, or potential perpetrators thus "boys will be boys" (p1), "masculine banter" and in the naming of a high-profile male sexual offender "President Trump". The remainder of the article is highly gendered, and even where inclusion would be very simple – such as in listing recent cases – no effort is made. Given the focus on disrupting the logics of slut-shaming, and the allied accepted misogynistic basis of rape culture, the inclusion of raped men would surely be most useful here. In many male rape cases, the twin logics of rape as sex, and 'asking for it' become rather more tenuous. A missed opportunity here along with our missing victim group. Certainly their closing remarks about "providing better care for all clients" (p4) rings incredibly hollow.

For Csikos (2023), the Rape of Lucretia is rendered as solely gendered in depiction and meaning, despite drawing on the concept of coerced consent – which is not in itself gendered in law, nor as an experience. The only point at which gender neutrality enters the discussion, is in her observation that this martyr should stand "for all victims of senseless violence (irrespective of gender)" (p10). Unfortunately, she quickly moves away from this, despite criticising others for having done so, and despite noting stage productions where the gender roles were reversed. It seems feasible that this is because 'senseless violence' is not innately gendered, whereas sexual violence is. It might be considered that the omission can be attributed to the early Christian context of much of the writings, but as my subsequent discussion will illustrate, male rape victims are known in antiquity in general, and most certainly in Christianity (Greenough, 2020).

Taylor's (2023) thesis is only available in part – comprising her front matter, abstract, contents and introduction. These have been read in full. Her abstract is determinedly gender neutral, with the term 'survivor used', and no attempt made to denote gender in regards to it. There is also no explicit gendering performed in her contents page. The list of figures includes only films where the assailant is male, and the victim is female. On page one of her discussion, she asserts the significance as one speaking to the issue of 'violence against women', and in building on this, side by side with gender-neutral terms such as 'victim', she one again reorients to women, for example in asserting depictions as 'senseless violence against the female body' (Taylor, p2, 2023). This pattern is continued over this short space, with her introduction closing on page 4 with mention of #MeToo, and once again in this sample, no recognition made of the counterpoint #MenToo.

So, in this sample of research published over a period of twelve months, it can be said that studies focussing on male victims always invoke female victims as a supposed necessary comparator, whilst studies focussed on females do not necessarily feel any need to invoke the male for the same purpose – not even in the interests of accuracy. Where males are mentioned, they are briefly named, and quickly discarded.

Such discursive techniques are discussed more fully in subsequent chapters, but for now, it can simply be noted that whether blind omission or rapid erasure, effacing of the male can only be justified in regards to an underlying subscription to the female-as-norm for rape victimity. Thus in pieces focussing on males, females must be included; but for pieces on females, males need not. Logic drawn from that norm dictates the female is always the necessary contrast, the necessary touchstone, the necessary full stop; not so for males.

But this underlying logic is profoundly toxic and is not actually logical at all – it is ideological. It cannot be easily justified outside of an ideological framework, and retort that writing in this way simply makes sense, or is in itself commonsense, should sensitise us to the ideology in effect here, not serve to desensitise or appease us. As the previous section illustrated through reference to our law and statistics, this practice isn't deserved; as the following section will amply illustrate, it isn't natural nor inevitable either. This disparity between the male victim and - or more accurately, and of greatest concern, versus - the female victim doesn't just lack probity, it's pernicious.

Furthermore, on examining these specialist texts, I discovered that none challenge the established frame or seek to expressly apply or develop theory – either in the area of sexual violence or feminism itself. Instead, specialist research and scholarship in the area of male

rape is also a site for conventions. As Poropat and Rosevear (1992) assert, almost invariably an observation is made about the lack of research in this area – this is ubiquitous and is widely acknowledged as such. But I also found that this is frequently followed by an acceptance that: this crime is under-reported (as illustrated in Groth and Burgess, 1980; Kaufman et al., 1980; McMullen, 1990; Stanko and Hobdell, 1993; Pino and Meier, 1999; Mitchell et al., 1999); that myths and stereotypes abound[57] (see Struckman-Johnson and Struckman-Johnson, 1992; Davies, 2002; Stermac et al., 2004); that the impact on the victim and harm caused is substantial (see Groth and Burgess, 1980; Goyer and Eddleman, 1984; Mezey and King, 1989; Lacey and Roberts, 1991; King, 1992; Frazier, 1993; Struckman-Johnson and Struckman Johnson, 1994; Huckle, 1995; Isely and Gehrenbeck-Shim, 1997; Pino and Mier, 1999; Walker et al., 2005; Tewkesbury, 2007); and long-standing (Anderson, 1982; Coxell et al., 1999); and that prevalence, incidence and risk are significant (Kaufman et al., 1980; Forman, 1982; Sorenson et al., 1987; Coxell et al., 1999; Larimer, 1999; King et al., 2000; Kershaw et al., 2008; Light and Monk-Turner, 2009; White and Kurpius, 2002).

Such conventions are then compounded by the discernible trend to posit the male 'experience' in contrast to the female, as can be observed in literature reviews (Poropot and Rosevear, 1992; Rentoul and Applebloom, 1997; Davies et al., 2006; Davies and Rogers, 2006; Graham, 2006; Rumney and Jamel, 2009); and monographs (for example, Scacco, 1982; McMullen, 1990; Koss and Harvey, 1991; Scarce, 1997; Van de Veer, 1998; Gregory and Lees, 1999; Mezey and King, 2000; Bourke, 2007; Abdullah-Khan, 2008); be that implicitly (in the case of Struckman-Johnson, 1988; Stermac et al., 1996; Canter and Hodge, 1998; Rogers, 1998; Crome et al., 1999; Coxell et al., 1999; Stermac et al., 2004; Walker et

[57] In particular, some authors go to great lengths to rebut the notion 'homosexual rape', see Struckman-Johnson (1988); Canter and Hodge (1998); Chapleau et al. (2008).

al., 2005; Crome, 2006; Tewkesbury, 2007; Light and Monk-Turner, 2008), or overtly – for example, comparing and contrasting males with females in relation to prevalence (Larimer, 1999), attribution of blame (Anderson, 1999; Wakelin and Long, 2003; Davies et al., 2006), perceived motivation of the rapist by victim gender (Anderson and Swainson, 2001); reporting practices (Pino and Meier, 1999), and even in regards to emotional and behavioural reactions by gender (Seigal et al., 1990). Such trends are particularly problematic when constructed as quantifiable in comparison with female victims of rape, especially in relation to measures of 'harm' – where there emerges the articulation of rape for the male as 'more than/less than' in comparison with the female.

But such trends should not be surprising given that many researchers have as their goals the very pragmatic aim to influence criminal justice policy and practice. The provision of comparisons between rape of the male and that of the female is strategically placed to enable visibility, and is slowly succeeding in this goal. For those researchers – diligently working within the existing boundaries of debate that have been scored for them – their inevitable agenda is a focus on rights, fairness, justice and equality. Hence, after noting limited provision for the male victim (for example, Mezey and King, 1989), their express aim is to promote understanding and recognition of this crime and its victims, in order to: raise the profile of this crime (Brochman, 1991; *Dispatches*, 1995 cited in Gregory and Lees, 1999; Davies, 2002), to improve reporting, recording and prosecution rates, and to provide the impetus for specialist provision (Perrott and Webber, 1996), as well as to stimulate further research (Pino and Meier, 1999). All of which are undoubtedly well-meaning, but regrettably insidious.

Unfortunately, as a consequence of these otherwise noble intentions and practical agendas, what is being surreptitiously produced here is what Graham (2006, p 187) terms the construction of the 'credible' male rape victim, but what victimologists, particularly feminist victimologists, should recognise as an 'ideal victim'. Or rather an ideal victim binary, that creates on the one hand 'a person or category of individuals who, when hit by crime, are given most readily the complete and legitimate status of being a victim' (Christie, 1986, cited in Carrabine et al., 2004, p. 115) and so deemed worthy or deserving of recognition as a victim; and, on the other hand, also creates the converse – the person or category who is deemed unworthy, undeserving and to whom legitimate status as a victim is therefore denied. 'Victimhood' being an ascribed status, that is conditional, contingent and partisan – determined by factors other than the behaviour/offence itself.

Unsurprisingly, I found that advocates for the neglected male rape victim often promote claims that reside in the 'more than' bracket. These include that: male rape is more serious because it involves a greater level of violence and/or threats of violence through the presence of weapons and/or multiple assailants (Kaufman et al, 1980; Hillman et al., 1990; Frazier 1993; Pino and Meier, 1999; Tewkesbury, 2007); that it is more stigmatising and psychologically damaging than for women given these scenarios; and that such victimisation carries the 'taint' (Sivakumaran, 2005, p. 1274) of homosexuality; and of a feminised vulnerability. Such rationales are a concern not only because they fail to question why men's rape scripts in relation to the male victim necessitate a high level of violence, weaponry and/or multiple assailants, but also because they become prescriptive - influencing reporting, recording and prosecution practices.

There is a rape script in effect here, guiding behaviours of the respective social actors. This can be inferred from critical consideration of findings from existing studies. For example, the study by Kaufman et al. (1980), concluded that male victims are more likely to seek medical support (and thus be referred to the police) if the crime caused serious injury. This same study found that if there is no serious injury, the victim is more likely to deny victimisation occurred and thus fail to report or seek support. Therefore male rape seemingly 'must' be a crime of extreme violence in order to categorically exonerate the victim from suspicion of precipitation and willing participation; significant trauma 'must' be exhibited or else victimhood becomes questionable; and the victim 'must' identify himself as heterosexual or risk suspicion of culpability.[58] What is interesting in works that espouse these rationales, is the persistence of the underlying conflations of rape/sex/sexuality and gender/victimhood that continues to pervade this construct of the male rape victim. In particular this profile continues to be oriented around sexuality and masculinity – invoking and refixing old essentialisms around biology as destiny or sexuality as identity – rather than violence per se.

Consequently, far from liberating the male from rape myths, such well-meaning analyses actually bolster them. They legitimate the assumption that men in general are not sexually violable and hence sexual victimisation must involve clear physical constraint or coercion to vindicate the victim from his perceived breach of gender and of sexual orientation. Ironically, even advocates for the male victim deem it necessary to render him rape-able despite his masculinity and/or his heterosexuality. Paradoxically, such advocates bolster the core myths that are supportive of rape and minimise harm involved, namely the general conflations of rape/sex/sexuality and the specific construct of hegemonic masculinity.

[58] For correlations in victim sexual orientation and attribution of blame, see Daugherty and Esper (1998) and Davies and McCartney (2003).

Whilst they implicitly draw on such conflations in constructing male rape, I found that specialist monographs and journal articles often then choose to either forgo any attempt at theoretical explication or look to 'blame feminism'. The latter is a response that is common in non-feminist explications of this phenomenon and is a trend that has been noted and decried as 'backlash' by feminist authors (for example, Gillespie, 1996). Such explications as are available are grossly unsatisfactory as to the level of theorising – attributing the phenomenon variously as: situated within same-sex relationships (see Hickson et al., 1994; Donnelly and Kenyon, 1996; Wallace, 2007); indicative of psychoanalytic conflict regarding sexuality on the part of either the offender or victim (Groth and Burgess, 1980; Stermac et al., 1996); a hate crime attributed to homophobia (Berrill, 1990; Toolis, 1995; Canter and Hodge, 1998); or as an extension of misogyny (Funk, 1997). Such cursory explanations have thus far served to circumvent the need to theorise the rape of the male as a phenomenon in its own right, instead conveniently subjugating it within existing frames, which is stymieing.

It is also often the case that very broad-brush feminist theory is applied (for example, Davies and Rogers, 2006) in order to simplistically assimilate male rape into the prevailing frame that predominates in the sexual violence literature; alternatively it is otherwise set up outside of this frame and used instead to detract from feminism, for example, Davies (2002, p210) states that 'since most of this research entails feminist assumptions, attitudinal correlates of blame have never been previously discussed in relation to male victims'. It is certainly recognised that the theorisation of this phenomenon that use the existing models oriented around female victimisation is contentious (Rentoul and Applebloom, 1997). At the very least, such works propose that the problematic of male sexual victimisation constitutes a question for feminism to answer.

Indeed, the invisibility of male sexual victimisation is often steadfastly attributed to the primacy of feminism in the area of sexual violence (see Mezey and King, 2000, p. vi). It is rare indeed for feminism to be omitted. This is important, as whilst authors engaging with male rape are mindful of feminism, feminism is not mindful of male rape - this inevitably results in a rather stilted conversation with feminist theory, which is at best apologetic, and at worst, denigrating.

Overall, in my examination of the literature concerned with male rape, I was neither overly surprised at the tendency of those constructing knowledge from outside the feminist stances to scapegoat feminism, nor particularly surprised by the subjugation of male rape by those espousing feminist theory. I was however surprised by the trend for some within the feminist school of thought to lend credence to responsibilisation by rejecting the significance of this victim group; and I was particularly concerned by the framing of male rape as part of a perceived conspiratorial backlash.

Thus, at present, male rape is the site of struggle by those acting for versus those acting against recognition and inclusion – stances that tally with or are oriented to feminism and the feminist (gendered) model of rape in particular, with both pro- and anti-feminist authors claiming fact and justice on their side. The construct of the male rape victim bears the scars of this tactical engagement, and results in the generation of an ideal victim binary that is championed even – and perhaps especially – by those striving to overcome male rape myths. This is where we are, but how did we get here? I seek to answer this question in the remainder of this chapter.

Discovery of the male rape victim

In the previous section, I highlighted contemporary, dominant, trends and conventions in the literature around male rape. Whilst engaging with that body of work, I was struck by a consistent omission in critique that has tacitly become an accepted practice in framing analyses: the pre-legislative history of male rape. With the best of intentions, many working in this field are producing an orthodox 'story' of male rape in the UK that for them begins with the 1994 Criminal Justice and Public Order Act, which 'recognised male victims of rape for the first time' (Mezey and King, 2000, p. vii) by covering both anal and vaginal penile penetration,[59] and continues with the subsequent 2003 Sexual Offences Act that expanded the definition of rape to include non-consensual oral penile penetration. For many researchers in this area, this is where it all begins, and as a consequence this is where their analysis begins; and indeed it is precisely what their analysis is usually oriented to – the official 'discovery' of male rape.

But in being oriented to this official acknowledgement, many analyses miss a large and significant part of the discursive construction of male rape and the male rape victim, as whilst these legislative developments are important, it is both erroneous and disingenuous to present them as the first constructions of male rape. It is easy to be distracted by the semantics involved here, so it must be clarified that for the purpose of this thesis I recognise that the harm of rape and/or sexual violence can exist even where a formalised legal crime recognising the same does not. Neither a material nor discursive reality is simply legislated into existence.

[59] Not gender-neutral in terms of offender though, as the assailant must penetrate using his penis. Legislative constructs are addressed in more detail in other chapters.

What is interesting for me is that in omitting the pre-legislative rhetorical journey of male rape, the significant role that feminism played in highlighting, supporting and leading research and activism in relation to the male rape victim is obscured. We are also misled into divorcing the knowledge construction outlined above from its impetus and origins in academic study, thereby sanctioning ignorance in respect of the legacy this has and the influence it continues to exert.

A solely legislative focus also overlooks the role that non-statutory agencies have played in the landscape of male sexual victimisation. The voluntary or third sector – in the form of support services and pressure groups – played a significant role in UK and US experiences. As Mezey and King (2000) observe, the first support service dealing solely with male victims of sexual violence –'Survivors' – opened in the late 1980s, mirroring rape crisis and feminism, and was the result of gay rights activism. However, they note that it quickly had to adapt beyond this initial remit to include all male victims, irrespective of sexuality, in direct response to demand. An adaptation that Rape Crisis struggles to accomplish - this organisation still resists the inclusion of male victims and victims of women.[60] Activism and awareness-raising in the early stages were also allied to the gay rights movement – in fact it was once almost their sole preserve. Hence Scarce's (1997) and McMullen's (1990) classic texts were, unsurprisingly, printed and distributed by independent presses allied to the gay men's movement – Perseus and The Gay Men's Press (respectively).

Scarce (1997, p. 12) notes that 'academic research on male rape has been conducted only since the late 1970s with any regularity'. It is imperative to note that the forms of that earliest research are problematic, and have incurred a lasting legacy. One may note that male

[60] See the analysis of Rape Crisis provision in the 'individuation' chapter.

rape was first ‘known’ through the gaze of the academy in four contexts: homosexual populations, institutional populations, children, and clinical samples (foci that can be noted in work by Lockwood, 1980; Scacco, 1982; Etherington, 1995, Stermac et al., 2004) - a framing that arguably serves to make male rape explicable via the apparent absence of female victims or the self-evident vulnerability of that particular male population. This is how the male rape victim was first given credence and legitimised.

Because I recognise these foci as a part of the present problematic, I am not pursuing engagement in any of these areas - instead, I am determinedly shifting the focus to community settings. However, I note that their influence continues, for example, a move that can be noted as informed by this is towards credibilising a model for male victims that bears striking a resemblance to the discredited date-rape paradigm (as can be seen in Mezey and King, 1989; Waterman et al., 1989; Island and Letellier, 1991; Struckman-Johnson, 1991; Hickson et al., 1994; Stermac et al., 1996; Krahe, 2000; Ratner et al., 2002). This is a shift that both responsibilises and others by drawing on supposed sex/rape conflations that can be argued to have arisen as a consequence of the overt failure of psychopathologising, and serves a similar function in terms of placing this phenomenon as distinctly outside of ‘normal’ heterosexual masculinity, as well as in legitimising a hierarchy of harm for male rape through categories not dissimilar to ‘rapettes’ – terminology trivialising the assault as ‘mini-rapes’ or ‘not-really-rapes’ – previously decried by feminist researchers such as Koss and Cook 1993 (cited in Bevacqua , 2000) when used as legitimising and minimising rationales in relation to women.

Goodey (2005) notes that it is only since the 1990s that male victimisation per se has become of any interest to criminology and victimology. But although it has indeed gained wider

recognition, one must note that its inclusion is hardly mainstream and that the manner of that inclusion remains very much tethered to those early academic origins. Dedicated texts (which numbered only four[61] when I commenced research) highlight and compound the marginalisation of this issue. Those by Scarce (1997) and McMullen (1990) are oriented towards gay men, Mezey and King's (2000) text is situated within forensic psychology, and Scacco's (1982) text deals predominantly with institutionalised populations. Significant trends in modern theorising and consequent visibility of the issue of male rape outside of institutions – as oriented around either homosexuality or psychopathology – was thus exemplified in these four works.

Much of the research from the mid-1970s onwards has been impacted by the need to repudiate the established 'truth' that male sexual victimisation only occurs in the contexts and the populations noted above, whilst the tendency to conceptualise male-on-male rape as 'homosexual', either on the part of the offender or victim, persists in various forms, as does the notion that victims of male rape are in some way 'vulnerable'. A contingent logic that underscores this is that rape of the male is somehow an impoverished relation of the normative model of female sexual victimisation, and that it occurs only where female victims are not available, where male victims are assumed effeminate or female proxies, or where their 'selection' might be understood as misogynistic. Irrespective of the validity of any of these explanations, it must at least be noted that the persistent message that endures through these is that male sexual victimisation in general, and male rape in particular, are anomalous to 'normal' female victimhood. Even in those enquiries that do not support this position, this allegation is highlighted and addressed.

[61] Abdullah-Khan's (2008) text is a clear attempt to redress male rape, but is empirically driven with a pragmatic agenda.

These pre-legislative forms of male rape are important because they inevitably contribute to how it is known – not least of which is in providing the impetus and context for academic research, but also in delineating the realm in which that research was concentrated. This in no small part contributes to the present tendency to marginalise this act as the preserve of gay men as a minority population, to concomitantly sexualise this act through reference to homosexuality, and to psychopathologise it, both in terms of precipitation and impact - locating it largely within forensic and clinical psychology (for example work by Kaszniak and Nassbaum, 1988; Hunter, 1990; Gonsiorek et al., 1994; King et al., 2002; Budrionis and Jongsma, 2003; Javaid, 2017; Javaid, 2020), and in self-help literature (such as La Valle, 1996).

This is part of the context that has produced the current orthodox understanding of male rape – to blindly attempt to detach it from this is inordinately naive. It is in direct response to this legacy that researchers' critiques in this field – as I describe in the previous section: 'battle' – fall into four broad areas: a call for more research; a criticism of provision; a bemoaning that this crime is under-reported; and a utilisation of data to debunk myths and stereotypes. But for me this - albeit principled and important - activity rather misses the point. I argue that male rape in itself warrants our attention on two counts: as both a discursive construct and a material practice, of both significance and of signification; that because of its perceived anomalous and incongruent nature, reveals the current politics of knowledge production in this field. Amongst other researchers who have acknowledged bias in knowledge production around male rape, this is usually the point at which feminism (as a simplified, homogenous and intractable mass) is called into question and frequently hung out to dry.

In contrast to this, I argue that scapegoating feminism – overtly or implicitly – is ultimately untenable. The common criticism relayed is that feminist authors have either paid scant attention to this phenomenon or have overlooked it entirely. However it can be readily noted that it is simply not accurate to allege that feminism has ignored male victimisation in general or male sexual victimisation in particular. The allegation that feminism has ignored male rape is directly and successfully rebutted in the response piece by Rumney and Jamel (2009).

Feminism *has* engaged with male rape; indeed I note that it is even mentioned in Brownmiller's (1975) classic feminist treatise *Against Our Will*, albeit not expanded upon therein. The debate about the adoption of gender-neutral rape definitions has been vitriolic and lengthy (for example, Tong, 1984; Hall, 1988; MacKinnon, 1990; Rush, 1990; Naffine, 1994; Rumney and Morgan-Taylor, 1997a and 1997b; Novotony, 2003; Shukla, 2023); concern around the impact of male rape as part of the backlash has been explored (for example in Gillespie, 1996; Gavey, Javaid, 2020); provision and impact have been examined (for example, Lees, 1997; Gregory and Lees ,1999; Lindberg, 2023) and attempts have been made to apply and extend feminist analysis (such as Funk, 1993; Scarce 1997; Allen, 2002; Davies and Rogers, 2006; Toit, 2021). Indeed, feminism has been pivotal in recognising the constraint of masculinities - pointing out male vulnerabilities and male victimisation in general, for example in the classic works of Butler (1990), Stanko and Hobdell (1993), Newburn and Stanko (2002), Walklate (2007a and 2007b). Furthermore, recognition of heterosexual masculinity as hierarchical has also been raised in the literature (Javaid, 2021; Renken, 2023). Analyses are frequent limited to institutional settings such as prison, armed forces etc - ostensibly explaining rape of the male through the absence of the female (implying therefore that male victims of rape are female surrogates and thus still within

evolutionary and heterosexual masculine imperatives), whereas my explicit focus is most assuredly not limited in this fashion.

I note that there is a complex interweaving of discursive strands in evidence in the construction of the male rape victim that simplistic scapegoating of feminism conveniently overlooks. It may well be the case that the feminist model of rape is predominant, and certainly it can be said that this model finds it difficult to encompass male-on-male heterosexual rape and sexual assault, and almost impossible to countenance female on male sexual offending, but a degree of caution must be exercised. One cannot move from these observations to responsibilising feminism - not least because feminists have in fact been at the forefront of masculinities research that has enabled recognition of male victimhood. The reality therefore is a little more complex.

Despite this, authors have been moved to explicitly blame feminism. Amongst them, Mezey and King (1992) who note in their classic text that the widely disseminated message that 'rape is a feminist issue' produced a neglect of the male victim. Even more direct is the critique by Graham (2006 p. 187), who asserts that 'male victims are largely neglected by a predominantly feminist perspective that seeks to highlight the gendered nature of sexual assault as a social phenomenon'. Both works are logical, but they are – nevertheless - unreasonable.

This is not to exculpate feminist theory and activism of any role here, on the contrary, but backlash in its many forms is implicated too. The construct of the male rape victim is not just a product of feminism, but of pre-, post- and anti-feminism. As a consequence, it must be

made explicit that this is a phenomenon for which any singular responsibilisation and sticking-plaster solutions simply will not suffice.

Scarce (1997, p. 104) insightfully commented in a very brief aside that 'the treatment of male rape as an emergent form of criminal victimisation has been so consistent for more than a decade that one must wonder if male rape will ever be popularly regarded as a violence with a history'. Unfortunately, almost two decades on, it appears that we have our answer: male rape seems stuck in a persistent state of 'emergence' and its lengthy history, alongside that of the female, and struggle for formal recognition is readily obscured. Indeed, a specialist text in this area is entitled *Male Rape: The Emergence of a Social and Legal Issue* (Abdullah-Khan, 2008). But to conceive of it in this way requires that analyses are oriented to the legal construct only – forgoing, therefore, critical consideration of its pre-legislative forms and struggles, and thus enabling these to persist in their influence.

Scarce (1997, p. 104) criticised this perpetual state of newness as 'treading water', a stasis that prevents a true understanding of this phenomenon. I disagree. It is not so much that it stops us understanding, rather that it colours our understanding. The forgotten history of male rape is key to its construction. Omission of pre-legislative forms are however not the whole 'story'. As a consequence, the following section presents a lengthier sight line cast down the annals.

<u>Forgotten history of the male rape victim</u>

I found that there is a preference in existing works to keep male rape divorced from both its immediate and its lengthy history. This can be readily contrasted with the wealth of works dedicated to examining the history of female rape. I'm concerned not to denounce the

omission, but to question what purpose it serves. Why is the lengthy history of male rape actively disavowed in favour of that pertaining to the female?

Authors such as Scarce (1997), Jones (2000) and Brownmiller (1975) have noted historical examples of male rape. However, the significance of these in the discursive trajectory of rape has not been explored, and the analyses that these examples of the male rape victim have incurred bear the scars of the embattled delimitation that I've previously described.

Representations of male rape have been noted in general terms (Jones, 2000), in relation to Ancient China (Ng, 1987),[62] the legends of the Maya's (Sigal, 2002),[63] and in Ancient Greece, including forms enshrined in Athenian law (Guettel-Cole, 1984).[64] Numerous examples can be found in Greek myths and Ancient Roman legends; the culture of North American Native peoples; the *Malleus Mallificarum*; and indeed various religious texts including the Bible.

Interestingly, and of distinct relevance to feminist understandings of rape, many of those early depictions illustrate the significance of this practice as aggression, not sex, in its use as a weapon of war. Scarce (1997, p. 83) raises this point when noting the North American Berdache – a third gender status that was ascribed to and enforced upon 'defeated enemies', a fate that effectively stripped the loser of his status as a warrior and made the conquest complete.

[62] Documented as encompassed in legislative form during the Qing period in China, albeit interpreted as homosexual by modern day authors.
[63] But note that, once again, this is interpreted as homosexuality.
[64] Where sexual assault was recognised for both males and females.

Both male and female ‘sexual molesters’ are noted in various Latin–Christian texts, such as the Acts of Thomas, writings relating to the lives of saints such as St Anthony and St Bernard, and commentaries by Martyr, Isadore and Strabo (see Kiessling, 1975). Assailants and victims are recognised as being both male and female in texts from the Pagan–Celtic Britain, for example the Morrigan (Ibid) and the Middle Ages, for example, the *Malleus Mallificarum* details female demons – *succubi* – who molest sleeping men.

Present in Christian, Jewish and Islamic religious texts (the Protestant Bible, the Catholic Bible, the Torah and the Qur’an), in various forms, is the parable of Sodom and Gomorrah. The citizens of those towns are reputed to have practised (amongst other unrepentant sins) indiscriminate rape against outsiders. It is their attempted rape of male strangers in their midst – angels that were sent to save Lot – that is the pivotal moment that epitomises the base and bestial nature of those peoples and puts them beyond redemption and deserving of God’s wrath.

What I find interesting is how these examples are interpreted. These historical examples are often utilised as examples to demonstrate the ‘normality’ of male rape, by illustrating that it has a history as lengthy as that of female rape (as in the work of Scarce, 1997 and Jones, 2000). Many of these examples have been interpreted as ‘homosexual’ for precisely the same reason - either inferred as ‘homosexual rape’ if the lack of consent is sustained in the reader’s interpretation or as ‘homosexual sex’ rather than rape if it is not. The latter interpretations of course have led to examples being positively reconfigured and appropriated as key to queer theory – including examples in Foucault’s own works. But there is another dynamic here that deserves attention.

It is also interesting to see how these examples fail to be utilised. The classic feminist work by Brownmiller (1975) includes some interesting limitations in both selection and analyses of historical examples – principally I found that, despite engaging with Greek and Roman history, she does not note accounts pertaining to adult male victims, or to female perpetrators. The oversight is significant, but also of pertinence is that she does note Poseidon's rape of Kainis,[65] however she does so in relation to the supposed invulnerability of males – given that Kainis, the young girl, asks Poseidon to change her into a man 'to avoid future violations' (ibid., p. 284). Meanwhile she configures female-perpetrated assaults as seductions – giving the example of Aphrodite as 'a champion seducer in her own right' (ibid., p. 283) thus neglecting her part in orchestrating abduction, procuring incest, and rape of both women and men. She also makes no mention of Goddesses who are themselves reputed to have made a sport of abducting and raping mortal men, such as Eos, and yet one may note that Greek mythology abounds with goddesses who behaved as sexual predators (Lefkowitz, 2002). Such bias and omission inadvertently demonstrate an unfortunate subscription to hegemonic masculinity in Brownmiller's (1975) feminist analysis.

For me, these historical examples illustrate that the ideal victim binary in respect of male rape is not new. Indeed, with the ideal victim construct firmly in mind, neglected examples from Greek and Roman myths and legends: Zeus's rape of Ganymede, and Laius's rape of Chrysippus, will be discussed. Both of these myths begin with the abduction of a male mortal, but there are pertinent differences that resonate with current rape myths and thus bear closer scrutiny. Importantly, the ideal victim construct can be seen as operating in both, albeit with each satisfying opposite sides of that binary.

[65] Or 'Caeneus'.

Ganymede's rape is explained in a manner akin to victim precipitation because his forced abduction is reputedly invited by his beauty. He is later made culpable for his fate by supposedly transforming into the willing lover of Zeus, a development that is intended to cast doubt as to his overall level of complicity. As a consequence, this scenario is often interpreted as seduction, and one must note that in the tale he is implicitly responsibilised as no punishment or retribution is visited on Zeus. For Chrysippus, however, this is certainly not so. His abduction and violation is explained as motivated in no small part by the aggressor's (Laius) desire for revenge. He is not and does not become a willing partner. Chrysippus is wholly cast as innocent, bearing no 'blameworthy' behaviour. Indeed, Ross (1982) draws specifically on evidence of violence in the abduction and rape of Chrysippus in order to explain why punishment is incurred against the assailant – for 'the crime of Laius', Laius and his people were cursed, with Laius ultimately killed by Oedipus, his own son. For Ross (Ibid.) it is not the assault per se that is significant, it is the evident violence that enables recognition of clear transgressions deserving of punitive consequence.

Look again at the example of Sodom and Gomorrah, and it can be noted that as the intended victims were angels, they were of course the epitome of innocence and hence their own behaviour was beyond question – they are utterly blameless and are quintessentially rendered ideal victims, again enabling their recognition.

Rather than ask why male rape took so long to become recognised then, I would far rather query why it was that male victims of sexual violence stopped being recognised, a cessation which might best be regarded as apocryphal; and also query why, when female rape became a legislative and political concern, male victims of sexual violence become cast outside the feminised crime of rape, and were effectively demoted as victims of the lesser offence of

buggery. Thereafter the underlying reason for the continued marginalisation of male rape, and its configuration as somehow 'different' to that of the female, demands attention.

Ancient peoples regarded offences of this nature as undifferentiated by gender, but over time, understanding of this has become disassembled along a gendered fault line; and thereafter tethered steadfastly to rationales around the logics of sexuality and gender – and, moreover, the sex/gender/sexuality conflation. In more recent times this gendered division of rape has become politically expedient – subsumed within a binaristic identity politics that, in so appropriating, seeks to garner legitimacy for, and to revalidate, itself.

The fixity of conflated notions of sex/gender/sexuality is key to identity and to legitimising stratification – best epitomised in the maxim 'biology is destiny'. Given that the scientific 'discovery' of gender enabled the constitution of populations along patriarchal lines, it is conceivable that male rape became subsumed within the history of homosexuality to preserve that hierarchical ideology of heterosexual masculine supremacy. It should be recalled that 'for Foucault, sex was constructed as the secret of our being in the nineteenth century…[by the rise of the experts] who represented it as prediscursive even as they were producing it through discourse' (Mardorossian, 2002, p. 762).

The example of Gilles de Rais or Bluebeard, who is documented as abducting, raping and murdering male children and young men during the sixteenth century, is of importance here. Brownmiller (1975) makes reference to this case, noting that male victims are not simply overlooked or actively 'forgotten', but are replaced with female substitutes whom she argues are more 'acceptable' (ibid., p. 292). What she does not consider is the significance in itself of this transposition. I would argue that such examples illustrate the effacing of the male in

accordance with the rise of patriarchy and its necessity for naturalised and normalised gendered divisions, which plausibly such examples of male violability and vulnerability belie.

Foucault (2001, p. 226) cautions that changes in articulation mask an underlying constancy, thus 'to recognise a discontinuity is never anything more than to register a problem that needs to be solved'. Hence I assert that the process of 'silencing' male rape victims and rendering the phenomenon invisible is precisely what indicates male rape as key to governmentality. This process, of necessity, draws on the old, formally discredited, myths relating to victim precipitation and culpability – and surreptitiously relegitimises them. Furthermore it reinforces the gendered script that fosters and necessitates this imperative: hegemonic masculinity.

Consequently, rather than taking historic examples to illustrate the normality of male rape, or indeed current examples to problematise rape myths, which would be in line with trends in current research, I argue that what should be attended to here is the discursive regularity – over time – in terms of our understanding of male rape (or more accurately those situated historical forms of sexual/ised violence against the male that are the forerunners of the male rape construct). Principally, I argue that this is delimited by an ideal victim binary that pre-dates any legislative recognition and that has re-emerged in response to a misperceived 'need' to make the male rape-able – a need that only makes sense through the distorted lens of hegemonic masculinity, and thus reifies it.

Conclusion

The history of male rape is significant for feminism as the discursive journey indicates this phenomenon is intrinsically intertwined with the creation and policing of hierarchies of masculinity and more generalist reproduction of gender roles, and sex/gender conflation. In this way rape – or at least our understanding of it – can be argued to be gendering rather than gendered. If research commences only from the time of inclusion of male rape in legislative forms, one might be tempted to consider resistance to the assimilation, inclusion and recognition of male rape as explicated by its supposed invisibility prior to its inclusion in law. It might also be assumed that male rape is simply following the same or similar struggle for recognition and understanding that inhibited female rape – that, to paraphrase Foucault (2001, p. 300), it is 'trapped by its history'.

However, as the examples discussed in this chapter illustrate, these forms have a lengthy history of their own, alongside that of female rape. These were obfuscated to render them invisible – subjugated in respect of the formalised and feminised constructs of the gendered binary of sexual violence, which posits female victim versus male offender. If analysis begins from the position of defending feminism or castigating feminism, one validates the assumption that feminism has a case to answer. This would entail that one disregard that the phenomenon of male rape pre-exists feminism, and that feminist understanding of female rape is just as much a product of this discursive trajectory as is male rape.

What should be questioned then is the discontinuity – not of male rape struggling to become recognised, but of it ceasing to be so in the first place. The issue of significance is not the subjugation of knowledge, which might adequately comprise our present state, but rather the apocrypha of knowledge - this more aptly describes that historic transformation, with a subtle

yet pervasive process of redaction arguably its current form. Whilst feminism may have become caught up in this process, this merely illustrates just one aspect of its transformation and discursive trajectory.

Thus, it is not whether feminism is or is not to blame that is important, but rather that feminism is commonly implicated at all that is interesting. One must step back and problematise what can be regarded as the orthodox parameters of debate – not merely because these can be regarded as short-sighted in the face of conflicting historical evidence, but because this very process and its present forms are of import. I argue that not only does current discourse in the area of male sexual victimisation serve to limit our understanding by occluding and Othering the male, but it also successfully delimits debate around a crude and essentialised notion of gender and of identity politics. Orienting this around gender and feminism serves to reproduce gendered discourse in our rejection of it, and in doing so 'writes-back' to frame sexual violence in general, thus ironically undermining feminist contributions full stop – significantly, it also serves to deflect from this very function.

It can be accepted that there are limitations to present modalities of acknowledgement and inclusion. For sure, authors have highlighted the importance of masculinity to male rape and of male rape to feminist thought in this area, though this is usually in very general terms – a vague call to arms, rather than clear exposition or analysis. Feminist masculinities research has highlighted men as victims, and men as victims of rape, but overwhelmingly lacks a clear and coherent theoretical framework for conceptualising male rape as an assuredly feminist issue. Instead, this phenomenon is frequently presented either as contrasting with feminism (Graham, 2006) or according with feminism in respect of a continuum of misogynies (Kimmel, 1994; Funk, 1997) explained in reference to a feminist understanding of the

power/aggression thesis (Nicholson and Bibbings, 2000) or related to feminism via masculinities (Groth and Burgess, 1980; Lees, 1997; Javaid, 2016). Inclusion of the male rape victim then is conditional and precarious. Aside from brief, tenuous assertions, the theoretical implications of male rape have not been explicated and explored in depth. Nor has male rape been situated clearly and soundly within feminist theory or feminist activism. Indeed it has provoked staunch and vitriolic resistance (as epitomised in the works of Gillespie, 1996 and DeKeseredy, 1999).

But this is not the whole story. The present 'neglect' of the male is not just the preserve of those operating within a feminist 'paradigm'. To responsibilise feminism in this way requires that we assume this preference for the female rape victim as particular to them and therefore that there is a wealth of research and debate going on outside of the supposedly insular and insulated feminist frame, that is in some way being resisted. But there is not. Neglect of the male rape victim is sustained over disciplinary, political and theoretical boundaries. Thus the great weight of the literature, across the various disciplines that engage with sexual violence, remains skewed towards female victimhood in general, whilst the bulk of literature regarding male victims is limited to institutionalised settings, such as prisons. Male rape in community settings remains a largely neglected area.

Even in research by those operating outside of feminist knowledge production, the male rape victim is still tentatively oriented towards feminism – be this as evidence denouncing feminism, as faithful application of feminist theory or as benevolent inclusion by feminism – whilst feminist theory itself is routinely presented as homogenous and amorphous, and by implication intransigent and inexorable. Certainly the trend is to present feminism as activist and second wave only, obscuring the complexity in feminisms and thus to invite popular

conflation with what has been decried as 'rape crisis feminism' (Roiphe, 1994; Ross, 2022) or 'victim feminism' (Atmore, 1999; Stringer, 2014).

But why should male rape continually be presented as an issue oriented to or around feminism? Of course the histories of feminism, of rape and of victimology are all inextricably interlinked.[66] Feminism has a long and productive alliance with victimology and victim rights in respect of rape, but the social construction of rape is no more a product of feminism than feminism is a product of the social construction of rape. There is something of a selective history in effect in the analyses that suggest otherwise.

What is overlooked, is that this problematic existed before feminism full stop. Rape as a construct was revised to achieve gender specificity for both victim and offender – it was not originally thus. It is a gendered revision that pre-dates feminism. Hence, whilst it may well be the case that feminism is caught up in perpetuating the particularisation of 'male' rape, the gendering of rape and the subjugation of knowledge pertaining to the male in respect of this phenomenon must be recognised as historic and preceding even early movements that might later be regarded as the forerunners of feminism. Those authors who seek to defend or blame feminism are really missing the point – that the debate itself is contrived as part of the existing regime of truth.

In closing this chapter, I will simply say that for me, insurrecting such knowledge serves as a reminder of the tenuous nature of our gendered truth claims on the one hand, and the troubling persistence of the construct of the ideal victim binary on the other. It also points to

[66] See Bevacqua (2000); Sielke (2002); Bourke (2007), amongst others, for a detailed examination of the history of feminism and rape.

the significance of a gendered understanding of rape to a process of gendering, and the importance of the gendered model of rape to patriarchy. Key dimensions arising here, that underscore that process, and their resultant 'truths', will be unsettled in the subsequent chapters. But for now, in the discussion that follows, I turn my attention to a key facet of this process: the Ideal Victim.

The Ideal (male rape) Victim

The construct of the ideal victim, as excavated, described and discussed in the previous section, is key to my examination and to my thesis - both for how it is composed, and for what it incurs – in regards to its power-effects in the social realm. Its binaristic delineation of categories or individuals as 'deserving' of the victim mantle versus 'undeserving' of it, imbued with culturally situated notions of innocence versus guilt, is irrevocably tied to victim exoneration versus victim blame, which are discriminatory in their application. Where tied to gendered notions of rape, it serves a social control function. In this sense, it is a construct that is readily recognised as key to 'governing through crime' (Crawford, 1997 and Coleman, 2004, cited in Walklate, 2007b). But as was illustrated in 'the forgotten history' of male rape, the ideal victim pre-dates legislative rape constructs, gendered or otherwise, and pre-dates the construction of modern sex/gender conflation. Its roots are historically entwined in both the historical construction of rape (or rather, the gendering of rape) and that of gender (or rather the sexing of genders, and the gendering of sex). As such it points to a significance for power relations predicated on that, and to the mechanism by which those relations are perpetuated: patriarchy and governmentality.

The construct of the ideal victim achieves on the one hand the idealising of some victims, and the simultaneous denigration of others. Whilst superficially antagonistic, these are

fundamentally symbiotic – one cannot construct the ideal without its anathema. For designates of the former, there is vindication; for the latter only censure. This negative capacity is best known simply as 'victim blame'.

Victim blame, the dark side of the ideal victim, is similar to contributory negligence, a concept outlined by Amir (1967, 1971) in a series of papers.[67] Papers that owed more than a small debt to the works of Von Hentig (1940, 1948), whose work, along with Mendelsohn (1956, 1974) and Wolfgang (1958), was pivotal to the development of early victimology,[68] a victimology that was most assuredly pre-victims' rights, and in fact rather more concerned with offender exculpation.[69] Indeed, Mendelsohn proposed that rape victims were predisposed to victimhood, a justification and rationalisation inspired in no small part by his role as a defence barrister.

However they are expressed, notions under this victim blaming umbrella - victim predisposition, victim precipitation, or contributory negligence - all serve to shift the focus away from the offender and on to the complainant, in adjudging complainants to be responsible for their experience. In this sense it is inherently underpinned by notions of a 'just-world',[70] a rationalisation that one's fate is righteous and that – in essence – people 'get what they deserve and deserve what they get' (Anderson and Doherty, 2008, p. 34). This draws on and reinforces the notion of a moral balance, lending credence to the notion that – if one's fate is both just and deserved – one has ultimate control, and ultimate responsibility.

[67] For a concise discussion of the development of the notion of victim blame in Amir's work, see Cuklanz (1996, pp. 23–27).
[68] For an overview of the development of 'victim blame' and its interrelationship with the birth of victimology and specifically the study of rape, see Cole (2007, pp. 123–134).
[69] Von Hentig first coined the term 'victim precipitation' in the 1940s, building on work performed by Mendelsohn in the 1930s. It was later adopted and developed by Wolfgang (1958) in respect of murder, or what he preferentially termed 'victim precipitated homicide'.
[70] 'Just-world theory', coined by Lerner and Mathews (1967).

As a rationale, the just world thesis is underscored by Othering, which at its simplest enables populations to be reassuringly divided into: *those to whom bad things happen because they deserve it* (them) and *those to whom nothing bad can happen because they don't deserve it* (us) – thus enabling defensive attribution, and intrinsically (re)validating victim blaming.

Taken as a system of thought then, comprising inherent circular logics that are mutually-affirming, the ideal victim is best understood as a regime of truth; where tied to gender norms, as in the case of male rape versus female rape, a gendered social control function is served – this regime then, perpetuates Patriarchy. This observation, related to the female and the feminine, was a significant contribution of second wave feminists. When the legislative construct of rape was solely female, feminists noted that the ideal victim was one who most readily conformed to patriarchal stereotypes about 'good' women. Second-wave feminists carefully dismantled this construct and its various hierarchies and exclusions, as applied to female victims of sexual violence and rape, recognising this as a barrier to justice and a mechanism of social control that ultimately functions to uphold the gender-normative behaviour that serves patriarchy. The significance of this cannot be overstated. However, this model has not been eradicated in the criminal justice system, and is still regarded as key to attrition for females (Kelly, 2000 and Kelly et al, 2005). Its impact - in respect of reporting, prosecution and provision - can therefore merely be asserted as mitigated somewhat, with its explicit articulation no longer widely tolerated.[71]

However, whilst the ideal victim may be resisted in respect of females, as I illustrated in the previous chapter, the construct of the ideal victim is both implicitly and overtly resurrected in

[71] Still readily detected though – see criminal injuries compensation decision to reduce awards to women who had consumed alcohol, as noted by Williams (2008a).

respect of male victims. Moreover, it is readily credibilised in respect of the male – by advocates acting for him, and by advocates (re)acting on behalf of female victims. This serves to create a gendered division of, and hierarchy in, sexual victimisation and rape; but that's not all - this validation of the rationale, irrespective of the gender it is ostensibly oriented to, is nevertheless a validation of the rationale: a resuscitation of the ideal victim for all victims of rape. Thus, despite being overtly disavowed, the notion of 'asking for it' can continue to pervert justice for all victims of rape and sexual violence.

Unfortunate then, that this validating strategy is tied to (oriented to, attributed to, if not performed by) the feminist movement. As indicated in my discussion around the present 'battle', this new ideal victim construct is not only tolerated but advocated: by those who use it in seeking to exclude men from recognition and services, for example through a belittling of their experiences; or those seeking to include men, for example by fostering them as victims of some type of misogyny. But one must not be distracted. This is not actually about feminism per se, it is more accurately about the feminist rape model. The core problematic that binds each group's agenda is subscription to the (simplistic) feminist rape model that is popularly understood as explaining rape primarily as male violence against women.

The Feminist Rape Model: gendered inclusions and exclusions

The populist understanding of the feminist rape 'model' is woefully simplified. There are actually several feminist 'models' proffered to explain rape, inevitably so given differences between various stances within feminist theory. Interesting then that it is the 'traditional' radical feminist model, that can be argued to have achieved populist status and thus - in its appropriation by scholars in the field of sexual violence - something of an orthodoxy. For

example, Lamb's (2002) victimology text is at the same time critical of the feminisation of victimhood, yet persists in overlooking the male in regards to rape and thus privileges a gendered notion of the victim. Such gendering is replicated in Newburn and Stanko's (2002) chapter, 'When men are victims: the failure of victimology', about the failure of victimology to recognise male victims, where they criticise that criminology prefers to cast males solely as offenders and yet they themselves repeat this by overlooking females as offenders (only recognising men as victims of other men). This popularised model finds it difficult, to say the least, to recognise male sexual victimisation.

Indeed, even where seemingly modified beyond gender, the construct of 'victim' itself remains underscored by this model, with 'the assumption that it may only be applied to members of relatively powerless groups, or that it describes a state of being that itself produces powerlessness' (Newburn and Stanko, 2002, p. 263) and that conversely offending behaviours – relating to interpersonal violence – are expressions of power. Thus it would seem to be the case that a range of caveats seemingly must be imposed on the male victim of rape in order to reconfigure him as 'powerless', and therefore allow for his accommodation. He must therefore be rendered either a vulnerable 'minority', as seen with studies conceptualising male rape (victim and perpetrator) as according with homosexuality - be that as within same-sex relationships, homophobic behaviour or as repressed/latent homosexuality; or otherwise be bestowed some quality to render him 'innately' vulnerable.

Such simplistic feminist framing, coupled with the persistence of a binaristic dichotomy between offender and victim, genders certain categories of crime and victimisation whilst rendering others inconceivable or improbable. For those influenced by this model, male victims of rape and sexual assault struggle to be considered real victims. Given the

understanding of such exclusions as related to governing through crime, one must attend to the function of this delegitimisation.

The very existence of an ideal victim in the area of male rape has the very real impact of lending credence to all those previously discredited constructs in the general area of sexual violence and victimisation. At the very simplest level, we have enabled rationalisations that *all rape is real rape except ...* and *all rape victims are real victims apart from ...* – rationalities that are recursive and thus cannot be constrained by gender, because, of course, the supposedly gendered refiguration writes back between the gendered registers. But the ramifications go beyond this. I speculate that the discursive construct of male rape appears to have arisen to take the place of female sexual victimisation, and I would argue it serves much the same function and is deserving of analysis in this vein.

Current logics around male rape – epitomised in the ideal (male rape) victim - have the capacity to contribute to a post-feminist turn, to the resuscitation by stealth of traditional (patriarchal) rape myths, and to a bolstering of patriarchal power. This demands attention. This is most assuredly not the same thing as asserting that male rape itself – or interest in it – is part of a backlash à la Gillespie (1996). Indeed, denying this phenomenon adequate and sensitive recognition and theorisation is a key part of the problem, and at present it is one not only tolerated in the name of feminism, but also supposedly valorised in celebration of it.

The discussion that follows, amongst other things, will directly address issues around embracing the male rape victim as an object of feminist research and objective within the feminist project.

PART TWO

Methods/ology

'To re-examine evidence and assumptions, to shake up habitual ways of working and thinking.' Foucault, cited in Jenkins (2002, p10)

The close of part one of this thesis is the point at which feminist can be readily wheeled into place as THE problem. This thesis rebels against the logics at play in the pull of that, but in seeking to do so, it cannot simply plead for inclusion of the male on a justice or rights based platform (as that fails, including in my own previous works). To be blunt, it cannot be left to an outsider to push the male rape victim into the centre of feminism, he must be welcomed from within. Firm inclusion must be on the feminist agenda, and must be seen as the feminist agenda. The first section of part two (section A) solves the methodological problem regarding a right of engagement, both for me as an outside/insider, and for feminists in general. It therefore provides something of a roadmap for others facing the same struggle to claims of feminist authenticity and/or inclusion of the male rape victim. In so doing, it destabilises accepted boundaries, whilst revealing and problematising established conventions in feminist historiography and identity. In particular, noting the function of feminism's 'amnesia' as a patriarchal tool. The second section of part two (section B) critically considers the methods to be used, tracing again the same forgetting at play, and thereafter moves to apply those, illustrating the productive value of centring the male, and reclaiming the lost tools by which we can do so, in successive case studies. This part of the thesis moves from a concern with inclusion of the male rape victim from the imperative of 'should' in part one, to 'can' in this part, and finally in part three, this will be explicated as 'must'.

Section A: Methodological Preconditions

Whilst we can 'see' the male as a victim of rape, we are yet to recognise him as a victim worthy of feminism's attention, or to confidently include him within a feminist frame. I turned to emergent feminist methodologies to breach this impasse, in particular Smithers (2023) whose piece 'Fuck It', about her own experience of resistance to the inclusion of male victims in feminist research, urges us to reject paralysis, refuse conformity, and rebel against those who police the boundaries of feminist research.

Feminism/womanism? (Un)Binding

Throughout my research journey, I've wrestled with theoretical stance & identity whilst marshalling an inquiry that is pulled in seemingly different directions, for different stakeholders, and different audiences. A constant questioning, insecurity & precarity. A key question for me throughout my work is can I be Foucauldian enough, whilst fully cognisant of the dangers that entails, and can I ever be feminist enough whilst utilising Foucault? The obvious solution to this balancing act proved otherwise, as attempting to utilise Foucauldian feminism - leaning as it does most assuredly more towards the feminist than the Foucauldian – led to some conceptual dead ends and frustrations (for example, in preserving an essentialist notion of sex/gender, an embodied notion of truth-telling, and an activist based notion of resistance) leading me to designate this approach as feminist-Foucauldian as opposed to their titular moniker (Cohen, 2014). My original solution to this was to reject any possible feminist framing, whilst still attempting to contribute a piece that would speak to the feminist project. I conscientiously railed against the ineluctable pull of an anti-feminist discourse that so easily blames feminism, articulating clearly the decision that the 'feminism

as a paradigm' rationale should be rejected precisely because it is so very easy to make, so seductively persuasive, and becoming so very popular. I stand by that original work, and its principles, but grieve its limitations.

Much as my work asks what is missed when feminist victimology fails to centre the male rape victim, I must also countenance that much is likewise missed when a Foucauldian examining gender, excises feminist theory.–There is a dead hand here, that serves to delegitimise feminist-oriented works utilising Foucault. In sum, despite Foucault and feminism having a lengthy and productive relationship (Ramazanoglu, 2002; Taylor and Vintges, 2004; McLaren, 2012), with feminist works not just utilising his tools (Macleod and Durrheim, 2002; Roy, 2018; Oksala, 2011), but adopting a Foucauldian positioning (Huntington and Gilmour, 2001; Seppä, A., 2003; Eng, M., 2024), and indeed developing Foucauldian-feminist theory (Cooper, 1994; Sawicki, 2020; Bordo, 2020), and contributing, in Judith Butler[72], 'Foucault's most influential heir' (Jones, 2023). Despite all this, Feminist intellectual debt to Foucault is riven with controversy. For earlier iterations of my work, that was rooted in what now seem rather banal questions of epistemology, politic, and method. But today, for those of us working within the arena of sexual violence, feminist or not, Foucault's works have become regarded as altogether more toxic, even dangerous. As a Foucauldian, working to contribute to the feminist project, this has to be addressed head-on. To grasp the nettle, the issue, as commonly presented here is: given that Foucault argued for the decriminalization of rape, and the legalisation of pederasty, can one use his works without being tainted by that agenda?

[72] Discussed in more detail in part three

I share the concern of authors who have felt moved to raise this[73] and have responded sensitively to students and colleagues who have challenged my use of Foucault and my identity as a Foucauldian. Of course, I also very much share the fear of authors who have moved to reject this critique. I am deeply ambivalent. I am also, obviously, deeply invested. On the one hand, Foucauldian theory, in extremis, is enormously provocative. And it's intended to be. Situated in a critical paradigm that seeks to disrupt knowledges that are taken for granted, common-sense, 'truths'; seeking to insurrect subjugated knowledges that are disavowed, decried and rejected - this is the stuff of revolution – welcomed as emancipatory, liberationist and progressive. But it isn't always, is it? Just as any method can be feminist if utilised by a feminist or for the feminist project (Harding, 1991) so the Foucauldian method can be repressive, regressive and toxic, if used for that purpose. This is largely a problem of deconstruction, first and foremost. And as such, the charge of dangerousness, recklessness, destructiveness - these are things those of us on the Left have faced before, ad infinitum, despite confident rebuttals (Butler, 1992, 2025): If we deconstruct, what's left? If there is no truth, what are your knowledge claims based on? What, fundamentally, is the point?

Having said that, the allegation of complicity with someone regarded by vocal detractors as an abuser, criminal & misogynist hits hard. Irrespective of the truth of these allegations, and there really is very little truth here, and even less evidence of wrongdoing let alone criminality, these allegations continue to function within criminology, gender studies in general and feminism in particular to delegitimise Foucault & those of us regarded as his acolytes. At the most basic, defending oneself from such allegations is surely dependant on

[73] Numerous in regards to mentions in feminist texts, and some as the focus of entire condemnatory pieces – see Valls, R., Elboj, C., Serradell, O., Díez-Palomar, J., Aiello, E., Racionero, S., Vidu, A., Roca, E., Joanpere, M. and De Aguileta, A.L., 2022;

the positioning of the individual – to be crass, a car is a weapon in the hands of a bad driver, what then does a good 'driver' of Foucauldian theory looks like? How can/if it can be redeemed to the satisfaction of his accusers? Feminism is surely pivotal here, and yet it is feminist Foucauldian works that have faced the harshest attacks. As someone who has had to respond to this type of smear campaign time & again, defending my work from any and all allegations that can be (im)plausibly mobilised against it: methodological weakness and contradictions, impropriety in focus, bigotry in my analysis, offensive implications of my conclusions and recommendations. What I thought was quite an interesting area for examination, has actually turned out to be really rather dangerous. There is simply no defence of this transgressive work that can satisfy its detractors.

Un/faithful and Dis/loyal? J'Accuse!

Rote denunciations, and the exclusions (and conformity) they demand must be challenged head-on. I am a Foucauldian. This has to be my starting point for a number of reasons, not least is the fact that it's a nonsense. Not that there's no integrity to this assertion, far from it, but as a 'good' Foucauldian, I am well aware that it's a self-negating positionality. There is such a thing, for sure, but it can't be a space occupied by those of us so loudly clamouring to speak for, assert, define and defend 'Foucauldianism'[74]. Because right there is the problem. I am an acolyte of a belief system that cannot stand, or certainly not alone. There is not, and cannot be, an 'ism'. I've spent a great deal of my time attempting to be faithful to Foucault, and to his methods, whilst wrestling with the fact that he exhorted us to be unfaithful and

[74] Sheridan (1980, p225) clarifies that 'one cannot be a "Foucauldian" in the same way as one might be a Marxist or a Freudian: Marx and Freud left coherent bodies of doctrines". Foucault's methods were constantly emergent - developed over the course of his oeuvre, and adapted in response to the task at hand. As a consequence, interpreting Foucault's methods in order to apply them to one's own work, is to simultaneously clarify and obscure, rendering one faithful and unfaithful, loyal and disloyal.

refused to articulate his own methods for others to use (Barrett, 1991; Cook, 1994; Dean, 2002). Like other researchers enamoured of Foucault, I took it upon myself to describe and delineate a Foucauldian methodology, whilst holding the truth that it can only ever be at best appropriate, or approximate, but never absolute nor definitive. I realise that I fell into the trap laid not by Foucault, whose warnings were clear, but my own peers, my own discipline. The trip-wire left by positivism – that our methods must be clear, mapped, and able to be revisited by others so as to repeat the inquiry and establish validity & reliability. Prove our truths. All seemingly fair and reasonable concerns. But these are, none of them, Foucauldian concerns. Or rather, they are, but certainly not for the reasons stated.

This present thesis is positioned as a progressive and hopeful methodological détente, by embracing the profane (Smithers, 2023), promiscuous (Childers, Rhee & Daza, 2015) and discomforting (Chadwick, 2021) as integral to Feminist ethic and praxis; and perfidiousness, precarity and doubt as shared Foucauldian and feminist imperatives (Mills, 2015). This is not a wholly 'new' space, as foreshadowed in my introductory chapters, it is a forgotten one. We simply need to remember. More accurately, we must.

'Fuck it' (Smithers, 2023) marks a feminist orientation to research that seeks to privilege the tearing down of walls between research territories, to reconceptualise impasse as productive, and to privilege the undermining of our neoliberal present over and above any other concern – or, more accurately, to reconceive of those concerns as neoliberalist in effect and function. This mode of epistemological engagement and orientation has a lengthy history, albeit not so succinctly or clearly expressed. Rooted in the rejection of value-free knowledge, it shares Khun's (1970) critique of conventionalism, Becker's (1967) concern for us to ask 'whose

side are we on?', Harding's (1991) cynicism around power and truth, and Foucault's[75] caution around power/knowledge/the subject. Contemporary authors are building on this in a variety of ways, not least is the effort to make the comfortable 'obscene' (Wolgemuth et al, 2020) and the exegis to 'profane methodologies' Smithers (2023). This latter approach is particularly powerful, being a 'performative utterance of productive disinterest…to interrupt spaces where methodological manners allow for the continuation of a problematic world…[in order to] experiment with making our worlds differently' (ibid, p4). Underlying this approach is a recognition of 'mannerly research' as obedient, law-abiding, paradigmatic research. That the profane therefore is inherently disruptive, boundary-breeching, and rule-breaking (albeit with no guarantee that it will be productive, because it contains within it a recognition of its own futility and failure). This ethic needs to be centred, with a clear grasp of our own agenda in order that we might respond convincingly to our accusers, detractors and denunciators.

In line with critical methodologies, and in particular the tradition of queering methodologies (Ahmed, 2006) 'the ethics of profaning methodology are stark…it is not about getting it right or wrong – this is something we need to unlearn about methods. [it] is about sparking change in the world, honouring our contingency and entanglement' (Smithers, 2023, p22); embracing a 'politics of disorientation' (Ahmed, 2006). As the logical apex of a critical tradition, we should expect nothing less – after all, if all knowledges, and their status as 'fact', 'truth', 'orthodox', 'conventional' impel us to question, to deconstruct & to depose, this surely incorporates our methodological knowledges too. More than that, it must. The reach of

[75] For a discussion that supports and elucidates this interpretation, see Nadeson (2008, p12).

epistemology, and our critical understanding thereof, does not stop at the bounds of methodology nor methods, it cannot.

Foucault believed that methods were a ruse, trick or device, much like Orwell's 'anaesthetic function of political language' (Gomez, 1996), Foucault regarded these positivist trappings as serving a function far beyond that which is stated or claimed – enabling the regulation of knowledges, not their discovery. For feminist researchers, 'man-made' knowledges (Spender, 1985) – which include methods and methodologies – function as phallocentric, androcentric, masculinist, and above all Patriarchal. The recognition of methodology and methods as tools of Patriarchy obligate the feminist researcher to innovate (Reinharz, 1992; Sheilds and Durvin, 1993). This also includes a necessity to go beyond disciplinary boundaries and traditional spaces (Truman, 2017). This is clearly intended to liberate knowledges and knowledge construction from the Patriarchal death-grip, but it is also fundamentally liberating for the researcher.

It's frequently affirmed that feminist research is what a feminist does, which itself unleashes both the scope and means by which feminists might engage in knowledge production. However, whilst afforded legitimacy within standpoint theory (Harding, 1991), this seemingly unrestrained modality of engagement is anything but, as it pivots on the identity of the researcher, and furthermore, the notion of feminism as embodied. This tethering of freedom has proven to be iron-like for me - a researcher whose identity as a feminist is precarious at best. It's proven to be quite a catch-22: I can be free to research whatever & in whichever way I choose, so long as I vouchsafe my feminist identity. Whereas, If I cannot, I

cannot. And yet my work needs this freedom. How is the researcher who is not wholly feminist, but who wishes to contribute to the feminist project, to benefit from this unbinding?

Feminists who use Foucault lament that they must often go beyond him (Sawicki, 1991, p27), but there should be no lament here – being a 'good' Foucauldian, actually requires it. The irony for us is that in being unfaithful to Foucault we are yet faithful. This is, from the start, an open marriage. To be wedded to Foucauldian precepts is simultaneously to be free of them. The issue of going beyond feminism though? A far more traditional marriage is usually popularly demanded there. However, I would argue, along with other Feminist researchers (Smithers, 2023; Childers et al, 2020; Stewart, 2019; Sandberg, and Alvesson, 2021) that there is a mistaken loyalism here, and question what and whose interests such boundary-observing docility serves. As well as where that boundary came from.

As such, I take the underlying principle of polyamory forwards with Foucault and Feminism[76]. I do so owing a particular debt to the nascent theoretical movement within feminist works termed 'promiscuous' (Childers et al, 2020). Similar to those feminist authors going beyond Foucault, these feminist authors attempt to go beyond feminism, and in so doing, attempt to redefine the territory of feminism itself, such that it may be boundless. For this Foucauldian, what they also articulate is what is left of feminism without the 'woman' question, or more accurately, an implicit critique of womanism within feminism. Which is to say that this work implicitly reminds us that there are two aspects to a binary, and that a

[76] I experimented with this in my BSC conference paper 'Fucking with Feminism' (2019), a blatant attempt to go beyond feminism, by 'Fouc'ing feminism. I was unaware at that point that feminist contemporaries were attempting likewise to achieve polysemy and plurality.

feminism that focusses solely on one aspect isn't just myopic, it's dangerously irrelevant. It is surely beholden on us to resist that trap.

Waves that Erase, Waves that Drown

Researching as a feminist 'requires recognising the gendered construction of social reality' (Gould, 1985, footnote 19). I completely agree, but there is something of a revisionist history in operation where feminist interest in gender is limited solely to gender, and/or gender itself is limited solely to female – as in the predominant populist focus on 'womenandchildren' (Enloe, 2004) commonly applied as 'womenandgirls' (Kirk, Mitchell, and Reid-Walsh, 2010).

Feminist history is one of multiplicity – there are many feminists and many feminisms (Looser, 2002). It is the act of knowledge production, within an iconoclastic tradition, and with the aim of destabilising patriarchy, that matters. Men, boys and males, can be feminists. Issues that impact men and boys can be feminist issues. It is the orientation to knowledge production and liberation from existing modalities of governance that matter. I do not agree that 'feminist' is an embodied, essentialist identity whose foundation is lived experience. Nor that a feminist must be female, woman, or girl[77]. I also reject any notion that sexuality is a relevant qualifying criterion. It should be no surprise then that I regard the historical (re)cycling of identity politics with suspicion and concern, and the ongoing 'gender wars' with deep grief. To be clear, for me, the priority is dismantling Patriarchy, and its

[77] Discussed in more detail in part 3

oppressions, in all its forms. It is not a priority to pick a side - where those sides are a product of Patriarchal knowledges in the first place.

Feminism, over the most recent waves,[78] has seen a tremendous narrowing of its gaze (Coney, 2021). It hasn't always been thus, and nor should it be. Certainly, if the enemy in our sights is Patriarchy, it cannot be. Feminist scholars such as Crenshaw (1989) and Ortner (2022) have addressed this most recently, but their emphasis on complexity and inclusion is not new to feminism[79]. Womanism itself, as the supposed integral concern of feminism, is new. For a researcher informed by Foucault, this discontinuity demands attention, as does the narrow conceptualisation of feminism's 'natural' auspice. This line of analysis will be unpicked and developed in part three, but for now, let it be understood that feminism as invoking a sole prioritisation of females is a grotesque and simplistic caricature of our most radical and impactful movement. Therin lies the likely reason, for me. Feminism cannot possibly hope to change the world, if the world is no longer 'seen' by feminist researchers and activists. A narrowing of feminist identity & priorities serves to limit feminist influence and effect.

There are two sides to a gender-binary. More accurately, there are *only* two sides to a *Patriarchal* construction of binarized gender. For those of us wishing to take aim at Patriarchy as a system of power, recognition of these two sides is the bare minimum; thereafter, complexifying the limit of two sides should be embraced as a radical act, along with an understanding that these aspects of difference operate as a web of power-knowledge

[78] This popular concept is actually highly contentious, divisive, and dangerous - this will be addressed in the closing chapters to this thesis

[79] It has lengthy roots, not least in Black feminism. This will be discussed in the closing chapters.

in creation of our subject, as both the locus of governance and vehicle for governmentality. What I term 'derogated difference', in all its forms and manifestations in discursive space, matters to Patriarchy. These therefore *all matter* to feminism.

In understanding feminism in this way, I've been more than a little surprised to find that my natural philosophical allies are very much drawn from previous waves. My previous identity as a feminist, of various iterations, one I thought antiquated and best euthanised, can actually hold. I had expected to review radical feminist contributions & find them blinkered, offensive and limiting. At the very least, I assumed they would be passe, past their 'use-by' and perhaps more than a little poisonous to ingest in any great quantity. But it turns out that not all radical feminists are TERFs. Nor are they homophobic. Or entirely white middle class. As Williams (2016) asserts, radical feminism has always been, and continues to be trans-inclusive. As it should be. After all, radical feminism in the UK and US included men in the movement, and gay men in particular. Masculinities research was very much of radical and second wave feminist origin. I have revisited classic texts[80] and I and have found they resonate just as much today as they once did. I have to admit to feeling quite discombobulated. I'd expected to read material that was bigoted and exclusionary. A mistaken belief that had led me to be ashamed of my intellectual heritage, and served in no small way to help sever my relationship with feminism. Whilst dated, these publications should not be dismissed as fuelled by hatred. The recent publication 'Not Dead Yet' (Klein and Hawthorne, 2021) included some particularly powerful and – most importantly - inclusive chapters. Whilst I recognised in myself a feminist heritage, I had thought my immersion in Critical Theory marked a necessary break from feminism for me. Particularly

[80] Including, but not limited to: Sandra Harding, Phyllis Chesler, Dale Spender, Helena Kennedy, Ann Loyd,

after finding no refuge in Foucauldian Feminism[81]. But not so. There is continuity here. It seems my understanding of that feminism, and those feminists, is based not on reality nor my own lived experience. It's based on the divisive smear campaign that is at the heart of current 'gender wars'. I'm coming to the realisation that my own work in this area, whilst it may well not be welcomed within populist criminological feminism, is not in itself, nor does it represent within myself, a break with feminism. My work, seeking to create space for male victims of sexual violence and rape within feminism, simply isn't necessary. And yet it is. I'm in the very odd position of regarding my work, my mission, as pointless. Seemingly. But why then is it still so very much needed?

Because we forget. And that forgetting is useful to the propagation and perpetuation of power. Conceptualising of feminism as 'waves' is intrinsically part of this (Van der Tuin, 2011), as is the unfortunate tendency of feminism to joyfully participate in matricide (Cheslar, 2020). Just as I critiqued male rape as a violence without a history, so I could say the same for feminism. Or rather, it is that erasure of history that is itself a violence – for both. And that each serves to commit that violence against the interests of inclusion, should not be overlooked. It should be foregrounded.

Section B: Methodological Toolkit

Having discussed the broad foundations for this thesis, with a view to making conceptual space for the male rape victim within feminist inquiry - or, more accurately, rejecting a misperceived need to do so, as well as arguing that he'd been there all along - this next part will seek to clarify a modality for engagement. Whilst the above describes how one might

[81] Discussed at length in Cohen, 2014

still ‘do feminism’ through inclusion of our male rape victim, this next section explores how we might go about this, as well as what happens when one does.

Discussion of methods proceeds with consideration of ‘problematisation’, and thereafter addresses relevant variants of discourse analysis as a means by which this might be achieved. Consideration is then given, at apposite juncture, as to modality-specific practice in application (depending, for example, on type of source – legislation, policy document, media (print, visual, music; and type of data – textual, lexical, linguistic, auditory, sensate), as well as limitations. This includes close reading, framing, scenographic analysis, amongst others. This productive process of reflective engagement with existing and customary methods, generated opportunities for conceptual and methodological development, created in order to mark & resolve moments of tension, inadequacy and omission. Core contributions here include: the Ideal Victim Taxonomy, recursion, discursive equilibrium, and the (lost) narrative arc. These remain firmly rooted in Feminist and Foucauldian methods/ology, and as such, owe a debt to ‘reverse discourse’ - a strategy of resistance, disruption, and insurrection - often utilised implicitly rather than explicitly - within both feminism and Foucauldian works. This goes beyond renaming or reclaiming, writing-in or carving out, to revisioning and reconstructing. Above all, it is Critical.

Primary Tool: Problematisation & its Precepts

Regimes of truth both prescribe and proscribe the conceptualisation of a given ‘problem’ and the parameters for its solution; in advocating particular ways of seeing and doing, they necessarily abjure others. In this sense they are key to the formation of what Foucault (1997, p. 7) termed ‘subjugated knowledges’, which he explains means two things: ‘On the one hand I am referring to historical contents that have been buried or masked in functional coherences

and systemisations ... I am also referring to a whole series of knowledges that have been disqualified' (ibid., p.7). Not only are regimes of truth key to the creation of subjugated knowledges, but they are also key to the insurrection of subjugated knowledges – as when one destabilises a regime of truth, one enables the emancipation of those knowledges disqualified by its internal conventions. This is problematisation, and it underscores Foucault's imperative for us to 'think differently'.

Problematisation is the regarded as the 'master concept for Foucault's methodology' (Koopman, 2013, p20), and indeed a unique contribution of his work (Shea and Koopman, 2014). Although, in typical Foucault style, he himself did not reveal this overarching methodology except in retrospect (Kelly, 2020), and certainly never elucidated a particular means by which it might be achieved as a methodological tool (McNeil, 2002). I have considerable sympathy for this oversight – I came late to realising just how integral this approach was to my own work, and have been forced to question why that is.

For me, unlike Foucault, problematisation was a foundational part of my early training in feminist research methods and approaches. Instilled as second-nature, and described in the literature variously as techniques aligned with critical reading, such as suspicious reading, oppositional reading, and reverse discourse, amongst others – all of which entail an approach to texts (of various kinds, and certainly not simply textual) that utilises close-reading as a politicised act, aiming to disrupt, destabilise, undermine, subvert and dethrone. An orientation to 'truths' as 'man-made', and therefore inherently unreliable, partisan and deleterious. Nothing is to be considered sacrosanct, nothing as common sense. Indeed, each of these positions demands problematisation.

I was more than a little surprised then to see that, whilst problematisation has flourished in popularity & influence, close reading & its ilk have died a death (Jill & Shen, 2005), to the extent that it's not necessarily even taught as an explicit technique (Stang, 2022; Love, 2010). As a method, close reading is not just outmoded, but derided (Smith, 2016) - frequently within the self-same disciplines that then embrace problematisation, which cannot be undertaken without close-reading. Although it can be noted as having persisted within research areas oriented to decolonization (BlackDeer, 2023; Figueroa-Vásquez, 2020) and seems to be undergoing something of a resurgence within recent feminist research (Rothermel, 2020; Marcus, 2022), it's no longer the mainstay of feminist research that it once was. There is rather too much here to unpick, and it's tangential to the thesis at this point anyway, but this does mark a rather disturbing trend which once noted, prompts two further issues: for feminism, matricide is perhaps more like ethnocide in its operation (wiping out all that went before, including traditions and ancestral memory[82]); and for those of us keen to keep this 'dead' practice alive, we'd best don the garb of the dead, white, male. And so it seems, I did.

Foucauldian theory provides a site within feminism that relegitimises what is otherwise delegitimised. To say that I am presently reappraising both Foucauldian feminism, and my own positionality as a consequence of this insight, is something of an understatement. As a researcher who was confident in achieving a break with feminism, a reinvention and reinvigoration of self through Foucault, and indeed one who struggled for years to find a way back to feminism, it now seems I never left – or, rather, it never left me. Foucault said of his

[82] This will be revisited in the closing chapters to this thesis

own work that if you cannot see the influence of Marx, you're not reading it right, and made sport of reconceptualising his work after the fact (Power, 2011; Tully, 2017; Kendall, 2019), embracing it as fluid and phantasmal. I make no sport of this, but appreciate the precarity in declaratives of self. With the best of intentions, the strongest of emotions, the clearest of purposes, we can yet struggle to stake an identity, static, unshifting, unyielding and absolute. Perhaps that's as it should be. So, am I a Foucauldian, a feminist-Foucauldian, a Foucauldian feminist, a Femouldian or something else? Such questions strike at the heart of a researcher's identity. It's profound, perplexing, and ultimately paralysing. And we know what that means.

Secondary Tool: Discourse Analysis (Foucauldian/Critical/Feminist)

Having broadly carved out my areas of interest, antecedents, resonance, foundational concepts, method and rationale, the next stage of this thesis entails an attempt to 'get at' the discourse that both constitutes and permeates these areas of cultural construction, and consider their ontoepistemological effects (Van De Tuin, 2011). However, prior to this, it is vital to share precisely how I intend to do so. After all, problematisation and close reading in themselves remain more than a little opaque as methods. Classic works engaging with male rape have sought to do this using varying degrees discourse analysis (Anderson and Doherty, 2008) or critical discourse analysis[83] (Graham, 2006; Gavey, 2005); current research continues in this vein (Dashiell, 2003; Kijratanakoson, 2023) and also includes Foucauldian discourse analysis (Tselenti., Cardoso, and Carvalho, 2023) – the latter method finding expression within much feminist work as feminist discourse analysis (which, of course, is inherently critical), but which is unfortunately rather absent from knowledge production in

[83] CDA is discussed in more detail in the following chapter. See Wodak and Meyer (2001) for an overview of methods within the umbrella of CDA.

this area. This thesis, in cantering gender, whilst focussing on the male victim of rape, and oriented to the feminist project, hopes to make tentative steps towards remedying this.

One of the problems for any researcher seeking to implement CDA is that – as Meyer (2001) cautions – it is not a method, but more an approach within which there are multiple methods, all of which share core underlying assumptions. It is not a method as such, but rather 'a cluster of approaches with a similar theoretical base and similar research questions' (Meyer, 2002, pp23-24). CDA is therefore best understood as eclectic, multimodal and interdisciplinary. Trying to implement this (or aspects thereof) as a methodological approach is complicated by the fact that the notion of discourse itself is open to contestation (Jaworski and Pritchard, 2005, p. 4), as well as vagaries of and dispute around data collection; particular stances do not necessarily lend clarity here – there is dispute within Foucauldian thought on the remit and range of discourse (Graham, 2005), as well as within feminism (Bacchi, 2005). It might be assumed that leaning back on its roots in textual analysis might simplify things here, but one would be mistaken – after all, it was expansion, tension and complexifying of the concept of 'text' that formed the intellectual conditions producing 'discourse' as the heir apparent (Van Dijk, 1983).

This has profound impact for researchers. As Meyer (2001, p. 23) notes, 'there is no typical CDA way of collecting data. Some authors do not even mention data collection methods and others rely strongly on traditions based outside the sociolinguistic field … data collection is not [even] considered to be a specific phase that must be completed before analysis begins'. This method seems to be inherently profane in that regard.

Methodological & Organisational Implications for this present thesis

Consequently, my inquiry is threefold: to investigate the salience of the particularisation of male rape across various domains of knowledge, in order to ascertain discursive regularities and concordance that traverse the various sites and realms that constitute the subject; to look specifically at how the construct of the male rape victim intersects with established repertoires of sexual violence, particularly those configured in respect of the female and of feminist thought and activism; and, furthermore, to consider how this construct both draws from and reconfigures those repertoires. The latter is particularly important - especially in the legitimisation of hierarchies of victimisation and the resurrection of victim binaries that together underscore a notion of the ideal victim, and thus the privileged accord of victimhood that enables recognition and exclusion.

Informing all of this, is my concern to contribute to the feminist project, to construct 'male' rape as of particular significance to feminism, and to enable inclusion within the same for the male victim of rape. Throughout, I will endeavour to be (un)faithful to Foucault and to 'profane' feminism. As such, the practicalities of interrogation will draw from existing methods that are found to bear fruit, and where blind or barren, my priority will be method/ological innovation and conceptual development in order to service my overall project aim.

In the empirical and analytical chapters that follow, processual transparency will be foregrounded. In line with my Foucauldian & feminist lineage, the role and function of the author will be laid bare, with authorial voice, use of the first person, and the subjective and situational choices of the interpretive researcher foregrounded in order to demystify and reveal the contingent and precarious nature of knowledge production.

Fundamentally, I seek to problematise knowledges around 'male' rape in a way that contributes to the feminist project, and justifies inclusion of the rape of the male/male victims of rape within it. This is not a neutral nor disinvested task, it is highly principled and motivated. Let it not be forgotten that profaning methodologies most assuredly does not mean that we do not care. Quite the opposite.

Methodologies are profaned because feminism is held sacred; the boundaries of feminism are breached because that dam will not hold; the gaze is broadened in optimistic restoration of the inclusive approach it once was.

Section C: Methodological Applications

The research undertaken for this thesis bears a key hallmark of feminist research in that it is, and is embraced as, 'messy' (Childers, Rhee and Daza, 2013), 'tangled' (Franklin-Phipps, 2017), and 'dirty' (Childers et al, ibid). Unkempt is not a feminist approach, it is simply a reality of much research, and is most assuredly an inevitable product of CDA, close reading, problematisation, and reflexivity – none of which are inherently feminist per se. What makes this feminist is that the resultant mess, dirt and entanglement is not sanitised, cleaned up or tidied away. It is left, displayed. The usual 'housework' here is not done. This sits it at odds with those who continue in, or mimic, the positivist tradition, and is all the more valuable for it.

Feminists such as McLean (2022), Handforth & Taylor (2016), and Gupta et al (2022), advocate for this melange to be not simply admitted, but seized, owned, and leveraged as a

strength in unsettling conventional masculinist and patriarchal practices, which otherwise function to sanitise and erase the process of knowledge construction. Some adopt a reflective process of 'sitting' with the mess (Lenette, 2020), using autoethnography to capture 'reflective ruminations' (Schmeid, 2023), whilst others have tried to represent it through stratagem such as 'bricolage' (Handforth & Taylor, 2016).[84]

In line with this, in the sections that follow, as in those which have gone before, I take care to make visible not my craft as a researcher, but my crafting. The choices, the insights, the intellectual leaps, and the leaps of faith. These are necessary elements of the creative and inventive process involved in generation of, and engagement with, qualitative data (Lury & Wakeford, 2012). This crafting is inherent in qualitative research, whereby the search for fact and truth is supplanted in the research process by a focus on meaning-making in situated knowledges (Haraway, 1988). But what I cannot adequately represent is the circular reality of this endeavour. That each chapter is impacted on by that which went before, and – because I revisited each chapter, embellished its data, reconsidered its analysis, and lived with it for years at a time - it is fair to say that all chapters went before. All of them. Each chapter was read and written through the others, and read and written through the other works I undertook and engaged with at the time. There is no clean or definitive 'start'.

What is presented here then, might appear to be a neat, linear journey of discovery, but that is simply due to limitations in the format. After over a decade formally with this research area, I cannot even definitively point to where my inquiry began. Was it with the waking thoughts, the intrusive rumination, the diverted attention, that formed a slow burn of consciousness?

[84] whilst Foucault frequently preferred to erase process altogether

Was it with the resistance, dismissal and warnings of others that formed my determination? Was it the victims I've known who disclosed and entrusted to me their pain, giving me purpose? And of my own lived experience, and life breathed into this project? Not only can I not say where this project begins, I cannot say where it stops. I also find myself unable to discern where *it* begins & *I* stop. There is no clear start, no clear division, no clear end. Although there have been seemingly endless beginnings, and 'becomings' (Warfield, 2019). If this sounds like 'ethico-onto-epistemology' (Fox & Alldred, 2023), it isn't intended to be. Despite that, I must concede that my actions within this sphere, my publications, and my advocacy, have affected change – change that impact on this project, and the discourse it is attempting to capture. And yet I cannot write myself adequately into this piece in hopes of ever reflecting that, and nor can I unpick it so as to disentangle myself from it. This is mess and dirt. And whilst I will attempt to reflect some of that 'diffraction' (Thorpe and Newman, 2023), I proceed aware that it cannot truly be captured.

What is utilised here, broadly, is assemblage, which might be understood as simple rendition or complexified as an attempt to reflect the 'perpetual motion' of becoming for both researcher & researched (Bogic, 2017). Each chapter presents a particular site of knowledge construction, and truth-claim, which is problematised. Each presents an invitation and experiment with feminist intervention, and utilises both feminist & Foucauldian thought. Each chapter 'folds in' (Davies, 2017; Brown, 1996) such works, whilst adopting & exploring different points and vectors within the constellation of social processes that form the sites & technologies of governmentality, in the reification of the 'male' rape victim.

These chapters have been selected in order to prioritise a contribution to the feminist project, and to justify the inclusion of the male victim of rape within that feminist project. Chapters that do not satisfy these ambitions are not included here – although they can be found elsewhere[85]. These foundational decisions are laid bare, not in the interests of replication nor the search for authority; they are here as claimed children of a 'post' project - no misbegotten orphans here. The thesis is a restrictive format, not least because of word count, so editorial choices must be made. It has also been necessary to align this piece determinedly to my present research trajectory, to reflect more recent publications, and developments in the field.

This thesis in its present configuration, as a whole, sits with, is read through, and speaks to that great body of feminist media and cultural analysis – including, but certainly not limited to, classic and watershed works such as Dale Spender's (1982) *Women of Ideas (and what men have done to them)*, Dale Spender's (1885) *Man Made Language*, Nicola Gavey's (2005) *Just Sex? The cultural scaffolding or Rape*, Carol Clover's (1992) *Men, Women, and Chainsaws: Gender in the modern horror film*, Alison Phipps' (2014) *The Politics of the Body: Gender in a neo-liberal and neo-conservative age*, and Rebecca Stringer's (2014) *Knowing victims: Feminism, agency and victim politics in neoliberal times*.

Practicalities:

The ordering of what follows is intended to facilitate the development of an overarching narrative, and to magnify my own shifting priorities for inquiry. In sum, I have been moved from a concern with issues of simplistic inclusion (raising awareness), to (mis)representation (what), issues around function (why) and technologies (how). In all cases, inquiry

[85] Cohen (2014)

commences with a very simple imperative: to problematise existing knowledges, and 'think differently', as a radical & destabilising action by which we might undermine & disrupt existing circulations of power.

The problematisations are presented here, organised in clusters, so that they 'speak' most clearly to one another. In reality, however, they shout loudly over one another. Any 'neat' delineation, progression or distinct chronology is a necessary contrivance.

Interrogation of various 'texts' is undertaken in line with the methodological precepts and tools previously outlined. As a point of procedural detail, I will simply note that attention was paid particularly to 'framing' both within, over and between the sites in question, in order to ascertain discursive regularities. This concept is widely used within cultural criminology and media analysis, where framing is understood as a 'persistent patterns of selection, emphasis, and exclusion that furnish a coherent interpretation and evaluation of events' (Norris et al., 2003, p. 4).

Framing

Framing might be most easily understood as 'a central idea or story line that provides meaning to an unfolding strip of events...the frame suggests what the controversy is about, the essence of the issue' (Gamson and Modigliani, 1987 cited in Scheufele, 1999, p106). For example, newsmaking frames are a result of 'decisions and common practices in newsgathering... Out of the myriad ways of describing events in the world, journalists rely upon familiar news frames and upon the interpretation of events offered by credible sources to convey dominant meanings, make sense of the facts, and structure the story line' (Norris et al, 2003, p4). For entertainment media, especially in relation to film and television, decisions

are made in accordance with commercial imperatives. In both instances they draw on and reinforce 'common' knowledge. In so doing, they are more than a set of inferences that define an area of subject-matter, they also delimit the terms in which it is discussed (Hartmann et al, in Poole, 2002), and – of course – by which it can be understood or 'known'. As Norris et al (2003, p5) assert, frames 'provide contextual cues, giving meaning and order to complex problems, actions, and events, by slotting the new into familiar categories or storyline 'pegs'…[to] furnish consistent, predictable, simple, and powerful narratives that are embedded in the social construction of reality'.

Framing thus constructs the issue in question and also positions (denoting who you are supposed to identify with) the spectator or audience. The consequences are significant as 'it is not only what we see, but *how we are positioned to see it* that is important' (Boyle, 2005, p. 127, italics added).

On an individual level, it can be argued that mediated narratives of criminality and victimhood intersect and co-constitute personal scripts and schemas. This does not just impact on understanding, but also on identity, and thus, refracting that scope, it acts as 'one of the most important agencies of socialisation in our society'(Lowery and Defleur, cited in Jowett and O'Donnell, 1999, p190), when knowledge acquisition occurs through consensus reportage and consistent framing, it would perhaps best be regarded as a process of normalisation. This, of course, is precisely why this area is of interest to a Foucauldian, and where such aspects are gendered, they are inherently significant to feminist research.

Illustrating: Problematisations

Foucault's understanding of discourse as a 'violence' will be examined in reference to instances of discursive regularity around the construct of the male rape victim as articulated within policy documents and the media. Case studies will be informed through reference to established male rape myths[86] and established 'truths' discerned from my own review of the academic literature. Through Foucault, one should understand any such instances as 'violence' because of their role in the production and indeed the delimitation of the 'truth' of male rape, a 'truth' through which the subject comes to know himself and others, and indeed through which he is known as a subject. It must be remembered that, for Foucault, power is blind - thus urging us on to considerations of ever greater complexity and contingency that contribute to a condition of possibility, rather than to a blunt inquiry about the nature or form of 'power' itself. This is an attempt to delve into and curate a knowledge-scape, or 'imaginary' in the archive of male rape.

In line with the trajectory noted in previous discussion, this section commences a focus on reportage. This undertaking was motivated by a desire to engage beyond issues of simplistic inclusion, because I had assumed this to be moot. My assumption entering this area was that the more pressing issue would be that of (mis)representations. However, as this set of case studies illustrates, that assumption was to be proven overconfident. In the sample I interrogated, male rape cannot be said to have achieved inclusion; it is included, yes, but that's assuredly not the same thing as inclusion. It remains largely neglected, sidelined and marginalised. Having revealed an issue I was not anticipating, I moved to consider how that might be remedied. An obvious solution to this would be to institute a policy of inclusion. The case study presented here illustrates that this would likely fail. In the final case study of

[86] For a detailed discussion see Chapleau et al. (2008).

this first set, I present analysis that goes some way to explaining how and why this is the case - introducing my concept of the Ideal Victim Taxonomy. In the second group of case studies, I engage with selected examples from popular culture.

Case Studies, Set 1: Official Knowledges

Reportage

One of my earliest formal undertakings in this area, was to engage with reportage. I entered this arena with more than a few preconceived notions. I expected to find a fairly sizable level of reportage around male rape (at least relative to 'official' statistics), and therefore anticipated that any analysis of frequency would prove a precarious base on which to try to balance my discussion. Consequently I decided I would confine my analysis to framing within and between pieces. In essence, my express intention was for this discussion to surpass the 'invisibility' debate[87] simply because I had thought it a moot point. Outmoded, archaic, anachronistic and irrelevant, surely? Given the various legislative changes in the Western world that enshrine in law the recognition of male rape victims, I had thought visibility of sorts to be a reasonable assumption. I very quickly found otherwise.

In order to ascertain the framing of male rape, I used popular broadcast media as well as online archives of various newspapers. I did not use LexisNexis or any other source that was only available by subscription - it was important to me that the sources I used be free for and readily accessible by their resident population as well as to the greater online community. My means of enabling the aggregation of relevant sources will be sketched, but it broadly follows the examples set by Abdullah-Khan (2008) and Poole (2002).

[87] 'Invisibility' here, referring simply to omission.

In my preliminary research, I sought to determine the nature of coverage rather than the extent of it. The reason for this is twofold: first, my express aim was to produce qualitative research that more readily accords with a feminist and Foucauldian analysis and, second, for the reasons outlined above, I had assumed issues relating to quantity to be redundant. My overriding concern was to consider the media 'messages' in the public domain, particularly what validation, if any, a male rape victim might receive from these.

In line with appropriate methods advocated within CDA, I performed a conceptual content analysis whereby I identified articles by using a keyword search using the terms 'male rape', and when articles were identified I read these to check the terms in context. This was to allow me to draw out themes and issues salient to their framing, then group articles accordingly. It is important to note that the themes and issues were not determined beforehand and the articles tallied to them, rather it was intended that critical readings of the articles themselves should produce the various themes and issues. To this end, it was necessary to perform a second complete reading of all the articles once the initial grouping was performed in order to check these groupings against one another.

I consulted nine online newspapers – four from the UK (*The Guardian*, *The Mirror*, *The Daily Mail*, *The Times)*, three from the US (*The Los Angeles Times*, *New York Daily*, *USA Today)*, one from Hong Kong (*China Daily)* and one from Canada (*The Globe and Mail)* – these were selected because they were written in English, and were respected publications of considerable standing in their respective jurisdictions - having national distribution in hard copy in their country of publication, with considerable circulation and reach; and crucially, each had an online, searchable archive of news articles from their own database, without the

need for registration or subscription. This enabled me to confidently engage with a wealth of back-copies, in order to expedite the generation of relevant samples. In all, I consulted at least 50 articles on each of the aforementioned sites, with each article identified through the relevant site's own search engines. In each case the default search was used first (some databases default to 'most relevant', others to 'most recent'); in some instances, a subsequent search was performed using elected options, especially if the default search had errors in returns or produced few hits. In all, a total of 600 individual articles were consulted.[88]

This did not produce the wealth of results I had expected. Of the 600 articles highlighted by the search engines and thereafter read in full, very few were wholly gendered as a male experience, or even mentioned or at least implied males as victims. The initial aim of drawing out groupings of themes and issues salient to their framing was quickly determined to be impracticable. In total, there were 15 articles found that could be said to satisfy a (low-bar) test of inclusiveness. Of these 15, the breakdown is as follows: three related to reviews of works of fiction[89] (one stage play, one book, one television episode), one was simply a figure of speech,[90] seven related to overseas incidents, particularly involving war or conflict,[91] and one to child-on-child.[92] Of the three that remained, two related to a single case involving a transgender male to female offender,[93] and one was a general article where only the final statement, made by a police officer urging rape victims to come forward despite a

[88] Specific problems were encountered in usage of the UK publication *The Daily Mail* and the US publication the *LA Times.* In the former, the search engine gave constant false positives in respect of their running banner advertising their coverage of a high-profile rape case, which combined with their own fixed limit of 50 hits as a restricted maximum actually produced very few relevant results. In the latter, there was a large number of false positives due to their search engine automatically bringing up related terms such as 'assault' and 'violation'. In neither case could the errors be remedied.
[89] Kelaway (2009); Mullan (2009); and Bajwa (2009).
[90] Levy (2009).
[91] Smith, D (2009b); Dodd (2009a); Fletcher (2009, note that this article was repeated in a later search and so counted twice); Homayoun (2009); The Associated Press (2009); Leeder (2009).
[92] Armario (2009).
[93] Gibb (2009).

wave of false allegations by women being reported in the press, expressly mentioned male victims.[94] The results here did not lend themselves to 'grouping' per se – they were barely enough to form a 'group' in themselves. For a male rape victim, the examples were of tenuous relevance, and I would suggest that their use by such an individual would be fraught with compromise.

Looking again at those results, such as they are, I would point out the following as being pertinent and deserving of further consideration, the presentation of: male-on-male rape in the community where this is child-on-child; rape in war/overseas conflict; rape and transgender perpetrators. These are significant as they variously serve to present male-on-male rape as outside the realm of 'normal' male experience by locating it within particular populations that might be crudely (I am drawing on stereotypes and bigotry here, not validating it) denigrated in popular understanding as they resonate with stereotypical and pejorative discourse around childhood, the Oriental, and 'deviant' sexuality respectively. Looking at 'children' as a distinct victim group, for example, allows for the rationalisation of male-on-male rape as impacting on those who are perceived as both innocent and powerless/base and amoral (part of the demonising of children in the media). Situating male rape as 'foreign' (linking to notions of the 'Oriental') draws on the dual discourse of the effeminate and vulnerable Other/the oversexed and insatiable Other, whilst situating it within transgender populations enables it to be perceived as effeminacy/abnormality, drawing on psychopathology and derogated notions of homosexuality. It is significant that there are no scenarios relating to adult, heterosexual males in community settings presented. Instead, each of the above plausibly serves to delegitimise male-on-male rape as outside the realm of 'normal' male experience, and furthermore serves to reinforce notions of a 'just world' – that the world is

[94] Daily Mail Reporter (2008).

fair and just and, therefore, people get what they deserve (it can't happen to me, I don't deserve it) – and enables 'defensive attribution' – blaming victims for their own misfortune, pivoting on perceived difference ('it can't happen to me, I'm not like them') – both of which ultimately underscore the notion of the ideal victim by legitimising victim precipitation.

I returned to the 600 articles and read them again. I chose to repeat interrogation of this sample on the basis that this sample is what would be generated by a person searching for 'male rape'. Having accepted that they might not have many hits directly relating to male rape, I wanted to see what they would be presented with.

Whilst gender-specific articles relating to male rape were few, a greater number of articles (112 in total) could be classed as 'neutral', dealing with rape rather than male rape. This, at least, was a promising indication of a move towards a measure of inclusivity – assimilation if not representation. However, on closer inspection, it became apparent that 'neutral' in this instance does not necessarily mean genuinely non-gender-specific – often it simply denotes gender not specified. This is most assuredly not the same thing. Truly neutral would be genuinely inclusive; unfortunately many of the examples simply are not.

From my sweep of 600 articles, the trend seems to be that 'rape', where used in a seemingly neutral sense, is actually mostly included as either a figure of speech or an example – often amongst a lengthy or disparate list of offences. The term 'rape' is often included as an emotive term, or as an appeal to authority or included in lists of evidence. Furthermore, even where the focus of the piece is neutral, the examples from survivors are not; where content can be said to be genuinely neutral, the illustration often is not. Neutrality in regards to rape is routinely undermined in myriad ways that serve to gender by stealth. Indeed, conversely to

what one might assume, I found it to be the case that where articles seek to discuss rape in any depth whatsoever they almost invariably and routinely become gendered, and this is both explicit and implicit – through examples included and context, images, etc. Casual use, therefore, is possibly implicitly gendered – not an indication of gender neutrality therefore, but of an embedded pervasion of gendering in respect of this crime.

At this point it was apparent that any attempt I might make in respect of analysing male rape in reportage, based as it would be on the handful of examples I found, would be redundant. My assumption that invizibilization would no longer be a pressing issue, and that framing would logically be more so, was simply and resoundingly wrong. As a consequence, a second and distinct interrogation of online sources was performed. I deliberately contrived to increase my hit rate by searching a specialist portal within one of the UK newspapers, the dedicated Guardian Society Rape archive.[95] This portion of their website functions solely as a repository and reference section dedicated to rape reportage from within their publication.[96] It includes not only articles solely dealing with cases of rape, but also legislation, policy and other government and institutional initiatives, editorials and comment. Therefore, I felt it a reasonable presupposition that the articles aggregated there would at least be inclusive to the lowest standard of 'inclusivity'. I initially decided to select a sample of only the most recent from their total list of 93 articles (as at 1 October 2009) for the purpose of critical readings. It rapidly became clear to me that this simply would not suffice; consequently, all 93 were consulted. Each article was read in full, its themes and issues noted and its level of inclusivity determined as per the previous sample.

[95] http://www.guardian.co.uk/society/rape.
[96] And their sister publication, the *Observer*.

In my search on this specialised portal I found only six articles[97] that did at least attempt to be inclusive; unfortunately I have to note that these still fell back on the 'rape as feminised' trope to varying extents. This is most certainly not what I had expected. Even in a specialist archive of news, the male is presented as relegated, as marginalised and as aberrant. I do not doubt that these articles intend to be inclusive; I only note that they remain limited in this respect.

Working through the material in detail, in the order in which it was presented, the first hit came after just two pieces – a very promising start. Halfway through the piece, which details the use of rape as a war crime, the author asserts 'rape is used to humiliate, defeat and emasculate the enemy. It is also used against men with the same rationale' (Harvey, 2009), going on to specifically mention the male victim later in the same paragraph. This, at least, is a clear recognition of this victim group. Unfortunately, a closer reading of the piece leaves one less than satisfied. The only cases included concern female victims. The author leads with detailed cases of two assaults involving female victims, and – after the paragraph where male victims are briefly acknowledged as a phenomenon – she rapidly disregards them, citing again the two female examples. Furthermore this piece expressly genders the phenomenon of rape in war itself by framing it as 'human rights violations of women' (ibid.), highlighting 'women's organisations on the ground' (ibid.), and asserting that 'women aren't waiting around for the UN to sort things out' (ibid.) – all of which might be entirely accurate, but it is also skewed. The piece itself is presented from the outset as non-gender-specific; the headline, after all, is 'Rape: the unprosecuted war crime'. Given both the established research on male sexual victimisation within war and the inclusion of men within rape legislation, this plainly should not have been a gendered piece. Yet that first quote reveals

[97] Harvey (2009); Baird (2009); Smith, D (2009a); *The Guardian* (2009); Canning (2009); Williams (2008a).

the crux of the problem: ‘Rape is used to humiliate, defeat and emasculate the enemy. It is also used against men with the same rationale’ (ibid.). In this usage, rape is plainly gendered as female; her mention of ‘the enemy’ is therefore also female – otherwise that second sentence denoting the male would be redundant. This piece is limited by its reliance on the gendered binary of victim status. Unfortunately, from my analysis of the 93 articles on this database, it seems that this slippage of rape as gendered – connoting exclusive female victimisation irrespective of any gender-specific denotation – is the norm.

Indeed, the remaining 87 articles were solely female-centric. Whilst this stark disproportionality is an issue, I am sure it can, in certain instances, be justified perfectly soundly by the authors concerned, for example, in terms of their particular polemic, or the angle of the story, or even simply due to available statistics, press releases and detailed cases. Perhaps in these instances it might be said that ensuring that there is room for validation of the male rape victim is more an issue of moral conscience than it is an ethical imperative or factual obligation. As a consequence, what is of more concern for me is the number of articles within this total that clearly should have included either explicit recognition of male victims or conscientious and sustained neutrality, both as a clear duty both to the public and to accuracy. For example, those whose focus specifically draws on the phenomenon of rape as a legal construct – thus in its criminal incidence or legislative forms –after all, any discussion of statistics would be remiss to overlook the male experience as it does contribute to the overall incidence of rape; likewise any discussion of legislation, policy and initiatives should also be decidedly inclusive as this victim group is recognised in statute and case law. Any reference to ‘fairness’ here is irrelevant – in these instances it becomes simply a matter of fact. Reportage, in these instances, must be inclusive to be accurate.

Unfortunately, this is most assuredly not the case. The number of articles that male victims of rape are effectively edited out of – redacted, if you will – is simply astonishing, as is the range of 'professionals' and 'experts' who seemingly collude with this. Where 'experts' were cited as authorities, for example ministers, councillors, lawyers, police officers and charity workers, they also fail to give due recognition to male victims of rape. Logically, these people should have fared far better – not least because we would assume they are better informed and have the public interest at heart, and of course some have an express public duty.

In all, I identified 35 articles[98] that by the standards expressed above clearly should have included men and yet inexplicably did not. These articles have the clearest mandate and hence the most glaring exclusion. I grouped these articles in very broad terms, thematically, as follows: articles concerning incidence, risk or conviction rates (the implicit message here being: 'we are talking to you'); articles concerning procedure, strategy, initiatives, reviews, inquiries and policy (the implicit message here being: 'we care about you'); and miscellaneous articles, including opinion pieces (the implicit message here being: 'we are angry on your behalf'). Suffice to say that in my review of these articles the overwhelming message implicitly conveyed in the omission of males is male victims are not real victims; ergo, male-on-male rape is not 'real' rape.

This is not just unfortunate, it is unconscionable. These articles not only could have included the male, but in addressing issues of policy, risk and justice they were obliged to be inclusive.

[98] Barrett (2008); Bindel (2008a, 2008b, 2008c, 2009a, 2009b); Brooks (2008, 2009); Cochrane (2008); Conroy (2009); Dodd (2009b); Dustin (2008); Elliott (2008a, 2008b); Gentleman (2009); Laville (2009a, 2009b); Lister (2009); Longstaff (2009); McEwan (2009); Mulholland (2009a, 2009b); Russell (2009); Ryan (2008); Smith, J (2009a, 2009b); Travis (2009); Williams (2008b, 2008c, 2009a); Williams and Hirsch (2008); Williams (2009b, 2009c, 2009d); Yates (2009).

Male rape is 'real' rape: it is *really* enshrined in law, it is *really* a risk for men in the community and it is *really* a lived experience for many men. It does not just deserve recognition, it factually demands it. At the simplest level, I would argue that in allowing this exclusion we enable the preservation of the hierarchies of and exclusions from victimhood that these authors ostensibly seek to destroy.

Unfortunately, such practices of omission, obfuscation and marginalisation are not confined to newspapers. Examples can also be noted in television news bulletins, magazine shows and documentaries. For example in a BBC (2009) *News* broadcast, which discussed the impending change to rape investigations, protocol and interagency cooperation, with a focus on improving the currently low report and conviction rates, female pronouns were used throughout in reference to victims, whilst the male pronoun was exclusively used for reference to offenders. This was even the case in the contribution to the broadcast by the then Women and Equalities Minister, Harriet Harman. In the broadcast the only examples were female, and the only illustrations of victims were female. There was no room here for any male victims to validate their experience. In an episode of *The Wright Stuff* (2009) a discussion of rape (entitled 'Raped Stars: Police before Papers') was wholly gendered from the outset and was sustained throughout, even in follow-up the next day. The discussion began in reference to a single female celebrity,[99] but quickly became about 'all women'. In a documentary, *Dispatches: Rape in the City* (2009), there was an entirely gendered presentation of the phenomenon of gang rape. Both the experts gendered their analyses, and the key researcher, Carlene Firmin, not only gendered her analysis and stated in her account of her research a very gendered research method (only females were interviewed), but also

[99] Katy Price.

she was clearly wearing a T-shirt that with the caption 'Women's Resource Centre' on the back and 'Female Voice in Violence' on the front. The viewer is left in no doubt that this discussion is about female-oriented victimisation. Any male viewers seeking validation of their own experiences are left with no room whatsoever.

In all, it would be fair to say that I was surprised at just how occluded male rape is in UK reportage. All too often such pieces are quickly and pervasively framed as 'women's interest' and informed by spokespersons from feminist activist groups, thus inevitably facilitating the elision of the male. Yet simple measures could easily be adopted to foster inclusivity and/or neutrality – for example, to include gender-neutral terms throughout with no gendered pronouns or pictures, or to ensure a balance of gendered examples and illustration. It seems that frequency of inclusion, impacting visibility, remains a concern for this victim group. The question arising at this point then, was why, and how might this be remedied? It should be a simple case of policy, no? With this in mind, let's turn to my analysis of a high-profile CJS review, governed by legislation & policy itself, as well as squarely intended to inform policy going forwards. Is simplistic policy the solution?

How Inclusive Policy Fails: The Stern Review

As regards inclusion, we might assume – as indeed I did – that the law forms our first imperative for inclusion – i.e., that where male rape is included on statute, it would inevitably be included in those dimensions of our social realm guided & divined by statute. Whilst this has wide-ranging resonance, I will simply refer at this point to the case study contained in the previous chapter, and state that such inevitability – or more accurately imperative - should most assuredly include reportage. Yet this is not the case. A reasonable solution would be a

policy solution, but unfortunately, my engagement with such would indicate otherwise. In this section, I will present a problematisation of a pivotal Home Office[100] review which serves to undermine confidence in simplistic policy solutions. This HO review was selected because it encompasses rape, and in so doing speaks directly to the focus of my research. This review is the first such undertaking since male rape was included within the category of rape in law. It isn't just that this should be inclusive and gender-neutral, it must. It was not tasked with focussing solely on the female victim, it was charged with the responsibility of reviewing provision for rape victims. But therein, it seems, we have our problem.

The Stern Review (2010) was commissioned by the Government Equalities Office and the Home Office. It is an independent review, intended to be wide-ranging and inclusive - led by Baroness Stern, which was charged with investigating the treatment of rape complaints by public authorities, specifically to look at the response of public authorities to those reporting rape. Stern (2010) investigates current provision in a way that is seemingly gender blind, however this 'blindness' does not operate in the interests of neutrality or inclusivity, despite the express responsibility to, precisely the opposite in fact. This is plausibly because the review falls back onto the construct of rape and rape victim as gendered. A close reading of the text in the document will be performed to illustrate this.

From the start the document makes a concerted effort to be inclusive – 'This report should make clear what anyone who has decided to report a rape, whether a man or a woman, can expect from a public authority' (p4); unfortunately, prior to this clear expression of inclusivity the foreword has already cited only cases regarding female victims, research that

[100] HO

highlights solely females, and government initiatives that likewise focus on the female. Thus a feminised bias to this issue is already perceptible.

In the Executive Summary, it is stated that 'Women, men, children, and people of all ages and all social groups can become rape victims' (p7). Consequently the term 'victim' appears gender neutral in usage, however this is not actually the case given that asides are later made to men as victims and to the male experience, the necessity of which reveals that supposed neutrality as intrinsically gendered female. For example, after a lengthy passage detailing 'what we have learnt about rape' in which gender is not mentioned, it is then stated:

> Around eight per cent of recorded rape cases are rape of a man. Men find it very difficult to talk about what has happened to them because of the common view that a man should be able to fight off an attacker. Male victims "find it less easy to identify as victims and ask for help" (p12).

This leads one to reconfigure that previous neutrality as inherently gendered.

This technique of elision, whereby apparent neutrality is in reality fundamentally gendered, is repeated throughout the document and is strikingly similar to techniques evident in the Media. 'Gender not specified' is most certainly not the same as 'gender neutral', thus indicating subscription to rape as gendered female - despite the legislative neutrality that should guide and bind a formal review.

Even where the analysis appears neutral and should be neutral, it becomes gendered:

> A number of polls, conducted by various bodies, give a flavor of the range of views and the balance of public opinion. They tend to show that the majority of people have a view of who is to blame for rape that is in line with the definition of rape found in the law, and this is good news. However, the polls also show us that a substantial minority hold *women* partially responsible for the crime (p50, italics added).

This denotation of the female is compounded by 'box 5' which details facts and statistics in regard to blame, that are solely female centric (two) and gender not specified (three) – where the latter of course has been previously established as implicitly gendered. Thus male victims are excluded from this analysis.

This understanding of rape as feminised is persistent and stubborn. Under the sub-heading 'rape is controversial' it is stated:

> Strong opinions are held and often voiced about rape...This should be no surprise since rape is about sex, violence, power, intimate relationships between men and women or between men and men, society's attitudes to what is acceptable behaviour and where blame and responsibility lie for non-consensual sex acts. Many people feel that the way rape is discussed and dealt with reflects unacceptable attitudes towards *women* (p12, italics added).

This is an interesting passage – note the subtle shift here from inclusion to exclusion: male on male victimisation is included, but the final note clearly genders the issue as female in asserting 'towards women'.

Other omissions can also be noted, for example having stated non-consensual sex acts rather than rape per se, the scope could be broadened to include female on female and female on male (as per the serious sexual assaults encompassed in S.2 and S.4), but one may readily note that it is not. This can be taken to indicate the prescriptive function of the feminist model of rape: those latter permutations of sexual victimisation are simply inconceivable for many operating with this model in mind.

Frequently, this report has the rather unfortunate tendency to recycle rape myths even whilst overtly disavowing them. This is achieved through a consistent tendency to relate rape myths to women and female examples, with the exclusion of men from these; indicating either that these myths do not apply to them – which is simply erroneous, or that they are in some way less problematic when they are – which is indefensible. For example:

> There is a view that women are in some way to blame for being raped if they go out wearing revealing clothes and have too much to drink. Some complain of the tendency to lecture women on what they should and should not do rather than making it clear to men that sex without consent is rape (p12).

Rather than being the myth-busting assertion it's intended to be, by orienting this as a problem of men against women this paragraph is key to perpetuating the biggest myth of all – that this doesn't affect men as victims. Yet the notion of precipitation that underlies this myth is a rationale applied equally to men – irrespective of sexuality - and arises in various forms.

This can be seen again in a section about raising awareness, where it is stated that campaigns to educate women on personal safety 'should be matched with an equal, if not greater, effort to educate men about rape myths and their responsibility to ensure consent' (p53). These are certainly valid points, but they would have more impact had male victims been included. As it stands, this once again configures the rape victim as female, configures the assailant as male, does not challenge the precautionary principle underlying the notion that women should 'keep themselves safe', nor that assailants are motivated by sexual desire and thus should 'ensure consent'. As a consequence this passage actually revalidates myths around the feminisation of rape, victim precipitation and rape as sex – all of which could have been disrupted through the simple inclusion of male victims.

The myth of the 'weak' victim is also revalidated. Time and again attention is drawn to 'vulnerable victims'. I have a particular problem with this comprising part of our conventional understanding of rape, as vulnerability often has little to do with this crime. The notion of vulnerability as femininity, or at least as antithetical to masculinity, is a pervasive and entrenched myth that is a significant barrier for the recognition of male rape, and indeed of female victims who do not readily meet the 'feminine' stereotype.

Another myth revitalised in its rejection is the victim as liar – in rebutting this, the authors gender their discussion around women, but there are no just grounds to intimate that male victims are not likewise impacted by incredulity arising from the suspicion of false allegations. As illustrated in the previous chapter, myths relating to victims as liars are readily applied to males and as a consequence this pronouncement reflects a careless slip into rape as gendered. This fails to give due consideration to the male victim population here, and in doing so could be regarded as giving tacit approval to the application of this myth to men –

at the very least it enables the rationale that to regard women as liars is unacceptable, whilst to regard men as liars is not.

Talking about vulnerable victims in more detail – and still not including men - explicit attention is drawn to gang culture, and yet configures this as replete solely with female victims. The omission of men is significant here in particular given that gang culture is one of the few areas where academic study has most readily accepted male victims - in fact it comprises one of the earliest 'accepted' forms of male rape in the community (Scarce, 2001; Groth and Burgess, 1980; and Scacco, 1982). Consequently, this particular instance of gendering reveals precisely how robust that underlying notion of female victimhood really is.

Male victims are eventually included, but as a separate issue, and once again in the rejection of a myth, it is actually legitimised – the only myth detailed for men is in reference to prison rape and homosexual communities. Once more in including men in this manner the subtle but rather clear message is that they are marginal to the real issue of female victimhood and that they are in some way an anomaly. The reader is surely led to ask that if rape of men does not occur solely within these populations, why are other examples not included? Thus by choosing to refer to men only in respect of these populations, the discussion of male rape is oriented to precisely that which is criticised.

Accordingly, an important omission for prison and same-sex relationships must also be noted: reference to sexual violence by women on women also in those communities. This reveals a value-based assumption here rather than the empirical approach claimed, as women within those populations are most certainly not free from sexual violence by other women

(Struckman-Johnson, Struckman-Johnson, Rucker, Bumby and Donaldson, 1996).[101] Once again the choices here reveal the delimited field of enquiry and understanding.

In the main body of the review, male victims are given some separate attention (p30 -31):

> Around eight per cent of all recorded rape cases is a rape of a man. An organisation that works with male rape victims talked of the particular effects on men who find it very difficult to talk about what has happened to them because of the common view that a man should be able to fight off an attacker. We heard from organisations that work with male victims that men who have been raped 'find it less easy to identify as victims and ask for help' ... The Metropolitan Police Service has a leaflet on its website [which they reproduce] for male rape victims which sets out the problems that men reporting rape can face. We welcome this initiative, which should give more men the confidence to report what has happened to them to the police (p31)

This is seemingly well intentioned, though not without its problems; but the following section titled 'effects of rape' should be inclusive, and certainly commences as such – using 'victim' in its supposedly neutral sense, but a female example is quickly foregrounded and sustained 'We heard from an organisation that works with *women* from many different cultural backgrounds that "humiliation and fear of reprisal prevent *women* from disclosing". They said that it was highly unlikely that such *women* would ever make it to court' (p31, italics added) this gendered tone was also in the close of this section 'increase in the number of south Asian *women* using their confidential services' (p32, italics added).

[101] For female on male sexual violence in general see Fiebert and Tucci (1998), Oliver (2007), Sarrel and Masters (1982), Smith et al (1988).

The implicit gendering of this piece is most readily revealed in the section 'is the law understood', where it states 'It is important that the 2003 law is understood. It says that one person having sex with another when that person has not agreed to it is rape' (p13) but in actuality this statement is simply not an accurate interpretation. The legislation is clear - penetration by a *penis* must be *done to* the victim – thus precluding the interpretation of female on female, and female on male, sexual assaults as rape. It is (unfortunately to my mind) not as inclusive as 'sex without consent'. That the authors assume so simply reveals the subtle yet rigid demarcation of this issue – not that they assume that it does include those populations, but rather that they cannot conceive of them as being included in the first place. Once again, a feminised model is in effect here.

As well as subtly gendering statute, there is also gendering of case law evident herein. Where citing from Court of Appeal rulings, relating to cases with female victims which as a consequence have female gender pronouns, these remain in their replication in this document. These pronouncements clearly should have been paraphrased in this report to make them unwaveringly gender neutral - this very simple action would have remedied any gender exclusion. I find it quite telling that this was not deemed necessary.

The various examples detailed above are not exceptions, as there are numerous other instances of apparent neutrality that is then revealed as implicitly gendered either through asides regarding men (though these are infrequent) or examples – case studies, quotes, statistics etc - detailing only women. Despite pretensions to be inclusive, recognition of male rape in this report is infrequent, marginal and peripheral at best. Given that this document marks the way forward for the Ministry of Justice's implementation of policy for rape from

this point on, we can safely assume that male rape victims in England and Wales will continue to be sidelined.

If the *Interim Government Response to the Stern Review*[102] (Home Office, 2010), published by the Government Equalities Office, is anything to go by, continued redaction of the male victim from the anti-rape agenda is assured. Their opening paragraph commences with the assertion that 'violence against women and girls in all its forms, and whatever the circumstances, is unacceptable' (p1), citing statistics that solely relate to females 'around 10,000 women are sexually assaulted and 2,000 women raped every week, and over a third of all rapes recorded by police are committed against children under the age of 16. Over three million women in England' (p2). Men are eventually mentioned, in passing, on page 10 it is stated that 'men can also be victims of rape – the most recent Home Office statistics (for 08/09) show that around seven per cent of all recorded rape cases concern a rape of a man'; males are mentioned only once more: 'while rape is overwhelmingly perpetrated against women and girls, Baroness Stern also draws out important messages about services and support for male victims' (p28). The remainder of this response is wholly gendered as female, and where apparently neutral, it is readily reconfigured as female via subsequent examples and pronouncements. In this instance however, perhaps we should note that the task force in question is merely continuing with the precedent for acceptable priorities and elisions established by Stern (2010).

In terms of immediate policy, the IGR (Home Office, 2010) states that they intend to undertake 'Publicity campaigns challenging drunken behaviour, warning people of the risks

[102] Hereafter IGR

of excessive alcohol intake and supporting responsible choices also have a role to play in preventing sexual violence'(p15). So far, so neutral – or so it seems; unfortunately they go on to state that the plethora of activity will be solely around women as victims. Planned media campaigns, new guidance for journalists, resources through the NHS and materials for the National Curriculum are all, without fail, oriented towards female victimhood – awareness raising therefore expressly excludes male victims of rape. This continues in the realm of service provision, where they state 'when *women and girls* suffer sexual violence it is essential they have access to help and support that meets their needs' (p17, italics added). Whilst even in terms of attrition, risk management and protecting the public, the onus once again is on females:

> Government priorities in this important area are to: provide end-to-end support for all victims through the criminal justice system, from report to court; bring more offenders to justice by improving reporting and conviction rates; and rehabilitate offenders and manage the risk they present to *women and girls* (p21, italics added).

Not only are male victims of sexual violence not considered a priority, in a manner similar to Stern (2010), here male victims fail to be considered at all.

Given the wholesale exclusion of male victims from this response, voluntary groups providing services for male victims of rape might well suspect that male victims are not included within government agendas or state funding. Unfortunately, as the Stern Review (2010) has been absorbed within the government's *Violence Against Women and Girls* strategy, I imagine this eventuality to be rather inevitable. Certainly it can be readily noted

that statutory recognition of male victims of rape and sexual assault does not readily translate into public sector priority.

The construct of 'rape victim' as inherently & implicitly gendered, is sticky. Even where the issue of rape victimity is expressly approached as inclusive, and indeed, even where there is statutory responsibility to be inclusive, the slow inexorable draw of gendering can take effect.

At this point, let's move to consider why – or more accurately, how - this constant refiguration of 'rape' (gender neutral and inclusive) as instead wholly feminised (solely female rape victim) occurs. In order to inform this, I want to pull into view a targeted case study I undertook in respect of a single criminal case, a watershed criminological moment, and media phenomenon: Lynndie England. In the section that follows, that intractable problem, the inevitable femaling of rape, cannot occur – because there is a high-profile female offender, and her solely male victims. Whilst moving away from this problematic, what is pulled into focus is its correlate: the male victim. Or it should be. The analysis that follows goes some way to explaining how and why rape of the male continues to slip out of sight, and out of mind, and in so doing, contributes a new concept[103] to furnish our understanding of how the Ideal Victim binary operates in discursive space.

Why/How Simple Inclusion Fails: Lynndie England[104]

Ostensibly, the focus of this discussion is Lynndie England, but the key issue for me in examining Lynndie England, is not Lynndie England. I'm concerned about the ongoing neglect of male rape. A concern inspired, in no small part, by the lack of progress in this area

[103] The Ideal Victim Taxonomy
[104] This section is largely drawn from Cohen (2018)

– particularly over the last two decades - despite key socio-cultural and legislative changes in various Western contexts that really should have remedied this.

Many of the concerns and criticisms that colleagues had some ten and even twenty years ago – around neglect, marginalisation and deprioritisation - still persist. So my concern is, what is it that makes us focus on some victims and not others, and why is it that substantive and enduring change is not happening? And - perhaps more importantly – how is this so? I've started to think of discourse as the placid surface of a lake, where it reaches a lovely equilibrium. We'd expect that there'd be this 'swim, swim, swim' to breach the surface of the lake, and once it's breached, there's a wave, a rupture that's very obvious, and some type of permanent change to the landscape. But there isn't. Instead, its 'swim, swim, swim' and – seemingly - 'drag!', as the issue is pulled back down, disappearing from view once again. There's no breach, no rupture, no permanent change. We thought it was coming, but then it's gone. It's the mechanisms which serve to protect the equilibrium, that I'm now interested in.

Although the draw of my attention is male victims vis-à-vis criminology and victimology, what I'm really examining then is the dark figure – not just in terms of criminal justice practice, but also in terms of our academic practice – to query why it is that the great bulk of our endeavour focuses on some offenders and some victims, and not other offenders and other victims. The ideal victim construct is of considerable importance here – after all, conformity to its ideal assures hyper-visibility[105] for some victims. But my concern is not

[105] See Hua (2011)

with the 'ideal victim' per se, it is with the binaristic position of the 'non-ideal victim'[106] and the invisibilisation that ensues from the failure to conform.[107]

The stubborn persistence of the gendered binary in sexual violence

The ideal victim is not a man, because the 'ideal' in this instance is comprised of ideal femininity; the ideal offender is not a woman, because the 'ideal' in this instance is comprised of ideal masculinity – these two subject positions languish on the dark side of the ideal victim binary. Whilst the ideals are hyper-visible, the non-ideals are readily invisibilised – co-constitutive discursive practices that serve to regulate and reify normative gender. What better case to illustrate this process of redaction in action, than that of Lynndie England?

In 2005, Lynndie England was dishonourably discharged from the US military, and subsequently served a prison term, for her part in the abuse and torture of Iraqi prisoners of war detained in Abu Ghraib. In the years prior to this, photographs documenting these acts, which included crimes of sexual violence - all of which were targeted at male detainees in her charge – were widely disseminated in the media. As the female face of appalling human rights abuse, Lynndie became notorious, and her photographs of the atrocities – showing sexual degradation and molestation, including coerced masturbation – became iconic[108], and indeed were pivotal in the public backlash against the Iraq war.

[106] Christie (ibid) expounds his concept of the non-ideals in relation to two historical examples 'witches' and 'workers', see pp22-25

[107] An issue Christie (ibid) touches on only briefly, in relation to the lack of attention his own work received some decades previously, see p26

[108] It's beyond the scope of this piece to address the issues underlying the singling out of Lynndie England from the rest of her co-defendants, see, amongst others, Harp, D. And Struckman, S (2010) The Articulation of

The case of Lynndie England dominated global, but particularly Western,[109] media - being prime-time, front-page news for over a year. More than a decade on, in the public sphere, Lynndie has been of sustained interest - the subject of numerous magazine articles and television interviews, documentaries, books, blogs, and she's even the subject of a song by the Rolling Stones[110]. By any standard, this is a high-profile case, with a lasting impact on the public 'imaginary'[111]. On the face of it, whilst this case sits within the dark side of the ideal victim taxonomy, it doesn't illustrate the process of redaction in action, nor a return to discursive equilibrium. But such an interpretation requires that we overlook the fact that Lynndie's male victims were readily effaced – being largely absent from media representations and public discourse, except for Lynndie's enthusiastic victim-blaming, and recurrent use of their images – rendering them dehumanised, objectified, nameless, faceless targets known only in relation to Lynndie herself. These trends surely satisfy any measure of secondary victimisation, and, at the very least, illustrate a cost to victims in languishing on the dark side of the IV construct, where one is anomalised and anomalous. Whilst facets of such phenomena in relation to this case have been examined by others[112], and are certainly

Lynndie England to Abu Ghraib: Gender Ideologies, War, and the Construction of Reality, Journal of Magazine and New Media Research, 11(2), 1-23; Jagodzinski, J. (2006) The trauma of the image: Prisoner 'abuse' in Abu Ghraib Prison, *Studies in Media & Information Literacy Education, 6*(1), 1–15; Tétreault, M. A. (2006) The sexual politics of Abu Ghraib: Hegemony, spectacle and the global war on terror, *NWSA Journal*, 18(3), 33–50; and Mason, C. (2005) The hillbilly defence: Culturally mediating U.S. terror at home and abroad, *NWSA Journal, 17*(3), 39–63.

[109] Particularly that of the UK and US

[110] Entitled 'Dangerous Beauty'

[111] See McLaughlin and Muncie (2013)

[112] See, amongst others, Howard III, J.W. and Prividera, L.C., 2008. The fallen woman archetype: Media representations of Lynndie England, gender, and the (ab) uses of US female soldiers. *Women's Studies in Communication*, *31*(3), pp.287-311; Harp, D. and Struckman, S., 2010. The Articulation of Lynndie England to Abu Ghraib: Gender Ideologies, War, and the Construction of Reality. *Journal of Magazine & New Media Research*, *11*(2); Holland, S.L., 2009. The enigmatic Lynndie England: Gendered explanations for the crisis at Abu Ghraib. *Communication and Critical/Cultural Studies*, *6*(3), pp.246-264; Cohler, D., 2006. Keeping the home front burning: Renegotiating gender and sexuality in US mass media after September 11. *Feminist Media Studies*, *6*(3), pp.245-261.

worthy of further inquiry, for the purpose of this chapter, I'd suggest we need to look a little closer to home.

Given the high-profile nature of coverage regarding the case of Lynndie England, and the enduring interest in it, it would be reasonable to assume this case marked a watershed moment in knowledge construction relating to sexual violence, which leaves a lasting legacy in the academic discourse. It didn't, and it doesn't. This event did not disrupt orthodox discourse, it did not breach the gendered binary that casts men as offenders and women as victims. It does, therefore, illustrate the mechanisms underlying the move towards 'discursive equilibrium' in preservation of those gendered, normative, binaristic, subject positions, that serve to cast men outside of legitimate victimhood; particularly men assaulted by women.

In order to ascertain the impact of the case of Lynndie England on the academic community, I interrogated online repositories of academic publications, principally by conducting data mining in Google Scholar[113]. I undertook key word searches relating both to this specific case, and to broader categories of offending behaviour, which could then be compared with other variants, in order to identify trends in published research and thus ascertain priorities in scholarly activity, which could be tracked by year. When I initially approached this task, I had expected to find that male victims were quickly redacted. That much was readily satisfied. However, I had also expected to find, in line with feminist research on 'monstrous' women, and indeed the vast amount of research on female criminality and criminalization, that that the academic community would have formed a critical mass around the female

[113] 04/12/16

offending behaviour highlighted within this case. In this aspect, I was to be bitterly disappointed. Instead of the 'doubly deviant' principle[114], it seems that – for the academy – where both actors are on the dark side of the ideal victim taxonomy, doubly anomalised is to be doubly invisibilised.

Unsurprisingly, I found a steady rise in interest for "Lynndie England" in the year following the breaking of this case in the news media, but this interest was not sustained. The peak year for the academic community to reflect an interest in this, was 2010, with a total of 153 articles published. In order to maximise returns, and isolate the generalised impact of this case, I broadened my search criteria. The first alternate search comprised three separate inquiries for "female perpetrators" + "male victims" + rape, rape, and finally, "female sexual offenders". For "female perpetrators" + "male victims" + "rape", I found a substantially lower level of interest than in Lynndie herself. This was, most assuredly, not what I'd been expecting. The peak year for this broader search was 2014, with a total of 122 articles. Some of the lack of visibility here might be explained by the fact that legislative constructs for 'rape' have historically excluded males from being recognised as victims, and some jurisdictions still fail to recognise women as offenders[115] in regards to this crime. With that in mind, I broadened the search criteria, contrasting the previous search with the gender-

[114] Whereby monstrous women experience exaggerated and enhanced visibility in the media, see Anne Lloyd, A., 1995. *Doubly deviant, doubly damned: society's treatment of violent women*. Penguin Books and Heidensohn, F., 2000. 'Women and violence: myths and reality in the 21st century', *Criminal Justice Matters*, 42(1): 20-21.

[115] For example, the crime of rape on statute in England and Wales currently requires penile penetration to be committed by the offender, and as such is far from gender neutral. See Rumney (2007) 'In defence of gender neutrality within rape', Seattle Journal of Social Justice, 6: 481-526; Rumney and Morgan-Taylor (1997) 'Recognizing the Male Victim: gender neutrality and the law of rape part one', Anglo American Law Review, 26:198-234; and Rumney and Morgan-Taylor (1997) 'Recognizing the Male Victim: gender neutrality and the law of rape part two', Anglo American Law Review, 26: 330-336.

neutral category “rape”, and then with “female sexual offenders”. I found that interest in “rape”, across the full time period, was consistently strong, with a peak year in 2008, totalling 37,200 articles. This indicates that although seemingly gender-neutral, in actuality, ‘rape’ is gendered female. This reflects a discursive normalisation around the gendering – or rather, feminising - of ‘rape’ that persists despite the case of Lynndie England. For female sexual offenders, a category that easily accommodates Lynndie, and has none of the legislative limitations around female rapists, there was – inexplicably - a similar rate to that search, with a peak total of 146 articles published in 2014. At the very least, this is interesting. Even more so when one considers that this period encompasses several high profile cases where female sexual offenders hit the headlines, such as Rose West in 1995, and Vanessa George in 2009. Not only did Lynndie have a minimal impact in garnering and sustaining the attention of the academy, so did others.

Alternate search number two comprised three separate searches for: “female perpetrators” + “male victims” + military + rape; then military + rape; and finally, “male victims” + military + rape. This search deliberately shifted the focus of inquiry to the military as the context for knowledge production, in order to better reflect what was assumed to be the main field in which the impact of this case would be felt. The search category “female perpetrators” + “male victims” + military + rape gave a peak year of 2013, with a total of 49 published works. Given that in 1990, there were zero publications in this area, and indeed interest didn’t reach double-figures until 2002, at least it can be stated that interest grew during this period, and that there was a steady rise. The contrast with the search for military + rape however, is stark – those 49 articles pale into insignificance versus the 17,300 published in this area during 2014, and indeed there is a consistently high level of sustained interest in this, rising from 1,870 in 1990, to 6,770 in 2002. In order to ascertain if the supposedly gender neutral

search was actually gender neutral, I then searched for “male victims” + military + rape. I found a greater level of interest here than the first explicitly gendered criteria, but it still falls far short, at a peak year of just 333 in 2014. So, despite the military being the pertinent context for Lynndie England, there remains a stark neglect of the issues her case raises, the supposedly gender-neutral category of ‘rape’ is fundamentally gendered female, and even where female offenders are removed from the equation, interest in male victims remains low. Academia then is far more comfortable with male rape than with female perpetrators, but only by increments, and both are dwarfed by interest in rape proper (understood as normatively gendered - male offender, female victim).

Alternate search number three comprised the following four searches: “female perpetrators” + “male victims” + military + “sexual assault”; military + “sexual assault”; military + “female victims” + “sexual assault”; and finally, military + “male victims” + “sexual assault”. This search was intended to shift the focus to sexual assault, in hopes that it might prove more inclusive than the implicitly gendered category of rape, and could thus raise the hit rate. At this point, I conscientiously took steps to unearth any and all research inspired by this case and its variants. The first search “female perpetrators” + “male victims” + military + “sexual assault” produced as disappointing a set of results as the gendered search terms in alternate search number two - a peak of just 50 papers published in 2013. So, there are gross limitations in ‘seeing’ female sexual offenders, male victims of sexual violence, and indeed both. Military + “sexual assault” returned a peak of 4,740 articles published in 2014, so – once again – the seemingly gender neutral is the most popular orientation in the academy. The female-specific search military + “female victims” + “sexual assault”, returned a peak of just 444 articles published in 2015, but rather than indicating that females are likewise neglected, and the great mass of research is dedicated to male victims, or even that the

research genuinely gender neutral, this instead reveals that once again there is a gendered norm at work underlying the construct of sexual violence to feminise this – what this search reveals, is that gendering female where the term is already assumed to denote female, is a nonsense. The final search in this data set, military + "male victims" + "sexual assault", gives a peak year of 2015 at a rate of just 346 articles returned. This is on par with female-specified, and reveals this gendering of the search criteria as equally anomalous, but instead of interpreting this as revealing that sexual assault is gendered male, to my mind, this simply points to a lack of orientation to the male in current research.

Alternate search number four comprised the following three searches: "male on male rape" + military; military + rape; and, "male rape" + military. This search was intended to shift the focus to male victims of rape, male-on-male rape, and male rape, in order to bypass the linguistic and rhetorical limitations incurred by including female sexual offenders in the search. I had assumed that it might be the case that the academy is more comfortable with men as victims of other men, rather than men as victims of women – a prioritisation that could simply be said to reflect a lag in academic fashions and relevance. However, the results for this data set are startlingly low, given that this form of sexual violence against men, especially within institutional contexts, is the assumed normative variant insomuch as our legislative and historical constructs dictate – indeed, there has been a lengthy history of acknowledgement of this within the military[116]. However, in this instance a sum total of 36 returns were achieved in 2013. Compare this with the results for military + rape, at 17,300 in 2014. Interestingly, the terms "male rape" + military return slightly more, at 183 in 2015.

[116] And militarised contexts, war and conflict, such as the example given in the classic work by Scarce (1997, *Male on Male Rape: the hidden toll of stigma and shame*, Cambridge, MA: Perseus) of the North American Berdaches, a third gender status punitively ascribed through the rape of defeated warriors. For further examples, see chapter 2.3 'Forgotten History of the Male Rape Victim' in Cohen (2014).

There are more pieces oriented to male rape than male-on-male rape. Logically, it should be the former that is more popular, until one realises that the male offender indicated in the terms 'male-on male' is actually the assumed norm and thus does not necessitate denotation.

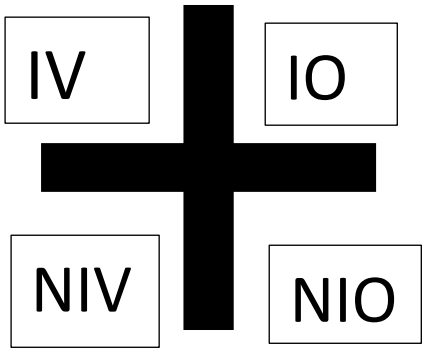
Alternate search number five comprised the following search terms: "male on male sexual assault" + military; "sexual assault" + military, and finally, "male on male sexual assault". This search was intended to focus on the 'lesser' and more inclusive category of sexual assault in hopes that more men might be included here. In essence, perhaps this is where all the academic attention in regards to this issue is hiding? No. Not at all. In fact, this is the most blatant illustration of gender normative values at work in the academy – the peak year for "male on male sexual assault" + military was 2013, at a measly 6 publications. This reveals a level of interest so slight that it is less than that for male victims of female perpetrators in the military – at least that made it into double-figures. This is not at all what I'd expected. Compare this to the supposedly gender-neutral/implicitly gendered "sexual assault" + military, at 4,740 in 2014, and the implications are galling. In the meantime, "male on male sexual assault" itself achieves only a high of 14 in 2013. This is bewildering, after all, the case of Lynndie England is most readily understood as one of sexual assault rather than rape, so that case should have had rather more impact within these categories, and this area.

What this data reveals is that, certainly, the minimising of sexual violence for men is profoundly apparent, as it is likewise for female sexual offenders. This is plausibly the product of two inter-related phenomena: a gendered hierarchy of harm in relation to sexual violence, and a gendered rape model that posits men as offenders and women as victims.

Each of which is underscored by the binaries within the ideal victim taxonomy. This pattern of neglect within academic knowledge production constitutes a redaction of cases such as Lynndie England from our disciplinary scapes, and reflects a redaction of such from our respective imaginaries. It is damning. At the very least it indicates alignment of research interests and funding along gender-normative lines, at worst, it indicates the academy as a site for the preservation and perpetuation of the ideal victim construct, and illustrates redaction in action. At which point, we'd best be mindful of Foucault's conceptualisation of discourse as 'a violence which we do to things' (Foucault, 1972: 67), I'd argue that this is especially the case in our silences, where subjugated knowledges bear the brunt of this epistemic violence.

Ideal Victim Binary/ies as a normative taxonomy

At this point, I turn my attention to the non-ideal victim. This is a neglected facet of the IV, and one I suspect is all the more powerful for it. I note that, as an operating schema, the IV construct is actually comprised of four subject positions: ideal victim, ideal offender, non-ideal victim, non-ideal offender; which operate, not as a single binary then, but as six superordinate co-constitutive binaries: ideal victim versus ideal offender, ideal victim versus non-ideal victim, ideal victim versus non-ideal offender, non-ideal victim versus ideal offender, non-ideal offender versus ideal offender, and non-ideal offender versus non-ideal victim. I propose that together, these gendered binaries within the ideal victim constitute a gender-normative taxonomy, thus:



The power-effects of this ideal victim taxonomy can be deduced by traces left in the social sphere – its influence can be seen in our criminal justice system, in the media, in our data, and in the academy. And it can certainly be noted in the case of Lynndie England. Because of this schema, certain subject positions are hyper-visible, and others are invisibilised. Those that languish on what might be regarded as the dark side of the binary, as non-ideal victims and/or non-ideal offenders - specifically female offenders and male victims – are subject to mechanisms of elision and processes of redaction, becoming – in Foucauldian terms – subjugated knowledges, in order to satisfy the imperative of, and to restore, what I term discursive equilibrium – an ineluctable reversion to the norm. Whilst a fulsome examination of this is beyond the scope of this present discussion, what has been presented here is a problematisation of knowledge production, through which its influence might be discerned. The ideal victim taxonomy, as a regime of truth, is epitomised in the case of Lynndie England and its impact on knowledge construction, or – rather – lack of it.

Having looked at a range of what might be termed 'official' knowledges in regards to male rape, and found them wanting, and in line with an approach to knowledge informed by Foucault and feminism – and indeed, in this instance, particularly the latter's use of Foucault

- I move at this juncture to focus on the role of mediated popular culture in the discursive framing of male rape/ the male rape victim.

Case Studies set 2: Knowledges in Mediated Popular Culture

What we 'know' about male rape and the male rape victim goes far beyond the domains of knowledge described in this thesis thus far. It wouldn't just be remiss of me to overlook popular cultural forms, it would be nonsensical.

Film and Television

Films deliberately sourced for my research exceeded 100. But, in total, this produced just 21[117] relevant examples. In respect of material that was broadcast, rather than sample a specific channel over a period of time or many channels at the same time, I opted to keep a viewing diary over a period in excess of one year, during which time I challenged myself to view a range of material from within the comedy and horror genres – this involved prime time and off peak, premieres and repeats, terrestrial and satellite channels. I deliberately attempted to challenge my own assumptions, and endeavoured to include material that I did not anticipate would be useful. Because of the quantity involved here, I only noted relevant examples. This resulted in just 16[118] relevant sources.

[117] *Liar, Liar* (1997); *Audition* (1999); *Deep in the Woods* (2000); *Ginger Snaps* (2000); *Me, Myself and Irene* (2000); *Road Trip* (2000); *Scary Movie* (2000); *Battle Royale* (2001); *Dummy Mommy Without A Baby* (2001); *Scary Movie 2* (2001); *The Hot Chick* (2002); *Bruce Almighty* (2003); *Euro Trip* (2004); *Without a Paddle* (2004); *The Spirit of Jeet Kune Do: Once Upon a Time in High School* (2004); *Scary Movie 4* (2006); *I Now Pronounce You Chuck and Larry* (2007); *Rush Hour 3* (2007); *Harold and Kumar Escape Guantanimo Bay* (2008); *Mum and Dad* (2008); *You Don't Mess with the Zohan* (2008).

[118] *Malcolm in the Middle* (2000); *The World Stands Up* (2004); *Never Mind the Buzzcocks* (2005); *Supernatural* (2005); *Two Pints of Lager and a Packet of Crisps* (2005); *Mock The Week* (2007); *My Name is Earl* (2007); *Supernatural* (2007a, 2007b); *Commercial Breakdown* with Jimmy Carr (2008); *My Name is Earl* (2008); *Dollhouse* (2009); *Jack Dee, Live at the Apollo* (2009); *Michael Macintyre's Comedy Road Show* (2009); *Mock the Week* (2009); *The Kevin Bishop Show* (2009).

What will be presented below are my findings in respect of the framing of male rape in the aforementioned sources. The examples presented are not intended to be representative of all depictions of male rape or sexualised violence, but rather are indicative. They are useful for highlighting themes and issues and speculating as to their interrelation with other forms of representation. Examples from horror and comedy will be discussed in detail.

Horror

In *Ginger Snaps*, we have Ginger's sexual assault of Jason; in *Battle Royale* we have Chigusa's vicious knifing of Niida; and in *Audition*, Asami's torture of Aoyama. The common element in each depiction – and each has a female protagonist – is the seemingly plausible rationale of vengeance/retaliation, or more accurately the rape-revenge trope.

Ginger Snaps is examined first. This film intertwines an adolescent girl's onset of puberty with her transformation into a werewolf – conflating the menstrual 'curse' with the curse of the werewolf. It is a horror with a darkly comic underbelly, a somewhat perverse 'coming of age' movie that explores themes of (amongst others) womanhood and sexuality. It has been widely received as a (pro-)feminist film and analysed as such (for example, Barker et al., 2006), but this is not a reading I support. It should be noted that the rape scene that I regard as so pivotal has thus far been neglected, referred to only somewhat obliquely and problematically as 'a violent erotic encounter' in Barker et al.'s, (2006, p. 4) paper that is dedicated to this film franchise. Regarding this scene as 'violent eroticism' is to either ignore the aggressive coercion and vocalised resistance that occurs and/or to simply draw from a most definitely non-feminist understanding of the conflation of rape/sex.

Ginger's first love and loss of virginity involves the aggressive rape of her boyfriend Jason in the backseat of his car – which is tagged rather tellingly as 'aggressive desire' in the DVD scene selection.[119] The way this scene starts clearly implies date rape. The scene opens with Ginger and her boyfriend in the back of the car; they are viewed from outside and are seen in a passionate clinch. This scene immediately sets up the vulnerability inherent in this situation – it's very dark and clearly isolated. The view quickly shifts to inside the car in a poorly lit and claustrophobic shot reminiscent of what Demirkan-Martin (2009) regards as a trope of conventional[120] male rape scenes. The audience is implicitly aware that rape is portended, but as yet is not aware as to who the aggressor is. Ginger removes her jacket, her stomach growls, she laughs – embarrassed. She smiles and tries to push Jason down onto his back. His response is probably not what the audience expects – he is reluctant to cooperate and, very quickly as this scene progresses, he communicates fear and clearly articulates non-consent. Given that other analyses have overlooked this, I feel it worth analysing in detail at this point. We should bear in mind that, were the genders reversed here, this would not so readily be dismissed as either 'erotic' or 'desire'.

On being pushed by Ginger, Jason responds 'hey, hey, take it easy' and pushes her upright, his hands, placed on her shoulders at the top of her arms, holding her off – the palms open and towards her – which reinforces his lack of consent; it is quite clearly 'blocking' body language. He regains composure to smile at Ginger, but is obviously uncomfortable and attempts to stall her: 'we've got all night'. Ginger responds, 'sorry. You just ... taste really good', and proceeds to push him down again whilst kissing him aggressively. Ginger is evidently ignoring his discomfort and his lack of approval. Jason pushes her off again and in

[119] Chapter 6 on the DVD root menu.
[120] He does not regard it as conventional, but I do – given that his examples all involve male-on-male rape as homosexualised and in orthodox and stereotypical settings, namely institutions, prison, children's homes, etc. His analysis does not involve male rape in the community, or in heterosexual or desexualised contexts.

an attempt to gain some control over the situation instructs her, in a faltering manner to 'just, j… just lie back and relax'. The next exchange is what many interpret as part of a pro-feminist narrative, as Ginger responds to this request with clear affront. She is obviously offended and sharply retorts 'you lie back and relax', to which Jason exclaims 'hey, who's the guy here?'

Other analyses have overlooked the sudden transformation at this point of Ginger as (supposedly) a potential victim into an aggressor. Her demeanour quickly becomes menacing and she pushes Jason over, onto his back, and can be clearly seen pinning him down. The camera moves back to view the car from the deserted street so that we are reminded of the isolation and vulnerability of this exchange. The car rocks in response to Ginger's very aggressive physicality. When returned to the interior view, the camera focuses on Jason, in a claustrophobic close-up of his shocked expression – he is clearly scared. Ginger shouts in his face 'who's the guy here? Huh? Who's the fucking guy here?' a line and a role reversal that other authors have lauded, but what follows is indefensible and certainly should not be valorised.

Ginger pins his arms, shakes and pushes him down into the car seat. Jason again tries to stall her by articulating concern about their lack of contraception in an effort to disengage. He is clearly fearful – audibly stuttering and visibly cowering as he speaks; his last words in this sentence trail off to become a moan of pain, which rapidly becomes a scream as Ginger fiercely pushes his face into the car seat, disfiguring it with visible pressure. His face becomes contorted, he continues screaming and pleads with her to 'stop it', after which he screams again, much louder this time, whilst Ginger rips his shirt open. The camera shifts to give a shot from above; Ginger is clearly writhing on him. Again, Jason begs for her to desist,

articulating ‘no’ and ‘wait’, his panicked breathing audible. Ginger looks impassive and mockingly dismisses his rejection: ‘You’re fucking hilarious.’ She lunges at him, aggressively kissing and biting his neck whilst he continues to cry out in pain. We see Ginger move to cover his mouth – her overpowering of him is complete. This scene ends with his cries merging over the next shot of Ginger’s sister asleep in bed.

This scene should arouse concern, and I am perplexed as to why it has not attracted opprobrium. Regarding the scene as pro-feminist is to wilfully ignore the deeper complex relating to sexual violence. This scene clearly inverts rape tropes about the vulnerability and innocence of women, but it does so by reinscribing these on to the male. At the same time, this scene draws from and legitimises old myths, not least of which is conflating rape/sex/desire, lending credence to the notion that arousal cannot be contained, that rapists cannot control themselves. This is indicated earlier by Ginger’s physical hunger and is reinforced in the next scene when Ginger, in explaining herself to her sister, cries mournfully that ‘I get this ache, and I thought it was for sex ...’; thus her ‘rape’ of the boyfriend is explained as uncontrollable desire/unbridled lust. This is reiterated later in the same scene, when Ginger explains her killing of the neighbour’s dog – an act already intertwined in the minds of the viewer with the ‘rape’ of Jason due to a previous misdirection to the audience[121] – by sobbing that ‘he, he, he barked, and he barked and he kept fucking barking and I, I, I just, I just, *I couldn’t stop myself*’ (italics added).

First rape and first kill – Ginger just couldn’t stop herself. Such rationalisations serve to responsibilise the victim, making it their fault for ‘triggering’ or ‘unleashing’ sexual desire.

[121] A scene where miscommunication between Ginger and her sister results in the sister assuming Ginger was raped, and leads the viewer to think Ginger has killed the boyfriend.

This supports the notion of the ideal victim by placing victim behaviour (demeanour, personality, etc.) at the heart of explanations for rape, implying that some rape victims are 'asking for it'. As if this isn't problematic enough, later in the film we see Jason join his friends to watch the girls play hockey. He is visibly beaten, bearing contusions and lesions to face and neck. When his peers remark on this, he happily relays his victimisation as conquest – 'Ginger Fitzgerald rocked my world' – a troubling reinterpretation of sexual violence as sexual congress.

Ginger Snaps draws on many previously discredited myths around the rape/sex conflation, such as rape is motivated by desire, and therefore the victim's behaviour can precipitate it; that it can become enjoyable for the victim, therefore no means yes; as well as serving to reinforce gender-specific male rape myths such as men always want sex/ it is not really possible to rape a man, and therefore successful coerced sexual congress of a male is by definition not rape. All of these myths serve to exculpate the offender and responsibilise the victim. Of particular concern is the notion of victim precipitation as this is a particularly pernicious barrier to justice for rape victims. I find it surprising that the reading of this film as subversive to patriarchal norms and therefore supposedly self-evidently pro-feminist persists.

The second film for consideration, *Battle Royale* (2001), is an apocalyptic vision of the future. The premise of this film is that Japanese teenagers have become dangerously disaffected, a conceit used as the core pretext in the film for the creation of legislation that empowers the state to randomly target secondary school cohorts via a nationwide lottery. These groups of teenage classmates are forcibly removed and dispatched to a remote island to compete in a televised survival game where there can be only one winner; hence the tag line

'could you kill your best friend?' The film is graphically violent, but as a whole has been interpreted as condemnatory of violence, given that the public who sanction the legislation are culpable for the children's suffering, and the 'viewers' in the film and the audience of the film are also adjudged complicit. It can also be said to be optimistic of the human condition as many of the characters work together and sacrifice themselves to help others survive (Antoniou, 2004). Nevertheless, to my mind, a particular scene of female-on-male sexualised violence steadfastly detracts from these redeeming features.

The scene in question is between a female character, Chigusa, and a male, Niida. In this scene the sexualised violence towards the male is again seemingly valorised in a pro-feminist context that in reality operates according to the derogatory principle. Simply reversing the roles of these two characters in the violent attack reveals the supposedly pre-emptive 'retaliation' to be aggression that would simply not be acceptable if this were the traditional binary of corporeal female victim and male aggressor.

It is worth looking at this scene in its entirety. Taking one's analysis from the point at which Niida makes a threat to Chigusa, or from where Chigusa is injured, would inevitably lead to a stunted reading. It is important to note the character development within this scene as a whole, particularly the setting up of Chigusa as clearly dominant and Niida as weak, as this provides a context that reveals Niida's 'threat' to be empty and Chigusa's 'self-defence' to be aggression. This scene can only be read as pro-feminist in as much as one subscribes to a notion of this male as dangerous and this female as threatened. It is only this that could lead one to regard Chigusa's violent attack to be justified as some type of pre-emptive reprisal. This is not a reading that the scene as whole supports.

The audience begins this scene well aware of the female character's isolation. This is communicated by a flashback: she is shown training in the woods with the boy she wished were her boyfriend (Hiroki), who states he'll always be there to protect her – whereupon the camera pulls back to illustrate that she is utterly alone. She is made bereft and communicates this in an anxious glance that is emphasised by foreboding music. When the male arrives we should be fearful for her and, certainly, taking the subsequent dialogue at face value – given that threats are made to the female – could evoke this, but the behaviour of these characters is in stark contrast.

The male is from the outset emotional, anxious and weak; the female is controlled, cool and hostile. The end result is to rapidly establish the male as vulnerable and the female as dangerous. The dramatic irony in this scene is that the audience is well aware of this long before he is and, most significantly, whilst the traditional rape trope still appears to be playing out.

When Niida arrives he is breathless, shaken, softly spoken and happy to see Chigusa. He is visibly armed, but his weapon (a crossbow) is held as a dead weight and is not aimed. Chigusa is nonplussed by his arrival, does not acknowledge him and immediately moves to leave. Niida continues to try to engage her attention, recalling that they were the topic of school gossip – presumably about a romantic relationship. This certainly attracts Chigusa's attention, but not in the way that Niida would like. She is cold, scornful and disdainful, dismissing that he was the source of the rumour. She turns away and stalks off.

Niida is shown plainly struggling to keep up, scurrying along clumsily and trying to catch her attention. He is wheedling: 'but you liked it. C'mon Chigusa, wait. Stay with me.' He

reaches for her and catches her shoulder. Chigusa transforms from merely hostile to openly aggressive. She utters the rhetorical trope of sexual violence: 'Don't touch me', but displays none of the fear normally associated with it. At this point she pushes Niida, who stumbles. She is assertive, fierce and in control. He is a pathetic figure. She does not even stop to see if he collects himself, she just continues on.

This wheedling from Niida and mocking rejection from Chigusa continues. Time and again we see Chigusa as the dominant character, and Niida as subordinate. When Niida tries to gain the upper hand by threatening her with his crossbow, Chigusa is not bothered at all by this seemingly open threat of violence. Niida then plaintively declares that he loves her. Once again he is rejected. Finally, Niida retaliates with a jibe about her virginity. This visibly enrages Chigusa who stops dead in her tracks and forcefully throws down her bags, her face contorted with rage. Niida propositions her, pleading 'we're gonna die anyway. Don't you wanna do it once, before you die?' She rejects and demeans him: 'Shouldn't you be worried about your life instead of that useless "pee pee" of yours.'

Now Niida is placed for the first time in the foreground of the shot, and revealed as clearly blocking her way whilst once more he threatens her with his crossbow – an act of superficial aggression that is belied by the fact that he is visibly shaking. At this point Chigusa, despite being unarmed, becomes the aggressor 'drop that right now and let me go, or I'll assume you're deadly and kick your ass'. The camera cuts to Niida in close up. He is obviously afraid. As Chigusa walks towards him, he backs away. Niida is red, gestures wildly and spits as he speaks. He is aggressive, and clearly out of control. He gestures the crossbow towards her, and is still shaking whilst he issues his threat to rape: 'I've already killed. I could force you to do it now!' The audience knows that he has indeed killed, but we also know that this

was only by accident and that this character is frightened and cowardly. His target of course is not privy to this, but his terrified body language in this shot plainly undermines the spoken threat. Indeed, Chigusa is not intimidated at all. She advances on him, is infuriated and defiant, retaliating – 'try it!'

As she moves into his space, challenging him with her squared body-language, Niida again goes to move away; unfortunately he stumbles and falls. Whereupon, he accidentally releases the trigger. At this point all posturing from Niida is over; he is immediately concerned for her welfare – but there is no corresponding change to Chigusa, instead her aggression is amplified. As the camera cuts to her, Chigusa looks up slowly through her trailing hair, a trademark Japanese horror motif that is used to communicate Chigusa as deadly.

To emphasise this, she is suddenly and vehemently angry. Her eyes are wild. As she slowly turns to face the camera, she is shown to have been grazed by the arrow and holds her fingertips to the cut. When she conveys her injury to Niida her voice by contrast is startlingly calm and devoid of emotion. Niida meanwhile is terrified and tries to make excuses – his manner is back to how we first saw him – wheedling, pleading, pitiful and desperate. He can barely hold the crossbow and makes no move to reload or aim it.

Chigusa calmly reaches into her bag and removes a flick knife. It is flicked open, skilfully, in close up, with her face in the background, her eyes focused on Niida. He gasps. He visibly begins to shift around, trying to flee. She makes an improbable challenge to the terrified boy: 'Come at me. Every inch of me will resist you!' He screams in terror and runs away; any threat he could possibly be construed as posing is now over.

The camera pulls back to show Chigusa in pursuit and gaining on him. The audience is again reminded of the isolation, but this time the vulnerability is plainly not Chigusa's. The music conveys panic and expectation. Chigusa wildly hacks at Niida's back and brings him down. She is determined to overpower him. There is a brief struggle on the floor and they roll – all the while the only sound is Niida screaming. There is seepage of blood shown against his white shirt. Only when he struggles free and tries to escape do we hear Chigusa, who screams what sounds like a battle cry. She overpowers him again, hacks at him in the back and throws him face down. He is prostrate, unarmed and wholly defeated. The viewer can be in no doubt as to his vulnerability.

Whilst Chigusa is screaming in anger, Niida is crying out in pain and fear. As he tries to escape, Chigusa can be seen in full frame trying to slit his throat. When he falls, onto his back with his legs splayed, she kneels over his prone body, faced towards his feet. He tries to push himself up onto his elbows and importantly, he does not reach out to touch her – he is concerned only to try to scramble away. She calmly raises the knife in both hands, over her head, and proceeds to hack at his groin, twice. At this point he instigates physical contact by trying to push her off, still struggling away from her and now clutching at his blood-stained crotch, all the while screaming in agony and fear, and still on his back. Chigusa calmly rights herself, turns and – kneeling beside him – stabs him in the heart. She finally stops her attack and flees herself only when interrupted by another female student who we also know to be deadly.

This scene clearly draws on established rape tropes to seek to establish a threat that can go some way to legitimising the lethal response. We are supposed to interpret Niida as an

ineffectual rapist, with this encounter an attempted rape. Chigusa can then be viewed as 'fighting back' to save herself, with her success in this regard celebrated. Certainly it is the case that in the film Chigusa remains a sympathetic character for the audience – hence we are later treated to her being reunited with her unrequited love, she is accorded closure and forgiveness before she dies, and her death is peaceful in contrast to other largely graphically sadistic demises. It is also the case that this character is a favourite of many authors who have analysed this film (for example, Harper, 2009); and she has a dedicated fan-following online, and certainly garnered new fans when I screened this to my own students – indeed this particular scene was one that elicited laughter from the largely female audience and was later remembered fondly for the enjoyment it elicited.

But this is problematic. Chigusa's violent, sexualised attack on Niida is not proportionate to the threat – if indeed there ever really was one. Seeking to celebrate this as role reversal and empowerment is to overlook that here the male is clearly enfeebled and made to bear markers of behaviour more consistent with female gender stereotyping. The sexualised assault therefore is on the weaker, more vulnerable party. Not only that, but as the assault is seemingly provoked by the victim, the attacker therefore is seen to be justified as engaging in retaliation of sorts. This is enormously problematic as it clearly draws on aspects of the ideal victim construct in making Niida responsible for his own fate and exonerating Chigusa. But we should remember in doing so that Niida has been made feminine whilst Chigusa has been stripped of her femininity – consequently this is not the role reversal it is commonly lauded to be, as we still have a feminised character bearing the sexualised assault and made culpable for it.

In the final horror film for analysis, *Audition* (1999), the audience is well aware that the female protagonist Asami is a sexually aggressive psychopath, so the victim precipitation facet of the ideal victim construct, or more specifically what I term 'redemption by provocation', that has been played out in respect of the female aggressors (in some form or another) in *Ginger Snaps* and *Battle Royale*, shouldn't be relevant here. Yet bizarrely, it is.

The plot centres around a widower, Aoyama, who decides he wants to get remarried after seven years alone raising his now teenaged son. He confides to a colleague and friend about his reservations and the difficulty he anticipates in trying to find a wife, at which point the friend – a film producer – suggests that he set up an audition that will have the purpose of finding both his film and Aoyama a 'leading lady'. Whilst the film funding never materialises, the auditions still go ahead. At one level this is intended to reveal the 'casting couch' at work in the service of immoral men, but in actuality, Aoyama never fully satisfies this conceit – though his friend most definitely does. Instead, Aoyama's intentions are honourable and not only does he treat Asami well, but he also falls in love with her. Asami meanwhile is revealed to be a sadistic psychopath who makes a sport of killing the men with whom she becomes either physically or emotionally intimate.

Various authors demonstrate a subscription to the victim precipitation model in their analyses of this film. How else can Asami be regarded as an 'avenging angel' (Balmain, 2008, p. 98), a 'female avenger' (McRoy, 2005, p. 58), meting out 'punishment' (Choi, 2008, p. 8). These authors predicate their analysis on an implicit acceptance of rape/revenge – for example, Balmain locates a discussion of Asami within a chapter entitled 'The Rape-Revenge Film: From Violation to Vengeance' – and frame their analysis as pro-feminist. However, to do so requires a very selective analysis. As Bowyer (2004) notes, the director Miike Takashi

plainly denies any feminist intention, and indeed one may argue that elements within the film concerning Asami's characterisation and behaviour should steadfastly detract from such a reading. What underlies such interpretations is a privileging of Asami's revealed childhood abuse that posits the violence against Aoyama as a substitute for, or extension of, retribution against these men. But to do this necessitates that the audience see one man as all men. This is not sustainable, not least because Takashi goes to some lengths to sympathetically depict Aoyama as romantic, sensitive and sentimental, with Aoyama's intentions towards Asami as noble. Consequently, I would argue that he cannot be construed as deserving his fate through this model, though it is certainly significant that this reading persists.

However, whilst the rape/revenge model does not bear here, victim precipitation of sorts can still be seen. Takashi depicts Aoyama in a positive fashion, to Western eyes, but to a Japanese audience many traits he displays are profoundly feminine and as a consequence whilst Western audiences might perceive him as a 'good' man, he is not a good 'man'. His masculinity is impinged upon and it is this that can be argued to conform to a notion of victim precipitation, as the viewer is led to understand Aoyama as weak and vulnerable. To my mind this element of victim precipitation is of far more significance than any notion of 'retribution'.

Aoyama is a widower and single parent who is still very much in mourning, despite seven years passing since the death of his wife. There are extended scenes that illustrate him as having primary responsibility for parental and domestic duties – such as counselling his son, helping with his homework, cooking and doing the washing up. Aoyama is clearly the carer. When he agrees to 'audition' in an effort to find a suitable candidate to be his wife, it is significant that Aoyama does not take the lead or the initiative. It must also be noted that this

search is for a wife and not a conquest, that the deceit involved in setting up the audition is at the behest of his friend and is mitigated by the reassurance that the TV project will go ahead, so it is not fake per se, but merely dishonest. The overall aim – for Aoyama to find a wife – is with the express encouragement of his son. Aoyama does not take the lead in any aspect, his primary motivation is simply to please others. His sense of conflict at betraying his dead wife results in palpable reluctance and guilt. Only when he sees Asami's picture on her CV does Aoyama fully commit to the process: for him, it is love at first sight.

The attack from Asami is very much a symbolic rape – not simple retribution. Her assault takes the form of sexualised sadomasochistic torture, and should the viewer be in any doubt – despite insertion of needles that presumably symbolise penetration, accompanied by Asami softly crooning 'deeper, deeper' – we can also note that during the removal of Aoyama's foot, the aggression is clearly and explicitly encoded as sexual, as we are provided with a cut scene showing one of Asami's childhood abusers masturbating whilst she is simultaneously shown to openly relish the pain of her victim's dismemberment.

Asami sees all men as one – 'You're all the same. Every single one of you' – but the audience should not. Aoyama is vulnerable precisely because he does not conform to the patriarchal ideal of hypermasculinity. It is his feminine traits that render him vulnerable to Asami, not any machismo. Thus we are presented with a male character who is introverted, nervous and reserved. As his feelings grow he becomes reckless – ignoring his friend's caution and the evidence he himself has amassed that indicates Asami is not to be trusted. He is ruled by his heart and not his head, or his libido. These feminine traits are reinforced in specific scenes: when he and Asami first sleep together it is she who takes the lead, undressing, lying down and instructing him to 'come here', whilst he clearly requires

persuasion; when Asami abandons him in the middle of the night, he is distraught and becomes increasingly emotional because of their separation; when confronted by his friend he is defensive and protective of his romantic notion of Asami. Indeed, even during the attack, Aoyama escapes in his unconscious mind to revisit romantic dreams and treasured memories of his brief time with this woman, seemingly turning her from assailant to partner. At the finale, when both lie incapacitated on the floor – Asami with her neck broken, Aoyama with his body paralysed and foot dismembered – he clearly sustains eye contact with her and 'hears' her previous dialogue from their dates. He is still wistfully reminiscing.

It is such feminised traits that render the assault on this male character possible and that invalidates the pro-feminist rationale. Aoyama is as vulnerable, naive and trusting, as presumably Asami was in the past. At the point at which he is attacked and tortured he is made feminine. An attack on Aoyama cannot represent an attack on predatory, sexist or immoral men and, consequently, when Asami attacks him ostensibly for the purpose of retribution, she transgresses the limits of the rape/vengeance scenario and instead becomes the 'rapist'.

Thus we have two myths of note here: the feminised Aoyama who does not abide by a precautionary principle and thus is seen to render himself vulnerable to attack, whilst Asami's motivation for rape seems to be explained through reference to her childhood trauma and is therefore psychopathological. Both are dangerous tropes to fall back on when explicating sexual violence. The first implies that 'weakness' invites rape and thus responsibilises the victim, whilst the latter posits that rapists are abnormal and different, not responsible for their actions. These directly undermine core contributions from feminist theory that compel us to regard rape as indiscriminate and normalised.

It is particularly important to note that Aoyama's friend, who conceived of and orchestrated the audition that discovered Asami, routinely abuses his position as a casting director to exploit women. He is depicted as clearly misogynistic, encouraging the women to talk about their sexual histories and to audition nude – yet no 'vengeance' is visited on him. Perhaps we are to understand that it is precisely his sexism and machismo that protects him? If so, this is a troubling message.

In contrast to many existing analyses, I argue that the examples discussed above do not challenge rape myths – they revalidate them. The notion that real men cannot be raped whilst feminised men can; that victim behaviour precipitates sexual aggression; that rape is sex; that rapists are compelled and not responsible for their actions – all of these myths are alive and kicking, revealing supposedly pro-feminist depictions as surprisingly orthodox at their core, and the superficially subversive as insidiously normative.

Comedy

I found many more examples of comedic depictions of male sexual victimisation than horror examples, which should be a concern in itself given the function of this genre.[122] Key examples to be discussed in depth here include episodes from the television series *Supernatural* (2007b) and *My Name Is Earl* (2007 and 2008), the films *Me, Myself and Irene* (2000), and *Bruce Almighty* (2003). First I will examine the episode 'Tall Tales' from *Supernatural*. It must be noted that this series is not usually comedic in the main, but this particular episode is a departure from the usual style of the series and is mostly concerned

[122] See the introduction to this chapter.

with comedy – particularly in its presentation of the material of interest to this thesis, hence its inclusion here.

Overall, this episode minimises the impact and significance of rape in that it renders it comic fodder. The narrative pivots on notions of rape as a deserved act of retribution. This draws on and reinforces notions of victim precipitation, 'asking for it', responsibilising the victim in this scenario. We should also note and be troubled by the comparison throughout, with tropes established regarding 'date rape' scenarios – blacking out, confusion, shame, etc. The most striking thing for me when analysing this film was how much of the comedy throughout the episode pivoted on this single incident. It was referenced numerous times despite being only one of three varied scenarios throughout the hour-long show. Also, most disturbing for me, was just how central the victim's very clear trauma was to the comedy. Watching this with the sound off, and then in freeze-frame, the trauma and anxiety of this character is clear.

The relevant segment begins with a very frightened young male being supposedly abducted by aliens; he is 'beamed up' in a manner reminiscent of science fiction shows such as the *X-Files*. The scene is shot to communicate isolation – it is dark and quiet, the campus is obviously deserted. The victim is heard screaming in terror. Later we see this young male, who is introduced as Curtis, in a bar, lining up a row of alcoholic drinks – shots, possibly whisky – and knocking them back in quick succession. The camera is tight on him, framing his upper torso with his shoulders clearly hunched over the bar; he is cradling a drink. He looks dishevelled and pensive. The entire scene, whenever the camera is on Curtis, is conducted with him in close-up, or with him clearly visible in the foreground. The viewer is left in no doubt that Curtis is traumatised. He is brooding, his body language is closed off

and protective and at first he is uncommunicative. Because *Supernatural* is usually a 'straight' series, the tone that is established is very serious.

Curtis is asked to relay what happened, to which he replies that nobody would believe him. He is persuaded to trust his questioners, Sam and Dean – the two lead characters in the show – and he haltingly begins to tell his story: 'I, uh. I blacked out. I lost time. And when I woke up, I didn't know where I was.' At this point the viewer is party to a flashback – presented with a close-up of Curtis, unnaturally close – deliberately invading any sense of personal space. This is a technique common in films about rape and sexual violence as it communicates violation. Curtis is shot as if he is on his back. When the camera pans slightly it is to show an 'alien' figure encroaching on the scene, leaning over and towards the prone figure of Curtis. His confusion, fear and vulnerability are clearly communicated. Sam asks him to elaborate. Curtis concedes, but he is visibly emotional, stumbling over words and speaking through clenched jaw to state: 'They did ... "tests" on me.' His voice audibly choked with emotion. At this point there is another flashback, re-emphasising the previous prone and powerless Curtis. The camera returns to Curtis in the present as he tries to continue: 'And, erm ...' He knocks back another shot of alcohol, looks very uneasy and is obviously reluctant to go on. His reply is painfully drawn out. He coughs, 'They, erm ... they "probed" me', at which point the camera turns to Sam for a reaction shot. So far the scene has been emotionally linked to Curtis, but at this point Sam sets the tone – in stark contrast to the emotion of Curtis, Sam is visibly trying not to laugh. This is the point at which the viewer is repositioned. The empathy that had arisen when tied to Curtis's painful and emotional story is now dissipated and replaced with a mocking tone.

Whilst this is significant in itself, given that it potentially condones rape-scepticism in general, as this scene progresses it becomes even more so – not least because the straight delivery by Curtis does not change. The configuring of the 'probing' as rape is completed when Dean asserts 'Some alien made you his bitch!' The audience is made complicit with finding Curtis's assault, and his evident pain, funny. At the risk of pointing out the obvious, this would not be appropriate had Curtis been cast as female – it is solely his status as a male victim that enables this. It is even more pertinent that the scene clearly draws on the 'confessional' scenes in rape films, with Curtis relaying his attack in a style reminiscent of the post-rape 'interview' or exposition in mainstream drama, complete with visible shame and barely contained emotion.

In this episode, not only is rape mocked and trivialised, but also the particularly pernicious rape myth of victim precipitation is given credence. Curtis's selection as a victim is explained in line with 'just world' theory – in essence, that he deserved it. The focus in explaining the rape is entirely on Curtis, who is solely responsibilised. This is explicitly articulated by Curtis's friend who states 'Whatever happened to Curtis, he had it coming', and by Dean who states that he knows the connection between the victims – that they are all 'dicks', with the implication therefore that they, including Curtis, were 'asking' for it. An authority figure in the show, a character called Bobby, explains that the modus operandi of the perpetrator in this case is to 'target the high and mighty. Knock 'em down a peg. Usually with a sense of humour.' For the purpose of this episode, the rape of a male is rationalised as clearly instigated, 'deserved', and trivialised as 'humorous'.

In the TV series *My Name Is Earl*, there are two episodes of note: 'Bad Earl' (2008) and 'Early Release' (2007). In the first, the episode revolves around Earl' trying to adjust to life

outside prison. He meets an escaped ex-con and friend, Ralph, who in flashback reveals how he managed to evade capture. Ralph is seen running down a largely empty highway in only his underwear, socks and shoes. He is then seen trying to hitch a lift and is eventually offered one from a male resident of the county, who the audience knows from previous episodes is a middle-aged gay man struggling with his homosexuality. This eventuality is accompanied by the narration from Earl that Ralph 'was so desperate to get away from that prison, he got in the first car that would pick up a man with no pants' – despite the intended humour, this is a line that simultaneously conveys Ralph as at risk and the driver as a risk

The sexual assault in this episode is not made explicit; it is only ever implied. The driver is shown to be clearly and inappropriately excited by Ralph's appearance. This man then offers to take off his shirt too and begins to unbutton it, at which point he quickly drives off. The next scene is Ralph demanding that the rapidly speeding and erratically driven car be brought to a stop. After he exits the vehicle, a visibly shaken Ralph proclaims, 'You're lucky I can't drive stick or I'd kick your ass and take your car, pervert.' As the car drives away, Ralph shouts after it, 'And if you ever tell anybody what we did I'll kill you.' He then walks towards the camera for a close-up framing of his now grief-stricken face. The viewer is invited to assume that a sexual act has occurred between the two men, whilst Ralph's emotional reaction leads us to assume this was without his consent. The comedic tone deliberately robs the victim of any audience sympathy, and instead invites ridicule for what the narrator has implied are the inevitable consequences of Ralph's reckless behaviour – a swift and succinct exercise in victim blaming.

This incident is revisited again later in that episode, and its nature is clarified somewhat. During an intervention to persuade Earl to reform his character, Ralph's assailant declares

that without Earl's assistance 'I never would have experienced the love of another man.' Ralph, in the background of this scene and clearly in shot, interrupts his assailant's speech by aggressively shouting 'next' whilst the man looks dismayed and hurt. This clarifies the incident as sexual in nature, but simultaneously seeks to negate Ralph's previous trauma. At this point the incident is seemingly reinterpreted as consensual and the assailant is depicted as akin to a jilted lover.

This episode conflates rape with sex and thus rationalises rape as driven by sexual desire and according with sexual orientation. We are also given to understand that Ralph invited this attention by being 'provocatively' dressed and that he therefore put himself 'at risk'. Moreover in the close of that last scene, the viewer is positioned to empathise with the assailant, because he is depicted as the more sympathetic and vulnerable character.

In the second relevant episode from *My Name Is Earl*, 'Early Release', Earl is trying, unsuccessfully, to escape from prison. There are several instances of sexual assault and violence towards men used as comedic devices in this episode. The implied off-screen anal gang rape of Earl's friend Frank is the first – this is implied to be a consequence of his attempt to escape from prison whilst disguised as an overly attractive female nurse. This character is shown sashaying down a corridor and attracting lecherous attention from other inmates who are fooled by his disguise. In defiance of the precautionary principle,[123] Frank is openly enjoying this. When Frank is attacked, there is no dialogue – but there again it simply is not necessary. The camera positioning accords with the rape trope by having a claustrophobic focus on the victim's face. Thus there is a close-up of Frank, his fear and pain

[123] I borrow this term from risk management. In its application to rape, it simply refers to those logics that dictate one should *take all precautions* to prevent sexual victimisation, including a variety of self-policing behaviours, in order to conserve risk. In other words, to undertake measures in order to be seen not to be 'asking for it'.

are clearly emoted, and he is heard crying out in anguish. Multiple men's hands then invade the foreground of the shot to pin him down, with a rhythmic movement thereafter to indicate penetrative sex. Frank is regarded as inviting this attention by being effeminate, attractive and provocative, and thus is responsibilised for his fate. The humour is derived from the fact that the audience sees this as an inevitability given his choice of disguise, whereas Frank is oblivious to the 'risk' he is taking.

The next film worthy of close examination is *Me, Myself and Irene* (2000). The basic plot of this film centres around Charlie who is presented as mild-mannered, kindly and meek, a low-ranking, largely ineffectual police officer, and a cuckolded single parent raising children who are not genetically his own. Charlie is well liked, but he is pitied – he has little respect from co-workers or neighbours and he is depicted as repeatedly being taken advantage of and demeaned.

The comedy stems from Charlie's mental health problem – he has a multiple personality disorder, wherein lies his polar-opposite personality, Hank. It is Charlie's struggle and failure to contain Hank that contrives the situations from which humour is derived. The audience is intended to see Hank as the 'repressed' elements of Charlie's personality, and it is certainly the case that Hank's exploits are largely 'wish-fulfilment' and retribution of which Charlie is not consciously capable.

When Charlie is given responsibility for escorting a female prisoner, Irene, back to New York, he quickly develops a romantic interest in her that he is not capable of pursuing. As with other 'problems' in his life, it is his alter ego Hank who emerges to resolve this. About two-thirds of the way through the film, Charlie confronts Irene about sleeping with Hank.

The joke here being that Hank successfully masqueraded as Charlie to achieve this conquest, something that Charlie who is genuinely in love with Irene would not be able to do. This scene has connotations of 'date rape' as Charlie has been overpowered by his alter ego and thus has been unwilling or unable to give consent to the various sexual acts that his body has received. Irene was able to consent, but is mislead into having sex with Hank, whom she despises, whilst she is actually in love with Charlie. The comedy however is focused not on the deception Irene has suffered, but on Charlie and the horror he experiences in having to face up to what happened to his body.

On discovering that Hank hijacked his body to seduce Irene, Charlie is clearly indignant and hurt. He sits down hard on the bed and visibly fidgets in discomfort, and in seeking the source of this he finds and removes a sex toy from under the blankets: a large comedy rubber dildo. He holds this in plain view and moves it around to mock Irene whilst stating: 'Well look who joined the party! [talking to the dildo in full frame] did you have fun? [Jiggling the toy, he replies in a mocking cartoon voice] Ooh, yes I did, yes I did. [Turns to Irene, dildo in foreground, larger than life.] So I guess old Hank-y-panky wasn't enough for you?' To which Irene states, reluctantly and clearly ashamed, 'it wasn't for me'.

Charlie is evidently repulsed by the implication and throws the offending object away, into the far corner of the room and off-camera. He physically crumples to sit with his head in his hands, shoulders visibly convulsing, audibly weeping and moaning in revulsion. In the next scene the date rape reference is made plain when Charlie is presented in a parody of the post-rape shower scene trope – he is sitting, trousers around his ankles, underwear visible, whilst balancing precariously on the sink, desperately trying to rinse his anus.

Later in the film, Charlie and Irene are discussing the incident. In case the viewer is in any doubt that it is Charlie who bore the sexual acts and who regards them as assault, he accosts Irene with a vehement: 'I turn my back for one minute and you stick it up my ass, literally', to which Irene shouts in response: 'You stuck it in your own ass!' This could be construed as ameliorating the assault by recasting it as self-harm, but it must be remembered that Charlie was not in control of his own body – this was an act performed on him, done to him against his wishes and without his consent. Unsurprisingly, his repugnance and trauma are not erased at this revelation. This segment resolves with a kissing scene between Charlie and Irene, during which he laughingly complains about his 'sore' rear. Consequently, the trajectory here appears to be a parody of the rape/rescue/romance trope.

Charlie can be said to bear markers of more feminine traits, whilst Hank is an archetypal macho chauvinist. Like the example from *Supernatural*, this film includes and mocks many orthodox rape tropes. Unlike *Supernatural*, but in accordance with the examples from the horror genre, this film also appears to be pro-hypermasculinity – it is significant that the sexualised aggression and degradation in general only happens to Charlie and not to his macho alter ego Hank. Other characters who experience sexual assault and degradation, in particular, are also presented as 'weak' in some way. This message is clarified in that redemption for Charlie is in embracing his more masculine traits and thus effectively subsuming Hank into a single personality. Masculinity therefore affords invulnerability. Where vulnerability is incurred it is because of failure to conform to masculine ideals – thus supporting the myth that real men cannot be raped, and that victim behaviour precipitates or at least facilitates assault.

In the film *Bruce Almighty* (2003) there is a clear example of supposed victim precipitation through the use and sanction of retributive 'rape'. The central character Bruce has been imbued with God-like powers and throughout the film uses these for wish-fulfilment, including supposedly just retribution. The key example I discuss is where Bruce as 'God' confronts a gang that had previously beaten him up. He sets about achieving vengeance, in this instance, through sexual assault and degradation of the lead gang member.

This scene begins with Bruce skipping past the entrance to an alley – he is deliriously happy and drunk with power. To emphasise this, the music in the background is an upbeat pop song by Snap entitled 'I've Got the Power'. Bruce stops skipping when he recognises the gang, he is obviously pleased to have spotted them and says his catchphrase to emphasise this. At which point he inflates his chest and adopts a macho stance, advancing brazenly towards the gang.

The gang members remember Bruce as the victim of their attack. They proceed to laugh uproariously at him and to openly mock him. Bruce in a roundabout fashion demands an apology from them – the audience knows this is unlikely, and because of Bruce's previous behaviour we anticipate a punitive consequence, though we do not know what. The lead gang member retorts with an unlikely scenario, stating that he'll apologise 'the day a monkey comes out of my butt'. This suffices as provocation, and Bruce gleefully informs him 'That's today.' The film then cuts to the gang leader in full frame and bearing a shocked expression. He looks visibly in pain, is shaking and sweating. He audibly moans. The sound effects at this point include gurgling and wet noises. There is a close-up of his rear – full screen. Something is seen to emerge (presumably from his anus), and it moves under his trousers. The camera returns to his face, to show he is still in shock and pain. The punch line is

delivered when we return to his rear to see a monkey jump free of his trousers. In case the audience is in any doubt as to what has just happened, another gang member queries, 'Did that monkey just come out of your crack man?' At which point the gang leader collapses and all the other gang members flee the scene.

In a clear inversion of Bruce's own vulnerability and physical assault earlier in the film, the gang leader is now alone in the alley with his assailant – prostrate and vulnerable – defeated. He is utterly vulnerable in comparison with the now all-powerful Bruce. As this man is seen slowly and carefully picking himself up off the ground, clutching at his rear and groaning, Bruce initiates another assault by addressing what he terms the 'anal dwelling' creature, to tell it that 'It's time to go home.' The monkey cries out and pelts towards the leader who runs screaming to the end of the alley, desperately trying to get away. He screams the rhetorical rape trope 'No, NO!' and is shown wildly trying to scale a wire fence in a desperate but utterly hopeless bid to escape. The monkey gains on him. The visual rape trope of a claustrophobic close-up of the leader's face is accompanied by an auditory 'pop'. He screams at first, then is very still and quiet, shown to be in shock, wide eyed and open mouthed. He collapses again, falling off the fence to lie still on the concrete ground. The assault is complete.

The comedy in this is supposed to derive from the inversion of the roles between the gang members who are made vulnerable whilst Bruce – who the audience identifies with as 'everyman' – is made omnipotent. The violence is intended to be seen as righteous and deserved – some type of 'divine' justice for the degradation Bruce felt in being beaten up by the gang members earlier in the film. This is Bruce taking his manhood back, and the audience should root for him. Unfortunately though, the victim precipitation element of the

ideal victim construct can be noted here in the form of provocation, albeit most certainly not sexual, as can the notion that rape is made possible by weakness, or at least by being weaker. Neither of these are cause for celebration.

Other examples from comedy I noted that use the same repertoire of myths in explicating male rape and sexual assault include those that draw on 'weakness' as the rationale – films such as the Chinese family comedy *Dummy Mommy Without a Baby* (2001), the Korean *The Spirit of Jeet Kune Do: Once Upon a Time in High School* (2004), and TV series such as *Supernatural* 'Folsom Prison Blues' (2007a), those that draw on notions of 'provocation', be it sexual or retributive include films such as the American family comedy *The Hot Chick* (2002), *Scary Movie 1* (2000), *Scary Movie 2* (2001), *Scary Movie 4* (2006) and prime-time TV series such as *The Kevin Bishop Show* (2009), *Two Pints of Lager and a Packet of Crisps* (2005), *Commercial Breakdown with Jimmy Carr* (2008), *Never Mind the Buzzcocks* (2005), *Mock the Week* (2007, 2009) and *Supernatural* 'Pilot' (2005). Certainly from my sample, these myths, or subscription to the same, appear pervasive.

The central myths that can be seen as operating in the above examples all draw from and reinforce notions of victim precipitation. Principally these can be distilled as: 'weakness' invites rape and rape is provoked (as either sexual desire or retribution). These myths are underscored by, and in themselves support, problematic conflations in our 'understanding' of sexual assault – namely the following conflations: rape/sex/sexuality that convey the implicit message that rape is in some way deserved and that 'real' men cannot be raped. We should also note that in rationalising the motivation of the rapist the enduring message is that they lack self-control – be this understood as regarding sexual desire, mental illness or violence. These tendencies necessarily implicate the victim as their behaviour is understood to in some

way ‘unleash’ the assault – thus drawing on the precautionary principle that operates in respect of female rape to render the victim culpable.

Conclusion

I found male rape and sexualised aggression towards males to appear in disparate genres, but drawing on the same tropes and narratives (be they supported or subverted), in this sense contributing to the overall discursive construct of the male rape victim. Once again, simple lack of representation does not seem to be the main issue here. A surprising aspect of the fictionalised examples, uncovered here, was the disturbing presence of the valorised female rapist, in particular, her presentation as supposedly pro-feminist. This aspect of the discursive construct of male rape is explicitly problematised in the subsequent case study.

‘Pro-Feminist’ Depictions of Female on Male Rape[124]

Dramatised depictions of male victims of female sexual assailants are now frequently on our screens, in mainstream television and cinema,[125] with examples roundly claimed and celebrated by populist feminism as ‘pro-woman commentary’[126] But contrary to this

[124] Discussion here is largely from Cohen (2019)

[125] Most commonly in comedy and horror genres, see Cohen, 2014. Beyond the many examples highlighted in that analysis, also resonant – and noteworthy due to their prime-time scheduling, mainstream distribution, and popularity in syndication and/or secondary media sales - are : TV F/M Dollhouse(2009-2010, multiple examples), True Blood (2011, female gang rape of Jason Stackhouse), Desperate Housewives (2009, rape of Orson by his ex-wife Alma), Buffy the Vampire Slayer (1999, rape of Xander by Faith; 2000, rape of Riley by Faith); Lost Girl (multiple examples), and F/M sexualised violence and murder in Scream Queens (2015-2016) and Ash versus the Evil Dead (2015-2018); as well as F/M rape and/or sexualised violence/murder in the back-catalogue of various popular music artists, such as music videos for No Doubt’s ‘It’s my Life’ (2003), Britney Spears’ Toxic (2003), Pink ‘Please Don’t Leave Me’ (2008), Lady Gaga ‘Paparazzi’ (2009), Lady Gaga and Beyonce’s ‘Telephone’ (2009), and Rhianna ‘Bitch Better Have My Money’ (2016). Interestingly, where F/M does occur in such forms, it tends to result in ‘repeat offending’ by artists and/or directors, pointing to popular reception of this theme and related tropes. A thematic trend of importance here is the convenient use of rape-revenge logics as providing the recurrent framing, for a discussion of the implications of this, see Cohen (2014).

[126] See analyses and discussion board responses to various iterations of female sexual violence against males in popular online feminist magazines such as: *Bitch*, *Feministing*, *Jezebel*, and the now archived *xoJane*.

interpretation, I assert that this trend should not be welcomed. Commonsense tells us that female on male rape inverts the conventional gendered rape binary, and thus 'turns the tables' (Gavey, 2005) to undermine and subvert patriarchy[127] and disrupt patriarchal rape culture[128] - such that this has become emblematic of, and indeed symbolic of, resistance; but one should question whether this is really the positive, pro-feminist intervention that it is commonly assumed to be. In the discussion that follows, a specific instance of supposed role-reversal will be interrogated: a single scenario from American Horror Story: Asylum (the rape of the Monsignor by Sister Mary Eunice, episode 10: 'The Name Game').

Mediated F/M Rape: the Trojan horse of corporeal role reversal

It is a truism in the analysis of mediated forms concerned with rape and sexualised violence, that corporeal role-reversal enables the 'uncanny'[129] - that it makes strange that which we take for granted, and thus disrupts established logics and acts therefore as intervention. But this is overly simplistic. Clover (1987), introducing her concept of the Final Girl, observed that behaviours which characters exhibit encode them as male/female, rather than their corporeal gender. For Clover (ibid, p218), 'the same body does for both and that body is female ... it is gendered feminine even when played by a male'. It is the behaviour that is important, not the body per se. In her original analysis, attending to the behavioural tendencies in a similar fashion to Butler's (1990) notion of performativity,[130] Clover (1987, p212) noted that 'angry displays of force ... belong to the male ... [whilst] crying, cowering, screaming, fainting, trembling, begging for mercy belong to the female. Abject terror is

[127] Understood in Foucauldian terms as a 'regime of truth' that produces an asymmetric power-effect tied to the existing apparatus of sexuality, and predicated on gender.
[128] Understood in Foucauldian terms as established knowledges (collective, taken for granted beliefs that are orthodox, commonsense, truisms) which result in normalization regarding the rape of women.
[129] Concept originally coined by Freud, now popularised in film analysis – particularly feminist approaches.
[130] Understood as behaviour genders the body, rather than vice versa.

gendered feminine.' Extending her line of reasoning, and that of Butler (ibid), we can have a 'masculinised' female aggressor and a 'feminised' male victim, because – for such theorists, behavioural gender signifiers are of far more importance than simple corporeal gender depictions.

Clover limited her concept and analysis to females encoded as males, but the observation is astute and it should stand for both. Just as Clover's (1987) 'Final Girl' is masculinised, it should be readily observed that the vulnerable male is feminised, becoming a female proxy, substitute, or surrogate. This same principle also holds for the female sexual assailant, who it can be noted is invariably maled. This principle, extended and clarified here in the form of 'gender connoted overwrites gender denoted', or simply 'overwriting gender', should therefore underpin analyses of filmic depictions of female on male sexual/ized violence, rather than the present focus on corporeal gender.

Gendered discourses do not just denote, they connote - they draw from one another and write back to each other to achieve mutual legitimacy. Whilst ostensibly constituting separate and distinct (gendered) repertoires, these forms actually constitute a single archive through which rape – its victims and its assailants - is 'known'. Audiences might be presented with female on male, but they 'receive' male on female. In examination of the violated male body, and the female sexual assailant, there is not just the literal depiction to examine, there are in actuality two layers that deserve attention: gendered corporeal form, and gendered behaviour. Thus there are two registers for meaning-making, with audiences moving between the two according to whichever does the most 'work' in terms of providing the most convenient

narrative, script or schema to facilitate understanding. The task of this methodological approach is to excavate the layers, to expose both registers to scrutiny.

The body, understood as a culturally mediated text, can be coded and decoded through gendered/gendering behaviours; it should be analysed likewise with sensitivity to signs and signifiers, not a blindness to them. What you see is what you get – but you 'see' far more than you think you do, and far more than literal, scenographic focuses on corporeal gender allow for. This will be discussed in more detail in the sections that follow, but for now, it must be asserted that ultimately there is no genuine inversion - casting 'women' as eternal victims, and outside of the role of assailant; and 'men' as eternal assailants, and outside of the role of victim, leaves the normative gender binary intact. Asymmetric patriarchal power-relations are preserved and perpetuated in the very moment they appear to be undone, and as such, these are far from pro-feminist in their effects. Corporeal gender in this instance isn't so much a distraction as it is a decoy – a Trojan horse. Beware of Greeks bearing gifts? No. Beware of film and television producers supposedly 'turning the tables'.

Analysing Mediated F/M Rape? Raid the lost arc

As previously discussed, there is a misperceived 'need' in popular consciousness to make the male – supposedly invulnerable to rape - understood and accepted as vulnerable: machinations to rationalise what I have come to refer to as the in/vulnerability paradox. This is frequently achieved by making his moral self culpable - rendering the male first and foremost as deserving of victimhood, and subsequently undeserving of victim status; whilst physically marking him as different to other men, most frequently through feminisation. In filmic depictions, it is important to note that this is serviced over the course of

characterisation in pre-rape, rape, and post-rape scenarios. Where one fails to read a scene in its full context, one might minimise or efface male sexual victimization altogether, and indeed, many have.[131] In analysing sexual raids against the male body, the arc is everything.

Excavating the layers, involves watching as a naive viewer, watching with the sound on, the sound off; listening with the picture on, the picture off; using freeze-frame, an attention to the actors, the script, the cinematography, editing decisions, lighting, diegetic sound, sound effects, music etc. It includes transcribing the scenes, including dialogue and action, and – of course – repeating this process whilst undertaking to consciously swap the gender of the characters. This is an invested task that entails a significant commitment of time. The aim is not just to expose meaning-making within the 'reel' world, but also to expose one's own framing at work and facilitate identification of where these have (unwarranted) gendered specificity.

Not only does this involve identifying relevant instances of rape and sexual/ised violence against the male, it also necessitates situating these in context in order to take into account character development and narrative arc. One must recognise that mise en scene (the techniques used in staging and use of visual elements such as colours, use of space, production design, cinematography and costume) is also an important contribution to the narrative, not least because these aspects draw on and/or subvert stereotypes, conventions and typifications - importing meaning for the viewer - and can be missed in a purely 'textual'

[131] For example, see Gavey's (2005) erasure of male sexual victimization in her analysis of 'White Palace'. For a detailed critique of this, see Cohen (2014)

analysis or in a 'literalised' one. Unfortunately these approaches dominate present criminological engagement.[132]

Overwriting the Corporeal and the Importance of the Arc: Sister Mary Eunice Rapes the Monsignor

Rather than 'Turning the tables' (Gavey, ibid) then, the superficial 'role-reversal' inherent in F/M, is in actuality a discursive Trojan horse, which pivots on overwriting gender by transcribing gendered cultural, characterological, and behavioural norms onto the body, in order to preserve patriarchal gender-norms and perpetuate rape myths – thus recuperating patriarchy. This mechanism and the vehicle by which it is both enacted and concealed, the arc, will be examined in relation to the popular US television series American Horror Story[133] (2011-present).

American Horror Story is an anthology horror series that has worldwide distribution across cable and terrestrial television channels. It is critically acclaimed, winning numerous prestigious industry and public awards – including accolades within the high profile Golden Globes and Emmys. It also comprises a proliferation of male sexual victimisation and female sexual assailants over the course of its run thus far. To date, I have examined over 40 hours of footage from this series, generating a wealth of relevant material in regards to instances of sexual victimization of the male, and their female sexual assailants. Not just isolated incidents, not just contained to a single episode, not even just restricted to a single season.

[132] Discussed below in the section entitled 'disciplinary scape'

[133] This series was selected because I was already aware of the motif of male rape within it, over the lengthy run of many successive seasons. This made it far more productive to engage with than a one-off, isolated event – which dominated my previous engagement. Discussed further below.

For this series, sexual violence entailing male victims and female assailants is commonplace enough to be regarded as a narrative motif, and whilst there is now a small but growing number of academics delving into this television series,[134] the academy thus far prefers to situate this show as decidedly transgressive - providing sympathetic analyses from stances such as queer theory, critical race theory and feminism - a notion this piece steadfastly rejects.

For the purpose of this discussion, findings relating to a single scenario (wherein Sister Mary Eunice rapes the Monsignor)[135] and its reception in the public realm will be discussed. CDA was used across the full season in question, in order to identify the framing at work in regards to instances of sexual victimization of a particular male (the priest, the Monsignor), and his sexual assailant (the young nun, Sister Mary Eunice). This entailed transcription and analysis of circa 10 hours of footage – an invested task that generated a wealth of relevant material.

The season in question is named for its primary setting: "Asylum", of which there are two meanings: psychiatric hospital & sanctuary. The latter is particularly significant in its omission - all core characters in this season are in this Catholic Church run mental institution, Briarcliffe, in search of forgiveness and absolution, but instead of an inviolable place of safety and refuge, they find persecution and exploitation. Enduring Briarcliff can be read as an act of contrition, or perhaps as a manifestation of purgatory, with death granting salvation. Both the inmates and staff are tormented - in all senses of that word.

[134] See King (2017); Sevenich (2015) Le Blanc (2016), and Janicker's (2017) edited collection, amongst others
[135] Season 2, episode 10: The Name Game

This setting provides a fulcrum for two popular horror genres and their related tropes and archetypes: the mad house and religious horror. In establishing these from the outset, the audience is primed to frame their understanding accordingly – and indeed, for the most part such expectations are satisfied, although not always in the way that might be predicted. This is a series whose hallmark is to simultaneously homage classic horror film tropes and to destabilise them, presenting a pop-culture bricolage replete with stereotypes, parody and pastiche - lovingly assembled, then frequently torn down. Complexity, irony and subversion are used to discomfort and distance the viewer, preventing them from easily drawing on narrative conventions and logics - heroes might turn out to be monsters and monsters might turn out to be heroes. This is a style that is self-aware and self-referential, it plays with tropes and with the audience. We should predict only the unpredictable. In style, form and content, this is a postmodern piece, and as such text and subtext, linguistic and non-linguistic communication, are all equally important.

The main storyline is set in 1964, with flashbacks to the 1930s and flash-forwards to 2012. For the viewer, the horror is both literal in terms of physical assaults against the person, but it is also figurative, in terms of what might be regarded as attacks on personhood - with various modalities of difference constituting threats to the status-quo, and particularly the dominance of the church, discriminatorily targeted for castigation and intervention, for example homosexuality, inter-racial marriage and female sexual autonomy. This season situates these challenges to the church's relevance into a storyline that at one and the same time legitimises religious dogma (such that the Devil possesses a key character to take centre-stage in various narratives) whilst delegitimizing the religious institution itself as petty, corrupt and self-serving, and challenging the notion of God full stop vis a vis conspicuous miracles wrought

from an intermittent extra terrestrial presence (an alien abduction storyline dismissively termed ‘little green men’ by one of the key characters).

This series is a jarring mix of horror, science fiction, history and social commentary, with a multitude of interweaving storylines and principle characters. The chaotic activity and frenetic pace make this a demanding piece to examine. But that really is the point. At its heart, this is a show that seeks both to challenge the viewer; and to wrong-foot the viewer. The rape is a scene that has attracted popular support online from a variety of sources, and as F/M, it has been widely articulated[136] as pro-feminist – an interpretation that stumbles under close examination. There is frequently significant dissonance between what the audience anticipates, versus what actually plays out on screen - yet the audience still utilises conventional tropes in order to make sense of the story, and of the violence.

Gendered Tropes and Gendered ‘Truths’

Whilst the rape itself involves only the Monsignor and Sister Mary Eunice, preceding this, there has been some time invested in setting up two separate but interlocking ‘love’ triangles and related storylines that intersect in this scene. The first is between these two characters and a third: Sister Jude; the second is between Sister Mary Eunice, the Monsignor and Dr Arden. The common axis is Sister Mary Eunice. It is her positioning in relation to other characters that represents several corresponding archetypes and narratives that are ultimately subverted.

[136] Examples are elaborated in the section that follows entitled ‘audience reception’.

Sister Mary Eunice[137] is a young woman who is explicitly encoded as innocent and childlike in her appearance, behaviour, and her relationships with senior figures. She is the epitome of femininity and vulnerability. In her initial presentation, she appears to be a daughter-figure for Sister Jude[138], the Monsignor[139] and even Dr Arden. She is subtly configured as the exploited child to Jude's wicked step-mother, the neglected child to Monsignor's absent father, and the attractive little girl to the Doctor's predatory step-father. Indeed, this last demarcation is emphasised when she is encoded as little red riding hood to Dr Arden's big bad wolf (skipping through the monster-infested woods, complete with cloak and wicker basket), then as Eve to Dr Arden as the Serpent (shyly accepting a bite of the proffered shiny red apple). The audience is primed to expect SME's victimization at the hands of three characters, an expectation that is never satisfied. When SME is possessed by the Devil, her role becomes perverted. In that dual capacity (possessed 'child'), she can be read as encapsulating the trope of the Enfant Terrible – the one trope that is otherwise conspicuous by its absence.

At the point of the rape, both the audience and the priest know that SME is the devil incarnate, and have witnessed her relish of sadism and her capacity for cruelty. This includes, but is not limited to: facilitating assault, wrongful imprisonment and torture; aiding abduction and rape; and committing murder in order to frame a competitor. She allies herself with Nazis, rapists and murderers, and is made grotesque when even they are repulsed by echoes of Nazi death camps in her use of personal effects from the patients to decorate the Christmas tree. The audience knows her to be callous and dangerous. By the

[137] Hereafter, SME
[138] Hereafter, Jude
[139] Hereafter, Monsignor

commencement of the rape scene, the kindness and compassion she performs cannot be regarded as authentic. It may be consistent with her superficial depiction as a nun, but it is just as much a costume as the nun's habit she sports, and is equally disposable.

Portending the rape, SME has already been overtly masculinised in behavioural and rhetorical tropes - she has engaged in overtly sexualised behaviour and sexualised aggression, including dancing provocatively in a red negligee stolen from Sister Jude, singing the lyrics from the song 'you don't own me' to her wall-mounted crucifix - taunting the impotence of God in His house - a scene that serves to move the narrative forwards and is regarded as exemplifying this character's pro-feminist agency. But SME's sexuality is decidedly sexual violence, and as such, it marks her as dangerous, not commendable. Successive scenes show her take pleasure in death and destruction – such as delighting in Dr Arden executing his experiments/patients. Indeed, the scene that leads into the rape is one of profound arousal for SME as it not only involves the infliction of pain and degradation, but it is targeted on Jude, the matriarchal figure regarded as competition in SME's 'Oedipal' quest for Monsignor. A quest that is satisfied in the sexual conquest of the 'mother' figure (Monsignor) and physical defeat of the father figure (Jude). Whilst Jude screams and writhes in agony, SME is clearly titillated. This female character's clearly drawn capacity for sadism and its fetishisation, functions not just as a terrible foreboding for the audience, it *should* function to frame their understanding.

Gendered Rape Myths

In the analysis of F/M rape, one must attend to how the victim is constructed as vulnerable and violable. This is achieved on the one hand by feminising the character in a variety of

ways, but it is also done by tapping into various rape myths (both male-specific and female-specific) that designate him as deserving of rape and undeserving of victim status. Determinedly cast outside of the ideal victim construct, there is no sympathy for the male rape victim. Thus, for Monsignor, the story arc as a whole exemplifies endorsement of victim precipitation and the just world fallacy. The intricacies of the troubling 'asking for it' rationale for the feminised Monsignor must be carefully unpicked.

Monsignor, as head of the diocese, is Jude's boss and her spiritual leader. He aims to become New York's Archbishop, and ultimately, Pope. In order to do those things he needs to raise the profile of Briarcliffe. This scheme pivots on allowing Dr Arden (the resident 'mad scientist' and former Nazi) free reign, and involves him covering up various atrocities, including murdering a vulnerable woman, in order to facilitate 'progress'. His unbridled ambition, his master sin, portends his downfall. In his rapid fall from grace, his final descent is to become the target of 'Odeipal' desire, with the rape casting him as a fallen 'woman'; in his solution to his predicament, there is the rape of Lucrece. It can be no accident that Monsignor is first characterised by demonstrating the cardinal sin of greed and pride. His eternal soul is already assailed, the rape merely mirrors this in assailing his mortal form.

As sex without consent, there can be no doubt that what Monsignor experienced was rape. An examination of this narrative arc in full, drawing out pre-rape and post-rape scenes, as well as that concerning the rape itself, one notes what otherwise would be missed: that pre-rape scenes establish his physical and moral weakness, and prior victimization, whilst in post-rape, various tropes are used to emphasise and clarify the rape, including visible displays of trauma, a confessional scene, another encounter with his attacker during which he displays

absolute fear, his articulation of the rhetorical rape trope 'don't touch me', and ultimately the satisfaction of a rape-revenge arc in his killing of SME. In the scene itself, aside from his recurrent articulation of non-consent, his physical incapacitation is also referenced by the character and emphasised by full camera framing. Visual tropes signifying rape are used, such as claustrophobic extreme close-ups that invade personal space to an uncomfortable degree, in order to emphasise violation. The male is also explicitly feminised in a multiplicity of ways in order to configure him as violable, and, using Clover's (1987) core precepts in regards to this corporeal male, it can also be argued that he is overwritten as 'female' by displaying abject terror throughout, and ultimately by necessitating rescue by a (hegemonic) male, Dr Arden. In addition, various rape myths are referenced in order to clarify the acts as rape whilst at the same time diminishing it in seriousness by rendering the victim culpable. This includes problematic facets such as physical weakness or innate vulnerability being a necessary precondition for rape, that victims can precipitate rape and thus be negligent, that physical arousal can negate articulated non-consent etc. Myths and logics that – without fail - conspire to responsibilise the victim. In this sense, the rape of Monsignor is assuredly revalidating non-feminist knowledges around rape – problematic in itself, but especially when tethered to a feminised victim.

Close reading: Excavating Inversion as Reversion

The rape scene itself opens on what appears to be a disarmingly tender and intimate moment between the Sister and the Priest, both in full religious garb. She is gently changing his bandages, and exclaims when she thinks she may have hurt him. She is kneeling at his feet. Although just a few seconds of footage, this short piece draws on the tropes of Mother Theresa and Florence Nightingale, and in so doing, furnishes audience understanding and expectation in regards to establishing the female as a holy woman of virtue (which at one and

the same time is regarded as inviolate but violable), whilst signalling a story arc in regards to romance ensuing subsequent to the injured male being nursed back to health (the emasculated male remasculinised, claims his prize). Analyses that begin from this point might be misled. This scene is a deliberate and jarring break from the established arc within the series relating to these two characters, and needs to be read as such.

When SME touches Monsignor - albeit ever so gently, almost reverentially - the priest visibly displays discomfort and fear. He knows what she is, and we know that he knows. The intimacy from SME is decidedly unwelcome, and must be understood instead as invasive, proprietorial behaviour. Rather than signalling a romance arc then, this should be interpreted as portending sexual violence. Knowing her target's weakness, SME appeals to the priest's vanity by suggesting he will be canonized. When he moves to place his rosary on her forehead in an attempt to cast the devil out, it makes no impact. The camera dwells on her nonplussed response. In this ineffectual display of intent, he is impotent and exposed. His vulnerability is clear.

The only consequence is for SME to drop her pretence - becoming overtly masculinised in her behaviour: she becomes brash and cocky; her speech suddenly colloquial, irreverent, and scornful; and her voice, much deeper and hoarser. Her power over him is demonstrated in a single gesture which propels him with force on to his bed, prostrate, underwear exposed - defeated and humiliated, his positioning echoing SME's conquest of Sister Jude in the previous scene. He is terrified. She swaggers around to the foot of the bed and mocks him by reciting a dirty limerick, the coarse language clarifying for the priest and the audience that this is the Devil; the explicit sexualisation signifies hyper-masculinity and further humiliates and degrades the priest. It is also portentous.

Her subjugation of Monsignor is complete when, having tried to get up to challenge her, she escalates the violence against him. He is thrown once more, with significantly more force, and this time she also incapacitates him – his arms outstretched. This parodies Christ on the cross and recalls earlier victimization experienced by the priest, clarifying her role in it. Crucifixion imagery is revisited once more, at her death, the culmination of the subsequent rape-revenge arc.

Monsignor is pinned. His powerlessness and terror writ large, as he impotently struggles at the restraint, fearfully glancing at each wrist in turn. His terror communicated in wide eyes, strained expression, and visible tremor. Her expression is imperious. She mounts the bed, immodestly raising her nun's habit to reveal her legs, complete with stockings and garter, an image draws on the popular trope: fetishization of the Sexy Nun - signalling the corruption of innocence. But in this instance, it is not her innocence that is at risk.

Reiterating the limerick, she raises Monsignor's robe to look at his groin, then begins groping him with aggression and malice. He is horrified. He redoubles his effort to struggle against her restraint. The audience can now be in no doubt as to what is intended, nor who has control. The priest explicitly articulates non-consent "stop it, please", turning his head away in shame. She continues to grope and, implying that the priest has become physically aroused, replies "No. Your body disagrees with you". She rationalises her behaviour for the audience by drawing on the general myths of veracity in physicality (that a body can betray desire) and of the insightful rapist (who knows your will better than you do); and the specific male rape myth of erection as consent. She begins to undress. His lack of consent is irrelevant for her.

Monsignor goes on to emphasise non-consent repeatedly and in various ways. He reminds her of his vow, but she dismisses this rationale for cessation by drawing on another rape myth (no means yes) "you don't say that with much conviction". He pleads with her "please. Please don't do this to me", and is enfeebled: plaintive, meek and weak. She places his hand on her breast; he fights this and she has to use force so that it trembles as he struggles. There is no agency for this male – this is something done to him.

It's revealed he's a virgin. He implores her again, again she dismisses this. His hands are pinned once more, and she appears to give him respite from her advance - caressing his face. He lies flat, panting, exhausted. It appears that the threat is over. She, gently, soothingly, using a much higher vocal register to implore "oh come on father", and goes on to ask "don't you want to feel what it's like?" dropping her tone dramatically to become much lower, harsh and rasping "at least once, before you die"; and along with the implied threat of harm, there's a renewed conviction in the timbre of her voice which emphasises the power differential here. This is coercion.

In penetration of SME, Monsignor has no control. She reaches down, out of the view of the camera - her movements and his horrified reaction suggest penetration is achieved. The assault is confirmed by his sudden gasp, eyes wide with fear and shock. She delivers her final taunt in a mocking line that has been much lauded in popular reception: "Does it feel like a warm, wet hug?" He turns his head away from her and the camera, indicating his shame and defeat, whilst she moves with more aggression.

What happens next has been regarded by commentators as pointing to a transformation of the priest from supposedly tenuous victim to willing participant, an interpretation that only holds in as much as one can draw on and legitimise the rape myth that 'no can become yes'. Monsignor closes his eyes and exclaims "God, no. You have...to... stop!" with his last word becoming a moan. She responds "Are you sure?" When she does stop, he exclaims "No!" But this shouldn't be regarded as late consent, besides the problems inherent in legitimising that rationale, as context clarifies, the 'no' refers to the priest's anticipation of imminent ejaculation - which he does not wish to do, because this would be regarded as full consummation, and would thus irrevocably defile him. This is confirmed when she states "no, no…don't do it yet". This scene ends through interruption by Dr Arden who 'rescues' Monsignor by his very presence, and in doing so, emphasises the victim's feminisation.[140]

Up to this point, the music has been fraught and tense, suspenseful and melodramatic, conveying horror. It stops suddenly and is replaced momentarily with silence, whilst Monsignor covers his face in mortification. When it recommences, it is to an incongruous, light, playful and comedic tune, underscoring the ridiculousness of the guileful SME's mask of childhood purity being reinvoked for the sake of Dr Arden. A façade she attempts to 'sell' – all wide-eyed innocence - whilst still mounting her victim. This tune carries over into the next scene, a discordant interlude that contains the infamous namesake of this episode, the musical number: 'the name game' – a hallucination of another key character that serves both to underscore and dissipate the tension in the rape scene and reiterate for the audience that the Devil is cruelly creative in her tailored design of hell on earth for all her victims.

[140] Per Clover (1987), only 'males' rescue themselves. This small detail then is pivotal in encoding gender for the Monsignor, as to rescue is to masculinise; to be rescued is to feminise.

Audience Reception: Corporeal decoys, deflection and distraction

As raised in previous discussion, audiences are a vital component in analysis, because they are both the site and vehicle for discourse, and are the focus of both feminist and Foucauldian notions of Power, in the construction of the subject. Contemporary research in media studies expresses and complexifies this as 'convergence culture' (Jenkins, 2014). In this vein, I engaged with a variety of audience texts,[141] including blogs and discussion boards, in order to ascertain reception of this material. Television should not be studied in isolation, the intertextual nexus implicates viewers both as consumers & producers of their own texts (Boyle, 2005: 192). This aspect is important because it enables one to identify audience framing and meaning-making that can be understood, in a Foucauldian sense, as indicative of individuation; which, through the mechanism of the action of the 'self-on the-self', is intimately related to reification and governmentality.

Audience reception of the rape scene by feminist commentators is predominantly positive, but this is a misread, as, in keeping with the tone and genre of the show, the scene *should* be regarded as subversive – not just superficially, in regards to its inversion of the traditional rape model, but fundamentally in terms of audience master constructs. So, by the climax of the rape scene, the two intersecting 'love' triangles have been duly destroyed and the predicted arcs have been derailed. Whilst feminist audiences might regard the literal subjugation of the male as indicative of female empowerment, marking this as a transgressive text, fans of the show and indeed of the genre should be well aware that this is far too simplistic. At the very least, the use of rape as a plot point, the demonization of the female

[141] 'Audience' here is used to mean precisely that. My concern is to ascertain populist reception, not that of the 'experts'. As such, this constituent part does not broaden its concern to the academy.

lead, the use of various rape myths as explanatory and narrative devices, should give one pause. But does it?

Not at all. Instead, what can readily be found is that the female audience in particular seem to appreciate, genuinely enjoy and derive pleasure from these scenes – this has troubling resonance to previous findings relating to a predominantly male audience's reception of classic M/F rapes (see Ebert, 1981). Indeed, amongst this audience, female on male rape is loudly celebrated, and proclaimed as pro-woman, pro-feminism, thus, in an online article that specifically espouses and advocates a feminist ethic to the series, Lepekas (2014) enthuses that 'the show also...introduces the rare female on male rape scene. *A game-changer for sure*' (italics added).

Explanations by online commentators posited to justify positive interpretations of these scenes are fascinating. Lapekas (2014) asserts that this series is a feminist work, simply because 'the rapists we meet on American Horror Story inevitably pay for what they've done' (Lapekas, 2014); Nair (2014) stresses that AHS has 'a pro-woman intention...[which] both supports and subverts misogyny and is...empowering'; whilst Herman (2013) regards it as nothing less than 'a takedown of the patriarchal male', and goes on to celebrate it as having 'girl-power' (ibid). Peterson (2013) is rather more circumspect, but still commends it for 'tread[ing] the knife-edge between feminism and misogyny'. The (populist) feminist response can be said to be wholly positive in appreciating this work as pro-feminist (see Davis, 2013; Emmanuelle, 2013).

Where the audience is split, is between recognising rape of the male versus denying 'rape' of the male – a distinction that is less frequently articulated in reference to legislation, and rather

more in subscription to various rape myths, rationales that are given credence only because they are tethered in this instance to a corporeal male victim. A surprising number of analyses also rest their feminist interpretation almost solely on the Bechdel Test -[142] so, because AHS has numerous female characters, because they talk to one another, and they talk about subjects other than men, for these reasons, this work is feminist? That really is a minimum standard. Worryingly, the very fact that female on male rape is depicted, is commonly regarded as de-facto feminist[143].

But such depictions are not about equality, they're not even about equivalency, they are most definitely not about resistance; and they are most assuredly not what they seem to be. Such analyses invariably orient their gaze to corporeal gender only. They overlook the fact that this has invariably been overwritten by behavioural, characterological and rhetorical cues that signify gender. At one and the same time presenting a feminised male victim, a masculinised female assailant, and a narrative that legitimises rape myths. I argue that orthodox rape myths are preserved and perpetuated *because* of the superficial inversion of the usual gendered binary; that the supposed corporeal transference is a misdirection, a falsehood, which the gender-signifiers betray.

Analyses sensitised to gender as connoted and signified cannot support the notion that these depictions are disruptive. Indeed, quite the opposite. Unfortunately, the pro-feminist interpretation is a leveller – across a variety of modalities that I examined, and discuss in the sections that follow, from the throwaway comments on twitter, to the fan-forums, the blogger

[142] A threshold test in feminist media analysis, named after its author Alison Bechdel (see Davis, Dickinson, Patti and Villarejo, 2015)
[143] See examples in section entitled 'audience reception'

sphere, news outlets and associated academic publications - the consensus was distracted by corporeal gender.

Interestingly, and of relevance here, the victim's point of view is used only twice, each before the rape: in the opening of the scene - when the nun tends his wound, and after he is first thrown; the rapist's point of view is used only once, also pre-rape, when the priest is first incapacitated. During the assault, the viewer is left as voyeur – this is a significant breach of film etiquette for rape scenes, and is likely linked to positive reception. It raises significant questions as to how the viewer is positioned. Instead of arousing empathy, this technique puts the viewer in a morally culpable position in emphasising their gaze. If the film makers have 'failed' to frame the scene as rape, the audience is left only to draw on their own prejudices and conventions. Given the wider Criminal Justice context, in which male victims of rape and female sexual offenders are marginalised and demoted in seriousness and priority,[144] perhaps it's not surprising that this scene is configured as positive in popular imagination. Not surprising, but all too damning.

Addressing the issue of whether F/M *can* or *should* be interpreted as 'resistance' is beyond the scope of this present discussion, instead, attention will now turn to the relevant discursive context. In the following section, an exploration is undertaken regarding how neglect of the male has arisen, and how the allied vortex of governmentalised recursion has gone unnoticed. The general terrain of the disciplinary scape, its territories and boundaries, will be scored; and critique of the methodological conditions that produce neglect of the male and blindness to recursion will be outlined.

[144] See Fischer and Pina's (2013) literature review in this area; note also Weare (2017)

Disciplinary Scape: cultural turn meets corporeal turn

In line with a 'history of the present' is a necessity to raise the question - so this is where we are, but how did we get here? One could at this point draw on a range of institutional knowledges and practices, including legal constructs, the criminal justice system, and the third sector, amongst others – as I did in the first set of case studies within this thesis; but my concern now is not to revisit such aspects, it is instead to shift the focus sharply on to the two traditions that should be concerned with this problematic: Cultural Criminology and Feminist Criminology. In so doing, it reveals that the tools we use, ostensibly to address this issue, are actually entangled in it. Not so much 'fighting back', not even fighting blind, this is not fighting at all.

An examination of our institutional frameworks and practices reveals several significant and productive 'constraints'[145] in this regard. Presently, cultural criminologists prefer scenographic analysis, necessitating that only the specific relevant scene is analysed (epitomised in Young, 2010). But this is woefully inadequate in regards to on-screen sexual violence targeting the male - because it isolates instances of rape and other aggressions, and succeeds in artificially dislocating them. As illustrated in the preceding example, for F/M, scenographic analysis is simplistic & blinkered - the arc is everything. Unfortunately, feminist criminological analyses do not presently redress this limitation, indeed, they compound it by focusing solely on 'the body', and regarding this as innately gendered. For both, their analyses are oriented to and circumscribed by a focus on violence as literalised.

[145] A'la Foucault (1980)

When I first sought to understand this set of circumstances, namely why media depictions of male rape by female assailants are commonly celebrated in popular culture and neglected in academia, I found the question especially perplexing considering that the context for this blind-spot involves those who champion the significance of mediated forms and complexity (cultural criminologists) and those who champion rape victims and gender-inclusive justice (feminist criminologists). This is where one could simply point ones' finger and rail against the injustice, but I do not believe this to be a worthwhile agenda – not least because it would grossly misrepresent the priorities, prescriptions and proscriptions within the respective intellectual disciplines, and risk presenting the confluence of circumstance as intent, or worse, as conspiracy. It's neither that simple, nor that convenient. A cursory genealogy, in regards to media analyses at the interface of cultural criminology and feminist criminology, enables one to attribute the neglect of F/M on screen to a clash of two prevailing orthodoxies within the respective intellectual traditions: the cultural turn & the corporeal turn.

The 'cultural turn' in criminology (Carrabine, 2009: 486) pivots on complexity – not least in the recognition of an array of mediated forms, functions, effects and methodologies. What was once limited solely to news media (Jewkes, 2004), has now been broadened to embrace all 'visual art' (Carrabine, 2009), with film and television an important focus in the relatively new fields of cultural, popular and visual criminology (Hayward and Presdee 2010; Rafter and Brown 2011). Such depictions are recognised as important sites for cultural production (Ferrell, Hayward and Young, 2008) and for reproduction, within a crime/media/culture nexus (Ferrell, Greer, Jewkes, 2005). These representations are understood to affect the audience as spectator (Brown, 2009), constructing 'templates of victim, offender and circumstances' (Linnemann, 2015: 530), as well as 'constitution of victim, offender and

other' (Linnemann, Hanson and Williams, 2013: 605) which 'haunt the social imaginary' (Fiddler 2013).

This no longer reflects a preoccupation with the discredited 'hypodermic' model of cultural transmission (Jewekes, 2004), instead there is now an appreciation of complexity in social constructions and the co-constitution of reality, best summed up in Ferrell's (1999: 397) description of 'a walk down an infinite hall of mirrors'. A complexity that can be seen to be reflected in recent moves away from distinctions between old media forms and the so-called 'new' media, as well as works which appreciate the audience as both consumer and producer of mediated texts (Jenkins, 2014). As a whole this pivots on an understanding of the media as contributing to what Ferrell, Hayward & Young (2008) termed 'cultural normalization', which underlies the importance of the media within criminology (Hayward & Presdee, 2010), and underscores the significance of the media for Foucauldian analysis.

This cultural turn in criminology has been influential and fruitful, however, its reach has not extended to analyses of mediated depictions of rape and sexual(ised) violence, where criminological analyses can instead be noted to prefer what Witz (2006) termed the 'corporeal turn' in feminist theory. Whilst it can be said that the (cultural) criminological gaze has diffracted in recognition of complexity; in stark contrast, the area of on-screen rape witnesses a laser-like focus on the body. For researchers engaging with this issue, the screening of the corporeal form is approached through a feminist understanding of 'the body as a site of cultural representation and social power' (Joy and Venkatesh, 1994), or rather, the innately gendered body as perpetuating patriarchal norms and values. For researchers engaging via this conceptual frame of reference, mediated texts demand attention for how they depict and reinforce normative gender roles (Evans, 2012), with an acceptance that these

‘taken-for-granted understandings of reality reinforce patriarchy’ (Hardin & Whiteside, 2010: 322).

Indeed, for feminist researchers, media texts have value in just one of two ways, as demarcated by Sellnow (2010: 98), either the examples might be of interest to feminism because they can be regarded as assuredly pro-feminist, being interpreted as ‘a site of struggle by challenging the dominant ideology about taken for granted beliefs or behaviours for men and women in society’, or they might be of interest to feminism because, in contrast, they are obviously anti-feminist and thus ‘reinforce taken for granted beliefs and behaviours’ (ibid). Thus, whilst our epistemological approaches in the analysis of the media in the respective disciplines entail an appreciation of normalisation and complexification, in cultural criminology this finds expression in rape analysis as literalism & simplicity. Cultural criminology appears to have forgotten lessons from its cousins in media studies & literary analysis, and has cast aside lessons from Clover (1987). Besides auditory, visual and linguistic modalities, much is also conveyed through techniques of suggestion such as visual metaphor, auditory cues, juxtaposition and subtext – with so much quite literally unsaid, all may not be as it seems. Media depictions should not be taken at face value, as much that is communicated is not literal. Unfortunately, this is compounded by feminist media analyses within criminology that finds its expression bereft of Butler’s (1990) performativity, instead producing a simplistic pre-occupation with visual representations of ‘the body’, misunderstood as the innately gendered corporeal form. Intersectional feminist analysis has reinforced this focus on the literal corporeal form, but broadened the body as more than gender - be it also marked, for example, by race and sexuality.

These are the origins of our present myopia, but it doesn't have to be this way. The corporeal turn can and should heed the cultural one, becoming reconciled in the criminological analyses of on-screen rape and sexual violence through the prism of gender-signified and connoted. Likewise, in this way, male sexual victimization and female sexual aggression can be held as of importance to feminism, and indeed must be – if one's goal is to prevent recuperation of patriarchy.

Conclusion

This analysis was progressed through three interwoven elements, with a rebuttal of the popular assumption that 'inversion = resistance' forming the core. Instead, 'inversion = reversion' was demonstrated. Contiguous to this central concern, a twofold misunderstanding that limits academic interlocutors in this area was identified and challenged: firstly, the privileging of 'the body' as the focus of analyses, with, secondly, the associated assumption that on-screen sexual violence is 'literalised' (Boyle, 2005: 138) and can therefore be adequately excavated through application of 'scenographic' analysis. In so doing, this piece acts as a contribution to feminist theory and to cultural criminology by extending and complexifying existing concepts and methodology. It also adds to the literature[146] at the cultural criminology/feminist/Foucault intersection, and contributes an original analysis of an example of a neglected phenomenon in criminology and related fields - on-screen female sexual offending against male victims.

[146] In cultural criminology, the role of the media in normalisation is widely accepted. This renders media depictions of interest from a Foucauldian perspective, but there is surprisingly little published in this vein in Criminology - Mathiesen (1997), Gehrke (2001), Mcmullan and Mcclung (2006), and Carney (2015) being notable exceptions.

At present, media depictions of male rape, particularly where the assailant is female, are neglected by the academy. One must wonder to what extent this omission is predicated on the one hand by a preference for scenographic analysis within criminology, which neglects the male's stealthy feminisation through the means of the arc; and on the other, the persistent literalisation of 'the body' which enables the populist feminist misinterpretation that depictions of male sexual victimisation, especially where at the hands of a female, constitute 'resistance' to patriarchal oppression and 'fingers up' to rape culture. Either way, this case study has illustrated that there are serious limitations in engagement with screened sexual violence, where subjectivities fall outside of the orthodox gendered rape binary of male offender/female victim, and has presented a way to compel taking these seriously.

Understanding and analysing filmic depictions in this way enables one to reconcile male sexual victimity to a feminist framing, and recognise governmentalised recursion at work in the recuperation of patriarchy through supposed pro-feminist intent. Rather than being critical of feminism then, this indicates a critical role *for* feminism – after all, this conceptualisation does not scapegoat feminism, but speaks to the importance of feminist interventions in disrupting present circulations of power. The sections that close this thesis build on such observations, and seek to articulate the core problematic as one which feminism is best placed to solve. It does so by problematising a key linguistic form in this area, calling into play feminist sociolinguistics, and thereafter by problematising shifts and rifts in feminist thought, calling on works oriented to postfeminism.

PART THREE

CONCLUDING DISCUSSION

Feminism & the 'Male' Rape Victim: Complexity, Contention & Consequences

Over the course of this thesis, through my analysis of the discursive construction of 'male rape', I endeavoured to contribute to the feminist project and to open a space for the male victim of rape to be included within it. I have sought to achieve this through the problematisation of several assumptions – including, but not limited to:

The male rape victim is statistically insignificant (not important)

The male rape victim cannot be included within feminist research (not relevant)

The male rape victim is a distraction from the feminist mission and feminist project (anti-feminist)

The male rape victim challenges existing gender norms and can be construed as radical (is pro-feminist)

In so doing, in various ways, I have asked why we 'male' this crime, and how such 'maling' presents, and operates vis a vis the normative 'female', and the feminised rape construct. Yet there is something I have not done. Despite its flagrant, enduring and unremitting presence. In order to understand the significance of male rape to feminism, I need to orient my gaze to a knowledge that is itself so commonsense, obvious, and taken for granted as to have become

truly invisible to critical enquiry, whilst itself becoming central to engagement in this area, and indeed to the feminist project.

In the chapter that follows, as a precursor to, and component of, my concluding discussion, I engage directly with the construct of 'victim' - not just to critique its composition, as that has most assuredly been done before (Walklate 2014; Crittenden, Gateley, Policastro, and McGuffee, 2022.), but to problematise a construct at the heart of feminism and rape. Rather than discussion here moving from asking what happens when we 'male' the rape victim, to what happens when we do not, I am asking what happens when we cease to 'victim' full stop.

Male/Rape/Victim?

Gender neutrality has drawn attention in this area, albeit limited to the need for gender-neutral law in relation to the sexual assault and rape of men (Rumney, 2008; McDonald, 2019), and the need for gender-neutral theory (Turchick, Hebenstreit, Judson, 2015; McKeever, 2019); but the need for gender-neutral terminology has thus far escaped attention.

Specifically, I note that the feminised connotations of the term 'victim' has been recognised by researchers in this field, the gendered construct of 'rape' has been critiqued, and the inter-related perceptions of 'emasculation' and 'effeminisation' have been considered - along with the impact of those in regards to inhibition of male rape reporting - but what has not yet been specifically addressed for male rape is the inter-relationship of the feminised constructs of 'victim' and 'rape' to such perceptions, and to help-seeking behaviours. The relationship of these terms to 'emasculation', and thus to low reporting behaviours - or rather, that one may

regard ‘rape victim’ as an emasculating identity that operates contra to male reporting of this crime - has thus far been overlooked, but holds considerable explanatory power.

I draw on and extend insights from Foucauldian thought and feminist linguistic theory, to argue that the feminised terminology that pervades this field succeeds in operating as an effective barrier to justice for males - principally because the designation ‘male rape victim’ is an inherently traumatising, delegitimizing and self-nullifying identity. In elucidating this, I include original primary data that demonstrates that exclusionary linguistic practices have become the norm in the field of sexual violence. I present data in regards to the conceptualisation of ‘rape’ and compare that with ‘bullying’ in order to demonstrate that the use of exclusionary terminology is neither inevitable nor unavoidable, and indeed that the field of sexual violence is out of step with progressive change in inclusive linguistic practices in a comparable field.

As has been demonstrated earlier in this thesis, including ‘male rape’ in legal forms did not in itself achieve access to justice, and strategies that might be assumed to remedy this, premised on raising awareness and/or visibility are misguided and counter-productive. Attempts to explain this which fall back on the conceptual barrier of hegemonic masculinity will be critiqued as responsibilising men. Instead, at this point, I undertake a critique of existing linguistic forms as inevitably excluding men, with simple linguistic changes proposed to overcome this. Fundamentally, this section argues that the barrier to justice for male victims of rape is not challenged by existing practices so much as it is bolstered.

Formal Justice = Access to Justice?

Access to formal justice has not in itself enabled access to justice. Male victims of rape have a low level of reporting to the police (Hodge and Cantor, 1998; Walker et al, 2005), and likewise a low-level of help-seeking behaviours vis a vis support services (Davies, 2002), – an important precursor to formal reporting. Consequently, following legislative change in various countries, successive initiatives inevitably follow that are expressly intended to improve reporting behaviours. In line with long-standing recommendations from researchers in this area (McMullen, 1990; Scarce, 1997; Abdullah-Khan, 2008), these include campaigns implemented to raise awareness, to promote understanding, and to enable access to services.

Strategies for intervention in the UK have been two-pronged: firstly a focus on raising awareness – this is underpinned by research that indicates that male rape as a crime is still widely unrecognised amongst the general public and the professions in comparison to female rape (Donnelly and Kenyon, 1996; Javaid, 2014; Reed, Pamlanye & Truex, 2020); and secondly a focus on facilitating access to support services – this is in response to research which demonstrates that provision for males is impoverished in comparison to that for females (Javaid, 2016; Rundell, 2023). Practical measures undertaken have included a Twitter campaign and increased funding earmarked for widening provision to male rape victims. Yet recorded incidents of male rape continue to remain stubbornly low. Such initiatives have been repeated in other criminal justice contexts, but with the same outcome. These initiatives are informed, evidence-led, and well-meaning moves in the right direction, as regards attempting to redress gender disparity for rape, but nonetheless they remain largely ineffective. Efforts to support men in emerging from the dark figure for rape appear to have failed. Instead of advocating for a redoubling of efforts - for more of the same - one must

stop and question the rationale. In the next section, drawing on existing research, the issue of rape as an inherently gendered – and indeed feminised - construct (one that necessarily excludes the male), will be outlined.

'Real' Rape, 'Real' Victims: 'Real' Men?

The importance of a priori notions of 'real rape' and 'real victim', in regards to reporting behaviours for women is widely accepted (Du Mont, Miller, and Myhr, 2003; Weiss, 2011). The notion of 'real rape' (Estrich, 1987) is a powerful construct that has been investigated in regards to women, where it is noted to delineate rapes into 'real' versus 'not real' (and thus reinforce suspicion around women's false reporting or 'crying' rape); it also serves to set up gradations and hierarchies in seriousness between 'real rape', 'unintended rape' and 'justifiable rape'[147]. For women, 'real' rape is understood as involving a stranger and the unequivocal use of force. This construct is tied to the construct of the ideal victim[148], who should be innocent, virtuous and blameless – the archetypal 'good woman'. Together, these inter-related constructs dictate who can be regarded as a credible victim and accorded the mantle of legitimate victimhood, versus those to whom that recognition is denied.

For females experiencing rape, 'real' is a value judgement that corresponds to gendered rape myths, and to stereotypes around stranger-rape and levels of violence (Pino and Meier, 1999); for men, and indeed, for wider society, 'real rape' is commonly misperceived as something that happens only to women - due in no small part to the populist understanding of the feminist rape model that posits women as victims and men as assailants, such that

[147] See Postmus (2012) for a discussion of these terms
[148] Coined by Nils Christie (1986)

unfortunately, the ‘real rape victim’ is commonly assumed to be female (Hayes, 2024; Wilmott & Widanaralalage, 2024).

Indeed, researchers have noted that for men, neither ‘rape’ nor ‘victim’ status is readily recognised as ‘real’ full stop. Men may in fact struggle to accept that their rape happened at all (Garnets, Herek, and Levy, 1990). Indeed, men’s assigned role within the archetypal, gendered rape binary is commonly understood to be assailant (actual or in potentia), as opposed to victim. Consequently self-awareness, let alone reporting, is a struggle for understanding fraught with compromise to the male’s core identity, social norms and ascribed social roles. After all, one of the most stubborn myths[149] in this area is that “real” men can’t be raped (Davies, 2002), therefore ‘real rape’ can’t happen to ‘real men’ – this is a misperception that has a powerful inhibitory impact in regards to the victim, and to gate-keepers in the Criminal Justice System and Third Sector (Donnelly, 1996; Abdullah-Khan, 2008; and Young, 2017).

Attempting positive intervention using existing terminology is problematic, because such terms are in themselves are loaded against and denigrating for the male - such that the identifier may be resisted; and/or they draw on and reinforce constructs that serve to exclude men from recognition as ‘real rape victims’ - such that the identifier may be rejected. In the next section, building on insights from feminist linguistic theory, the importance of gender neutral language in this area will be discussed, and proposals for change will be advanced.

[149] But of course, this is far from the only myth. For a comprehensive overview of male rape myths, see Turchick and Edwards (2011)

Male/Rape/Victim: constructs, binaries, conflations, modifiers and qualifiers.

The first hurdle to overcome in terms of improving reporting rates of rape for men then is to challenge misconceptions of the rape victim as female. But this is precisely where present initiatives fall down. Whilst it is logical to assume that inclusion can be achieved by attempting to raise awareness that 'men can be victims of rape too', what such strategies seemingly fail to recognise is the danger inherent in clumsy rhetorical adaptations that consist of modifiers and qualifiers – 'male rape victim' being a case in point - as these unwittingly reinforce an understanding of female-as-norm, and as such are inevitably exclusionary rather than inclusive.

It is also tremendously misguided to recognise the constructs of 'rape' and 'victim' as inherently feminised, and yet attempt to include the male within them. In seeking to include the male within the existing feminised constructs, effeminised qualities are transcribed onto male victims of rape – as such, not only do they fail to achieve inclusion, but they also function to stigmatise, other and responsibilise the men caught in their supposedly benevolent gaze. If one is to take equity seriously in the area of sex crimes, rather than attempting to 'fit' men into existing constructs, constructs need to be utilised that fit men.

One does not need to subscribe to a notion of linguistic determinism to appreciate the significance of language. Language is important[150]. Language is central to perspectives that engage with knowledge construction and its impact, be that at the level of the individual, such as social constructivism and social constructionism; and wider society, be that in the form of discourse, political economy or governmentality. The language of 'crime' is particularly

[150] Whilst disagreeing as to why, how and to what end, there is consensus that linguistic forms impact understanding - examples can be noted within continental philosophy and critical theory, including post-modernists such as Derrida and Foucault, and Feminists such as Kristeva and Barthes

important. The words we use to represent problems in the social world do not just reflect, they shape, obfuscate and redact.

This is not a new issue - gender bias in language has long been recognised as facilitating gendered disparity and discrimination. Feminist linguistic theory highlights the significance of terminology imbued with, and working to sustain, androcentrism and normative maleness (Baron, 1986; Butler, 1990; Cameron, 1985; Spender, 1985). Feminist theory has also been pivotal in excavating issues around masculinities and crime[151]. Victimology, indebted in no small part to feminist victimologists, has long recognised the importance of language in regards to crime, and indeed crimes of sexual violence in general and rape in particular. But what has thus far been neglected is what could plausibly be regarded as the sum total of these insights, reoriented from the usual gendered binary of female victimization and male offending, and instead applied specifically to male victims of sexual violence. It is the male that has thus far escaped any meaningful attempt at inclusion, with research in this area a rarity (Papakyrinkopoulos, 2021; Kiratanakoson, 2023)

An abundance of activity has occurred in regards to male rape myths (for example, Donnelly and Kenyon, 1996), but whilst myths rightly attract critical attention, success in combating the influence of these is stymied by the resilience of the master constructs in this area that underlie them, the most significant of which is gender. Gender has rightly attracted critical attention in this area before, but not in relation to language. Instead, 'gender' as it is presently constructed as an issue in this area, tends to segue into a discussion of masculinities - hegemonic masculinities, hypermasculinity, and the corollaries of heteronormativity and homophobia. These are significant in terms of male rape myths, and are recognised as

[151] See Messerschmidt (1993)

impacting at the level of the individual and their understanding, providing an explanation for reluctance to report or to seek help (Wilmott and Widanaralalage, 2024; Carlisle and Schmitz, 2023).

But framing the problem in this way means we contrive a satisfactory answer to the problem 'why don't men report this crime'. Which, whilst seemingly reasonable, is in actuality utterly pernicious – framing the problem in this way actually functions as a form of victim blaming – it means that we stop asking 'what can we do as a society to help male victims', which I would argue is the right question, and instead, we move to ask 'what can men do to help themselves', a question that is patently wrong because it devolves responsibility and serves to responsibilise the victim. This way of articulating the problem leaves us wilfully blind to the complexity that underwrites this phenomenon, our understanding of it, and potential solutions to it.

In the area of sexual violence, despite risk being gender-neutral, and our legal constructs having determined gender-neutrality in victimity, the terms we use in this area nevertheless remain intractably gendered and serve to resolutely gender our (mis)understanding, and thus preclude men's access to justice. In the next two sections, this will be illustrated in regards to two core constructs: the construct of 'victim' and that of 'rape'. That these concepts necessarily exclude men has been implicitly recognised, and informs present efforts to adapt and modify usage to better include men. Unfortunately, such measures do not disrupt the gendered nature of these terms so much as they reinforce it – emphasising a feminised subject and a feminised experience - this phenomenon will provide the focus of the final section.

Feminising victims - vulnerabilising men.

The construct of femininity is defined by markers of vulnerability - passivity, weakness, subordination, etc; the construct of masculinity, by power – agency, strength, dominance. These constructs are binaries that reinforce the notion of innate difference on the basis of sex, and as such they dictate normative gendered behaviours and expectations. The problem with 'victim' is that it's popularly understood to be vulnerable, and thus feminine, especially in comparison with 'assailant', which we regard as powerful, and thus masculine. Indeed, despite emerging critique (Cunniff and Gilson, 2016; Anderson & Edgan, 2018) the notion of vulnerability as explicative in regards to victimhood has been explicitly advocated (Sparks, 1982; Stanko, 1985) and underlies key theoretical models in this area[152]. As such, the construct 'victim' itself is feminised (Weiss, 2010a) - as Walklate (2007) noted, this is clarified in the French term 'la victime' which is explicitly denoted as female. In English usage, the term is seemingly gender-neutral but in actuality it carries feminine connotations that do not sit easily with the construct of masculinity - such as helplessness, weakness, passivity, powerlessness and innate vulnerability.

It can be readily recognised that the gendered construct of 'female/feminine' entails qualities that make it easy to see women as victims, whilst 'male/masculine' does not (Kimmel 1996), as Hollander (2001, p84) observes, 'vulnerability to violence is a core component of femininity, but not masculinity'. Indeed, Hollander (2001) noted that femininity is understood as vulnerability whilst masculinity is understood as dangerousness. A female victim conforms to established behavioural and characterological norms, a male victim breaches them. Unsurprising then that the designation of victim for men entails application of a degree of social censure that is not applied to women. Most significantly, one may note

[152] For example, the feminist rape model

that the feminised term ‘victim’ in popular culture sits as a counterpoint to the traditional male role of ‘hero’ and ‘rescuer’ - roles which are the preserve of the hegemonic male (Clover, 1987). Thus males experiencing sexual violence suffer a greater attribution of victim blaming (Anderson, 1999; Davies and Rogers, 2006) especially where implied, assumed or observable traits were counter to the masculine ideal (Davies, Pollard and Archer, 2001).

In order to include men as victims of rape and sexual violence, emphasis has been made as to the need to recognise male vulnerability. In early research and initiatives in this area, this was achieved by emphasising context and situational factors. Thus the great bulk of research into male rape to date has been situated in single sex institutional contexts (such as prisons), or in mixed gender, hierarchical institutions (such as the military). Instead of pursuing that line of inquiry, the rationale should be questioned. It’s a concern that researchers seem far more comfortable with such contexts for male sexual victimisation, as opposed to community contexts. Do such closed institutions, with their explicit power-differentials, and frequent single-sex composition, somehow over-write gender, or rather, gendered-expectations? In these contexts, does male rape become easier to accept because of the clarity in roles regarding those ascribed the position of powerful versus powerless? If so, the preference for researching male victims of rape in such contexts surely reflects the continued influence of rape myths, scripts and schemas within the academy, it does not challenge them.

Such inquiry can be critiqued as simplistically falling back on the assumption that the rape binary is male-on-female, such that in single-sex institutions, male-on male becomes seemingly more logical because of the absence of women; or that, where a woman in a position of authority has sexually assaulted a male, it becomes understandable as achievable

because of the authority inherent in that hierarchy. This draws on horribly warped notions of male victims as female proxies, and female assailants as male proxies. The notion that men are the usual or 'normal' perpetrators and that women are the usual or 'normal' victims must be rejected full stop.

Aside from situational and contextual factors being regarded as holding criminogenic specificity for male victims, efforts to overcome the difficulty of including men has also seen emphasis made in regards to vulnerability vis a vis minority status. Thus in early research and initiatives in this area, there was a focus on gay men in order to foreground what was purported to be innate vulnerability based on that minority identity (as seen in Stanko, 1990; Coxell and King, 2002). Later research, recognising this as reinforcing negative stereotypes, and excluding heterosexual males experiences of sexual assault, has mostly moved away[153] from this and seeks instead to emphasise vulnerability as part of masculinity itself (Hensley, Koscheski, and Tewksbury, 2005).

However this present strategy, whilst well-meaning, fails to recognise that ascribing vulnerability is in itself stigmatising for males. One of the most stubborn myths in the area of male rape is around 'masculine as impenetrable', thus leading to the assumption that it is not possible to rape a man, or rather, it is not possible to really rape a *real* man. This myth is predicated on the notion of the gendered body – that female bodies are inscribed as being 'breakable, takeable' (McCaughy, 1993, p 37) whilst male bodies are powerful and prevailing. This then posits men as invulnerable – in clear tension with the vulnerability needed to achieve victim status.

[153] But not completely, for example see Rothman, Exner, and Baughman (2011).

But that 'need' for vulnerability reflects a tragic misunderstanding of the dynamic involved in rape and leads to looking at male rape victims as different to other men by invoking the stigmatising logics: how was it possible to rape him, why him, what did he do (and, conveniently therefore – how is he to blame, what did he do wrong). This is a fallacious logic given that men get raped for the same multitude of reasons that women do, they *can* get raped, likewise, for the same multitude of reasons. For example, one of the most common reactions a victim may have to this form of intimate assault – be the victim female or male, be their offender female or male – is to freeze (McMullen, 1990; R v Armstrong, cited in Rumney and Morgan-Taylor, 2004; Osterman,2023; Schiewe & DePaul, 2019). It's wrong to regard this as a victim becoming passive. It's wrong to interpret this as a victim consenting. It certainly enables completion of the criminal act, but it's wrong to regard this as being the victim's fault. Bodies do what bodies do, and in that moment of attack, the individual has no control over that. The need for survival takes over. Instinctively, it is recognised that responding to aggression with aggression serves frequently to exacerbate levels of violence. So, in that moment, the perfectly natural response is no response at all. For the victim of rape, freezing is not enfeebling, it is surviving.

The identity of 'victim', tied to feminised notions of vulnerability, sits at odds with masculine self-identity and therefore functions to disempower, stigmatise and responsibilise the male. Instead of seeking to reconcile masculinity with vulnerability, perhaps the necessity for vulnerability to underlie victimity should be rejected. Indeed, the necessity for vulnerability to underlie 'real rape' is a dangerous logic in itself. Whilst some individuals may have been vulnerable prior to the attack, vulnerability itself has very little to do with rape per se. Continuing to orient rape to vulnerability does all victims a disservice, but especially men.

Thus the term 'victim', in positing its feminised qualities as being of an individual, can be argued to essentialise, and when applied to men, this essentialisation - of qualities anathema to masculinity - also serves to responsibilise, and thus to stigmatise and blame. Furthermore, victimhood, understood as a static identity (one, after all, never stops having been a 'victim') serves to deprive the individual of that most masculine of powers: agency[154]. This is exacerbated when allied to 'rape', and the qualifier 'male rape', which emphasises the otherness of rape for men, and thus reinforces a notion of rape itself as feminised.

Feminising rape: qualifying men.

Alongside 'victim', 'rape' as a construct is also feminised, predicated as it is on a gendered binary of female victim/male perpetrator. Indeed, as Stanko (1995) asserted, sexual violence and rape can be regarded as a core component of being female. It is part of a feminine gendered identity. Thus the norm for rape is regarded as female. Hence in regards to the linguistic construct 'male rape', the male requires designation, whereas in rape 'proper', the female seemingly requires none. For the purpose of this discussion, the inappropriate use of the male-prefix in regards to rape can be regarded as significant for its capacity to 'Other' the male victim of sexual violence and thus directly contribute to his ongoing invisibility - an outcome at odds with the stated progressive aim of this rhetorical adaptation.

Popularisation of the term 'male rape' is a misguided attempt at gender-inclusivity. It should not be necessary to denote the male in this gender neutral experience. Doing so gives rise to the lie that the male is aberrant, abnormal, and unusual. Continued use of this linguistic adaptation aptly illustrates that the recent history of male rape is one of struggle not just to

[154] Hence second wave feminists, such as Liz Kelly, advocated the term 'survivor' instead

achieve recognition, but also to achieve acceptance. Until it is possible to talk simply of rape, and understand this as gender-inclusive (without a concomitant need to 'male' this crime), success in this regard must be mourned as elusive. Continued use of gender qualifiers is not a solution – it is a key part of the problem.

As a result of contributions from feminist linguistic theory, use of gender-qualifiers and prefixes have been denounced in other fields (consider the once common terms: 'female doctor' or 'male nurse') because of the implication – that the designate is not of the norm. Where used in relation to 'rape', this speaks of a reluctant or begrudging acknowledgement of male victimity whilst continuing an explicit orientation and reinforcement of female-as-norm. In so doing, it serves to posit the male (denoted as aberrant) as vis a vis the female. This 'way of seeing' necessarily stigmatises the men to whom its gaze is applied. Not bad enough that one might be regarded as an unusual man, but the experience itself is popularly understood as a female experience – the supposedly feminine specificity of 'rape' necessarily effeminises the men who seek to understand their experience through this construct. Thus the metaphor – rape as emasculating – persists. But this only makes sense if rape itself continues to be understood through the gendered rape model that scores a binary of men as offenders, women as victims. Thanks to this construct, it is a struggle to make sense of rape without first 'male-ing' assailants and 'feminising' victims.

There is a great deal of evidence to support that male victims of rape *perceive* their experience as emasculating, as do their assailants (Sivakumaran, 2005). Indeed, the notion of emasculation – especially tied to notions of rape as feminised degradation, conquest and

defeat – has an ignoble history in warfare,[155] and research on male victims of rape in war and conflict studies continues to orient to this theme (see Clarke, 2014). This is widely recognised such that it has become a truism, so why then does the field of sexual violence insist on retaining a concept – 'rape' - that seemingly validates the metaphor of emasculation?

This metaphor must be staunchly challenged. Metaphor analysis (Schmitt, 2005), emphasises the significance of language to meaning-making. Tracy, Lutgen-Sandvik and Alberts (2006) found that metaphors were useful for their explanatory power, but cautioned that these also became deterministic because they dictated frameworks not just for understanding, but also for responses - thus 'metaphors highlight and delimit possibilities for agency and action' (ibid: 148). This is of obvious importance when tied to the allied notions of effeminisation and emasculation, and incredibly so where these are tied to the identifier of 'rape' itself, where – in relation to men – this term itself incurs cost and trauma.

'Male Rape Victim': Consequences

The influence of the feminised constructs of 'victim' and 'rape' can be argued to be supported in the findings of existing research, wherever 'emasculation' and aspects relating to 'hegemonic masculinity' are noted as having a significant impact. For example, in line with the construct of 'victim' as feminised, one might draw on Stanko and Hobdell's (1993) finding that men regarded victimization as rendering them weak and helpless - this impacted detrimentally not only on their ability to articulate their victimity, but also on help-seeking

[155] For example, the North American Berdaches (See Scarce, 1997)

behaviours. They also found that male victims were isolated and unable to ask for support – given that this was in relation to non-sexual crimes, one can but assume that this is exacerbated for male victims of sexual violence. Weiss (2010a) found the 'masculine frame' to be especially influential in regards to male rape victims; Pino and Meier (1999, p979) noted that men fail to report rape 'when it jeopardises their masculine self-identity'. It should not be controversial then to state that it is important that men are enabled to actively construct their experience using terms that are free from gendered connotations, so that they can come to terms with the assault without having to overcome cognitive dissonance or destabilisation of their masculine self-identity – a source of trauma many researchers recognise as plaguing this group (Anderson, 1982; Huckle, 1995; Walker, Archer, and Davies, 2005).

Victim, Survivor, Target?

However, it might be suggested that there is already a gender neutral term that might be utilised for this purpose: 'survivor'. Indeed, the value of shifts in articulation from 'victim' to 'survivor' has long been championed for male rape both explicitly and implicitly (see McMullen, 1990; Rogers, 1997a and 1997b; Doherty and Anderson, 2004; Sivukaman, 2005), and indeed in the UK this term has been adopted as the name of a men's rape charity[156]. But advocating for usage of this in common practice would be to overlook that the term 'survivor', tied as it is in popular consciousness to what Roiphe (1993) collectively termed 'rape crisis feminism', also retains feminised connotations - and as such may be dismissed as no more appropriate the term it replaces. That being the case, perhaps it's time, after over twenty years of formal recognition of male victims of rape in many legal contexts,

[156] *Survivors UK*

and a universal paucity of improvement for that victim group – to displace the existing victimological constructs, or abandon them altogether.

I have come to prefer the word ‘target’ because it has none of the feminised connotations of vulnerability associated with ‘victim’, nor the association with gender politics inscribed onto ‘survivor’. Using the term ‘target’ as opposed to ‘victim’ is a linguistic movement that is gaining momentum across other fields, and can be noted as having gained particular credence in the adult bullying literature (see Mao, 2013; Ashraf, Tariq, Farooqi, Khan, Griffiths, and Asanjarani, 2024; Ruttan, Zhang, Barli, and DeCelles, 2024). Research in respect of adult bullying in the workplace reveals that this group share many traits that one may also note in male victims of rape, such as denial, disbelief, shame and stigma (Lutgen-Sandvik, 2008; Shin, 2005; and as a consequence, it should not be surprising that they also share a low rate of reporting behaviours - despite legislation to enshrine their rights and recompense in law (Tracy, Lutgen-Sandvik and Alberts, 2006). As such, insight arising from this field in regard to overcoming obstacles to action, should be heeded.

With this in mind, I undertook a ‘brief peek’ (Gray (2007, p. 81) by interrogating metadata held by Google. This included two nodal points: academic publications held in online repositories, aggregated by Google scholar (Walters, 2007; Burrows and Savage, 2014; Harzing and Alakangas, 2016) and the public’s engagement with issues, reflected in use of specific search terms, and aggregated by Google Trends (Jun, Yoo & Choi, 2018; Srinivasan, 2021; Kornrich & Robbins, 2024).

In order to ascertain linguistic trends in the respective fields in question. I performed keyword searches in Google Scholar for the following terms: 'Target', 'Victim' and 'Male' ("target of bullying" versus "target of rape"; "victim of bullying" versus "victim of rape"; "male rape" versus "male victim of bullying", and "male target of bullying"). This was performed first with no time period specified, then with 4 year periods used in order to make trends more visible. This rudimentary method is intended solely to illustrate and emphasise differences.

The keyword search for "target of bullying" reveals significant shifts towards this gender-neutral term across the adult bullying literature. Whilst the term "victim" remains predominant in both fields, the differentials are far less in the literature for bullying compared with that which can be noted in sexual violence. For the same period, the gendered term "male rape" has become predominant in relation to sexual violence, being used at a consistently high rate over the extended duration. This is not mirrored in relation to bullying, where attempting to gender this phenomenon returned only a small number of results when paired with 'victim', and – tellingly - zero hits when paired with 'target'. As regards Google Trends data, comparing the search terms "target of rape" with "victim of rape" is staggering. Despite stipulating the time period as 20 years, and worldwide, the former returns only a warning that the criteria 'does not have enough data to show here'. Layering on the latter shows significant, sustained, searches over the same stretch of time. At the very least it should give us pause to note that inclusive linguistic practices are being commonly adopted in comparable fields, whilst exclusionary practices are the norm in the field of sexual violence, and that public perception doesn't just mirror these practices, it amplifies them.

Instead of the gendered terms ‘rape’, or ‘male rape’, I suggest using the term ‘sexual violence’. This small change to the linguistic conventions used in regard to males has the potential to make a big difference. After all, it can readily be understood that rape is violence (MacKinnon, 1979), and that violence is a human capacity, not a gendered capacity – we are all capable of violence; likewise, it is not contentious to state that violence needs targets, as this too is a human capacity not a gendered one – we can all of us experience violence. Reconceptualising in this way enables us to recognise that none of us are invulnerable, and that in itself, gender provides no protection from either subject position. These small linguistic adaptations are wholly inclusive, and surely progressive. One wonders then, why this is not yet adopted.

At this point, rather than asking ‘why do present initiatives fail to improve men’s engagement’, we might instead ask ‘how do they succeed in excluding men’. Shifting inquiry regarding the phenomenon to this vantage point, one may argue that not only is it plausible to propose that present initiatives are at best doomed to fail, but that at worst they may function fundamentally to reinforce the very problem they supposedly seek to address.

Understood in this way, present outcomes do not represent the failure of those initiatives then, so much as it represents the success of governmentality in preserving discursive equilibrium in the interests of heteronormativity. This is not a trivial matter, this is symptomatic of a discourse that reinforces gender specificity and difference, and shores up gender-norms. If the outcome is to be changed to match the stated aim, the underlying exclusionary logics need to be disrupted. At the very least, the language needs to change.

Male Rape & Postfeminism

Building on the rationale in the previous chapter, which reconfigured present failure in access to justice for male victims as instead illustrating success of governmentality and Patriarchy. I want now to turn attention specifically to the role that the construct of the male rape victim has in relation to present circulations of power. As previously indicated, Foucault implicitly suggested that we should seek not the 'truth', but the irony in order to strip away the progressive illusion. Throughout this thesis, I have drawn out and discussed several 'ironies' that illustrate how the discourse around male rape, particularly that oriented around 'feminism' (by which I mean both pro- and anti-feminist stances) can be said to have become entangled in the deployment of gender.

It would be fair to say that 'male' rape has something of a complex and controversial place in the history of feminism's work around rape. At the very least, it can be asserted that the male rape victim is not readily included in feminist analyses, nor centred in feminist historiographies - yet works oriented to rape of the male draw on feminism, almost without exception. This imbalance has far-reaching consequences that go beyond issues of parity. At this point in my thesis, I turn attention explicitly to consideration of the male victim of rape as constructed in reluctant and stilted conversation with feminism – at least in part – due to a circumspect and defensive positioning that may be attributed to fear of backlash, such as can be noted in analyses by Gillespie (1996), Gavey (2005) and Bourke (2007). I acknowledge and respect such concerns, but propose that 'male rape' in its current form functions far more effectively as part of backlash by virtue of such protectionism, not despite it.

I am concerned with identifying postfeminist techniques, transformations and rationalities as interpellated through Foucault's theory of governmentality, and postmodern feminist works on the body. In this instance, oriented to tracing & problematising discursive regularities around the construct of 'male rape', and its entanglement with populist feminism/faux-feminism, and anti-feminism across corresponding domains of knowledge/power. I share the concern of contemporaries in this field, that feminism, whenever popular, is also never more precarious. Like many of them, I perceive the threat as emanating from various temporal populist feminist forms and their effective recuperations on behalf of the status quo (Banet-Weiser, 2018; Evans, 2023; Lawson, 2024). Like some of them (Gillespie, 1996; Gavey, 2005; Gotell and Dutton, 2016), I posit the male victim of sexual violence as particularly significant in this regard, but, rather than locating the threat as within 'men's rights' per se, I specifically problematise the neglect of the male rape victim by academic feminism and feminist victimology as aligned with a neoliberal and post-feminist agenda. More accurately, despite, or perhaps because of, their feminist pretensions, I posit those works as postfeminist – replete with the self-sabotage, self-flagellation and self-harm which that incurs for feminism itself - and as such, I regard my task as in line with my feminist contemporaries in the field of postfeminist analysis, such as Gill (2019).

Suffice to say that, for me, the lines between pro-fem, anti-fem and post-fem are slippery, porous, contradictory and insubstantial, and thus, situating 'male rape' within this is not quite as straightforward as has been previously asserted. It's also true to say that whilst the primary focus is male rape & feminism, fundamentally what is really at stake here is neoliberalism, and reproduction/perpetuation of the gender norms and gendered inequalities it relies upon. That feminism has become entangled in this process is already accepted by those

adopting the stance and focus of the postfeminist analyst; that male rape plays a role in backlash is likewise accepted. That these two things are intimately interconnected, strangely, remains a stubborn lacunae.

The potential for feminism to be attacked, undermined, or coopted in service of Patriarchy, is something that feminist scholars have long given critical consideration to. First articulated conceptually as 'backlash', this was inspired by two distinct (but inextricably interrelated) cultural trends in the late 1980s/early 1990s, that were perceived as putting feminism and feminist gains 'at risk': the rise of early men's rights, a la Farrell (1975; 1987; 1993), and the rise of male rape, amongst other victimities, as a legal and activist phenomenon. As Rush (1990) documents, just as feminism grew out of left-wing women's discontent at invisibility within Marxism, so men's rights (erstwhile named 'men's liberation', or 'male feminists') grew out of dissatisfaction with feminism's silences - thus 'from the rib of the women's liberation movement, the men's liberation movement was born' (Rush, 1990, p166).

Whilst initially regarded as allies in the quest for gender equality - indeed, as Reeser (2015) asserts, the early enterprise for masculinities theorists was not simply resonant with feminism, or sympathetic with feminism, but a shared enterprise *with* feminism - men's rights espousing of 'new sexism', was promptly dismissed by feminists as 'reverse sexism' (Rush, 1990) or, latterly 'equivalence' (Gavey, 2005). It is beyond the scope of this present thesis to enter into analysis of the men's rights movement vis a vis feminism[157]. Suffice to say that it

[157] There is a growing body of work engaging with the Men's Right's Movement – its intersection with feminism and masculinities, historical origins, forms, dimensions and development (see, for example, Vingelli, Giovani, 2017, Patriarchy Strikes Back: A Case Study on Men's Rights Movements in Italy, In Josefa Ros Velasco (ed) Feminism: Past, Present and Future Perspectives. p. 175-197, New York: Nova Publishing; Alice E. Marwick

is wrong to suppose that the 'movement' is homogenous (any more than feminists are), and that whilst 'men's rights' is commonly regarded in academic feminism as almost wholly misogynistic and dangerous, work resonating with that sphere should not be so readily dismissed. Masculinities researchers and men's rights are most assuredly not the same, there are extremist positions in both traditions, yet there remains a degree of caution in any feminist undertaking or engagement (see Adams, Rachel, 1999; and Gardiner, 2002). Thus whilst it can be observed that masculinities researchers are cognisant of feminism, and feminism is cognisant of masculinities – and, indeed, that each has contributed significant works that benefit both fields[158] – it is also true to say that there is no longer a shared project, and that aspects of specialisation have resulted in territory that is marked by omissions, assumptions, and dismissal. Precisely the cavernous gaps and no-man's-lands each movement set out to overcome. What is interesting to me, and pertinent to this thesis, is that it is inescapable that male rape as a phenomenon and issue has been pivotal to the emergence of men's rights, and to feminism, in both the construct, understanding, experience and phenomenon of 'backlash', and one cannot help but consider whether this could be different.

In her work, Faludi (1991) cautions against the erasure of feminist history as an integral part of Backlash, part of an explicit anti-feminism (Faludi, 1991, xviii). Taken up by liberal feminists, the solution to this form of anti-feminism, as noted by Hawksworth (1999) in her insightful work on the use of the concept, was regarded as achievable through a direct challenge to partisan politics and ignorance (raising awareness, mobilising support, voter-registration, grassroots collaboration etc); Socialist feminists in the meantime dismissed any

& Robyn Caplan (2018) Drinking male tears: language, the manosphere, and networked harassment, Feminist Media Studies, 18:4, 543-559; and Jordan, Ana, 2019, The New Politics of Fatherhood: men's movements and masculinities, Palgrave Macmillan: London)

[158] Such as feminist contributions to masculinities, see Bordo, 1999; Faludi, 1999, masculinities contributions to feminism, see Gardiner, 2002; Kimmel & Kaufman, 1994; Harper, 1996

form of action that failed to challenge underlying capitalist forms and structures of power and inequality, and noted liberal feminism as part of the problem (Hawksworth, 1991), whilst black feminists and critical race theorists – agreeing with that futility – pointed instead to racist hegemony and posited that as the needful target, whilst identifying white feminism as an integral part of the problem (Hawksworth, 1991); postmodern feminists, in contrast to these stances, (and drawing from a variety of 'postmodern' analytical traditions in their individual approaches) instead pointed to normalizing discourses exerting a regulatory force, underlying the gap between rhetoric and reality, and functioning both to disguise and perpetuate inequality by 'ensnaring emancipatory projects' (Hawksworth, 1991, p152) - in a sense, pointing to futility itself as the problem.

I agree with Hawksworth's (ibid) characterisation of the development and contestation around this concept. Backlash itself became a contested term, in no small part, due to the fragmentation amongst feminisms predicated on what was once indicted as 'identity politics', but which might now be more productively understood as pre-intersectional feminism, a'la Crenshaw (1989), and it distinctly fell out of favour during the late 1990s cultural phenomenon of the proliferation of 'girl power' – a pernicious signifier, and eraser, of feminism itself (see Zeislar, 2016, for an account of key shifts in the historic and contemporary commodification of feminism, a phenomenon she latterly terms 'marketplace feminism'). However it is conceived, 'backlash' is firmly back on the agenda. More recent works in this vein have sought to unpick, resituate, complexify and carefully develop particular facets of 'backlash' for greater critical and analytical purchase. Spanning a range of different feminist approaches, and designated a variety of alternative terms. Particularly resonant with my core concern and approach, is its conceptualisation in work arising from the postmodern traditions, and more specifically, that oriented to 'postfeminism'.

Angela McRobbie's (2004) article 'post-feminism and popular culture' talks explicitly about post-feminism in terms of a 'complexification of backlash' (p255). Whilst Faludi's (ibid) work was based on a critique of explicit anti-feminism, McRobbie (ibid) instead focusses on the phenomenon, in popular culture, of increased visibility of a variety of (hollowed out) feminist empowerment tropes. She termed this 'feminism taken into account', and situated its role in backlash as 'undoing' feminism. Specifically, that popular culture, in seemingly including feminism, was in fact signalling its redundancy. After all, as her formulation makes clear, when feminism is routinely 'taken into account', feminism itself is given as no longer needed.

Negra and Tasker (2013) building on 'backlash' and 'post-feminism', sensitise this analytic further by moving past the post- to focus on postfeminism, and by incorporating the critical lens of neoliberalism and consumerism. Similar to what Zeisler (2016) termed 'choice' feminism, they score the multitude of ways that empowerment has been marketed, commodified and individualised. In terms of backlash, it sees consumption of 'feminism' falsely posited as an end it itself – the emphasis is on being feminist rather than doing feminism (Boyle, 2005).

For Gill (2008; 2017; 2019), postfeminism is a critical object, conceived as a 'sensibility', that adopts feminist form in order to form the gendered subject, whilst rejecting the need for feminism. Rottenberg's (2018) work on 'neoliberal feminism' emphasises a variant of feminism, prevalent in popular media, that centres a new feminist subject in the promotion of an 'idealised' and assuredly 'happy' work-life balance, where the 'balance' continues to

responsibilise women for the family/domestic/care work. The backlash here, is in the promotion of 'equality', whilst simultaneously reinscribing heteronormativity and gender roles that underpin inequality, and 'eliding the structural or economic undergirding of these phenomena' (Rottenberg, in Banet-Wieser et al, 2019) to create a 'good' neoliberal subject. Banet-Weiser's (2018) work on 'popular feminism' conceives of a 'feminist economy of visibility' and emphasises it as 'corporate- friendly' (ibid, 2019, p12), with an emphasis on visibility doing a 'double-shift', both in terms of 'the inclusion of women signal[ing] feminism' (ibid, p13), and in 'platform capitalism' ensuring that only those representations of feminism that are empty of meaning gain internet traffic and popular visibility. Underlying these different emphases and foci, and differentiating them from earlier work, is a shared concern for the current populist feminist moment – which differs from the late 1990s, substantially, in terms of feminism itself as a label and identifier being embraced (rather than implied, or signified, with feminism itself then explicitly repudiated). Rather than empowerment (feminism) or choice (feminism) we have what I regard as faux-feminism, which, as these authors all make clear, is most assuredly feminism-lite, hollowed out, 'eviscerat[ed] of its emancipatory potential' (ibid, p21)

One must take care to clarify the distinction between works that are oriented to postfeminism as opposed to those concerned with post-feminism. The distinction here follows the same fault lines as post-colonial versus postcolonial, and is just as significant. The political stakes in differing usage are significant. Depending on where the work is situated, postfeminism can mean antifeminist or pro-feminist – an iteration of backlash, or not. In essence, post- denotes a state after feminism, whereby feminism itself is no longer required, and is usually referred to as the teleological approach (Gill, 2017). It can be readily characterised as post-feminist = post-patriarchy. Postfeminism rejects this premise, and complexifies the conceit.

Postfeminism is much more complex, ambivalent and ambiguous, and is understood in a variety of ways by respective authors – some still utilise this to refer to a distinct phase wherein feminism is (made) redundant, others referring to a phase in which feminism is misperceived as redundant, others referring to a distinct phase in, and type of, feminism itself, and yet others using this to refer holistically to all of these things coexisting simultaneously as a complex and contradictory inter-discursive 'struggle' (Genz, 2006). This ambiguity and contestation has not stymied research, far from it. More recent works in this area have pushed to more carefully delineate the object of their research in order that the expansive field of vision and meaning is reduced to something with more critical purchase. In this vein, the work of Gill (2007a, 2007b, 2011 and 2016) is pivotal. For Gill, postfeminism is an analytical tool to track and trace the 'distinctive contradictory-but-patterned sensibility intimately connected to neoliberalism' (Gill, 2019, p610). This 'sensibility' (or, in Foucauldian terms 'rationality') is a strategic object by which feminism is coopted.

Underlying the differences in current use of postfeminism is a shared recognition of a variety of feminisms, a critical concern for increased feminist visibility in the media and populist feminism, and a renewed focus on gender and the reinscription of gendered difference. In coming to understand my endeavour as resonant with that of postfeminist analysts, I am indebted to the work of Gill (ibid), in particular her refiguration of postfeminism as a 'sensibility' - an object for study in itself, rather than a time-period or stance; and, in understanding the linkages between backlash, postfeminism, neoliberal feminism and popular feminism, I am indebted to the paper by Banet-Weiser, Gill, and Rottenberg (2019). These authors make clear Faludi's (ibid) concept of 'backlash' as generative in their work, and articulate the boundaries between postfeminism, popular feminism and neoliberal feminism

as sympathetically mutable, with collaboration and dialogue between these dimensions of contemporary academic feminism actively encouraged.

Together, this work has been powerful in terms of carving out a space within which my Foucauldian project can engage in productive dialogue with feminism. Thanks to this body of work, I can recognise my endeavour as oriented to a critical study of postfeminism, whilst asserting that my work itself is assuredly not postfeminist (in the same way that it could be said to be oriented to the critical object of antifeminism, whilst not in itself antifeminist). This stance also enables me to more carefully unpick and reflect on the underlying function of the discursive phenomenon I track and trace – as, whilst I had integrated gender, masculinities, and heteronormativity in previous analysis, and fashioned these in relation to a resuscitated patriarchy, I had not explicitly drawn down the significance of this to the neoliberal context. I excavated the male rape victim construct in relation to a gendered ideal victim, and indeed to gender itself, in the historical creation of patriarchal society arising from modernity, but was satisfied in allowing governmentality to call forth neoliberalism as its necessary current context rather than bringing that lens forwards to the present condition, and in its present iteration, in regards to neoliberalism. For the reader, and my contemporaries, that missing piece of the puzzle is a significant one. As such, it is to a consideration of gender, patriarchy and governmentality that I now turn.

Gender, Patriarchy and Governmentality

In postfeminist popular culture, there are three vehicles for backlash: outright disavowal of feminism, its supposed redundancy, and its celebration and promulgation. Each of these constitute temporal discursive trends that correspond with the main problematic that feminists

in each period have concerned themselves with. They correspond, broadly, with the second wave, the third wave, and generation x. But, of course, as postfeminist analysts have asserted, it's a little more complex than that. Whilst dominance in these forms can be detected in cultural discursive forms correlating with each period, and these certainly impacted on how each phase of feminism constructed and/or perceived 'backlash', one may also state that backlash has always been served in all forms (dominant or not, and attracting inquiry or not). Certainly, in the present historical moment, all forms can be noted.

In line with my contemporaries in this field, I do not limit myself to a focus on erstwhile claims to feminism. Like my peers, I focus on aspects of importance to feminism. Thus, for me, the key issue is not whether feminism is denoted or connoted, but whether gender itself (and its allied logics, hierarchies and exclusions) can be said to be promulgated, around traditional gender roles and stereotypes, and – allied to this, of course – whether patriarchy can be said to be resuscitated (reinvigorated, relegitimised or reinscribed). I am rather less concerned about any rhetorical claims to feminism, as I'm well aware that these might be titular only. This provides a significant distinction with some of my peers' research in this area, who, ever since the phenomenon of 'empowerment' feminism and 'choice' feminism, have faced a very tricky balancing act in regards to critically examining cultural manifestations of these forms whilst being careful not to kill what could be construed as nascent feminist identity at birth.

Present work highlights this split in regards to diverse approaches to women's engagement with populist feminism, and underlies what has been categorised as new 'generational' conflict within academic and activist feminism, as well as the careful delineation of terrain

within postfeminism that is and is not antifeminist in its effects. It's something that I know full well causes my contemporaries a great degree of concern and caution, but for me, I am rather more concerned with how feminism is 'signalled' through gendered violence, how gendered violence articulates and reinscribes gender, and how – within culturally mediated forms - both gender and gendered violence itself are fluid and chimeric in terms of meaning, message and function. As illustrated throughout my thesis, I regard a focus on literalised or corporeal gender as mistaken, and thus note the neglect of the male in general, and the specific absence of the male in current research on depictions/representations of sexual violence and victimity in particular, as a pressing omission in regards to an understanding of how postfeminism is deployed in service of patriarchy and backlash.

The Importance of gender to postfeminism

The significance of the male, and masculinities, to postfeminism has been examined by others (Buerkle, 2019; O'Neill, 2015; Gill, 2014; Mukherjea, 2011), but cannot be said to be firmly on the feminist agenda (see Dow, 2006 and Ging, 2019). As (Dow, 2006) asserts, regarding postfeminism, 'our understanding of its rhetorical dynamics could be more complete. That is, when feminist critics buy into the notion that postfeminism really is all about women, their "choices" and their conflicts, they often neglect to consider how the shifting portrayal of postfeminist men…makes this situation possible' (p124), going on to state that 'there has been a simultaneous seduction going on of feminist critics, who…have failed to appreciate the ways that representations of postfeminist women require particular representations of postfeminist men….Do we need Judith Butler (1990), again, to remind us that you cannot alter definitions or expectations for one gender without affecting the other?' (p127). They are inherently interlinked.

Weigman (2012, p175) asserts that 'gender…is itself multiply formed. And its multiplicity does not reside, as feminism too often seems to assume, within the binarized role of the feminine, but attends to those figurations of bodies comprised of masculine as well. Chifane (2019) explores another vector for this entanglement, in stating that masculinities are formed 'as part of a transition process generated by successive waves of feminist movements, in a perpetual struggle to define and distinguish among various gender roles' (p2). Whilst, in her analysis of *Fatal Attraction*, Dow (2006) notes that in postfeminist media depictions of violence, the women are revealed to be 'the patriarchal villains' (p129).

Masculinities research engaging with postfeminism has traced variants of inflected masculinities, such as: the new man, the metrosexual, the new lad, the postfeminist man, etc (see Chifane, 2019). In the present, third phase (Gorman-Murray & Hopkins, 2014) of masculinity studies, influenced in no small part by feminist contributions to gender theory (Butler, 1990), the male is posited as performing rather than having his masculinity, and hence 'doing' gender, in a varied and strategic manner (Hopkins and Noble, 2009), albeit still doing so vis a vis hegemonic masculinity (Connell, 2000; Connell & Messerscmidt, 2005), and therefore within hierarchical and competitive gender scripts (Kimmel & Messner, 1989), within which, they police themselves, and each other (Seidler, 2013; 2002).

Feminist theorists have long grappled with the multitude of ways in which feminism is undermined and thwarted. Beyond the simple 'backlash' a la Susan Faludi, this is now conceived as something Foucauldians would recognise as 'transformation' – whereby counter-discourse is absorbed, diverted, fragmented and ultimately coopted. In McRobbie's

(2004) foundational piece, she describes the postmodern condition as being one where feminism is superficially 'taken into account' in popular culture, in order to subtly signal its demise – ie, that in (supposedly) achieving its goals, it can now be laid to rest. In the period she bears witness to, feminism is seemingly endorsed in the media in order to mark its irrelevance and obsolescence. This phenomenon is subsequently traced by Zeisler (2016), who notes several shifts in feminist representation and commodification by neoliberal media, under the umbrella of 'marketplace' feminism. Seen as part of the 'inevitable cycle by which mainstream culture sanitizes, dilutes and repackages radicalism' (Zeisler, p176), she complexifies and sensitises McRobbie's (2004) analysis to score the ways in which these representations see feminism packaged, rebranded and championed, whilst determinedly watered down or hollowed out; importantly, she traces these 'progressive' depictions, and sits them alongside the regressive social and political trends that they masked and enabled.

Now, of course, we are in the fourth wave, according to some (Cochrane, 2013; Chamberlain, 2017; Zimmerman, 2017). Which proffers a gloriously inclusive future, happily overturning all the tribalism and bigotry that went before - if one subscribes to the progressive historicism implied behind such a teleology. I do not. As Cheslar (2020) and before her Spender (1982) caution, this failure to better narrate and capture feminist history, impacts not just on the transfer of knowledge between the generations, it results in a diversion and expenditure of energies, loss of ground, and loss of power. Feminist memory, it seems, through the division and distrust engendered in 'waves', doesn't just fail to capture, it is captured. This is a simplistic, reductive and destructive way of conceiving of feminist history - which demeans and rejects that which goes before. A narrative within the movement that serves patriarchy by sowing division and discord – constructing differences between generations of feminists, where our shared endeavour might otherwise foster powerful unity and momentum.

This isn't simply a discursive space marked by inter-generational conflict, it's also marked by absence, omission and, ultimately, "oblivion" (Medina, 2011, p10). Denying our foremothers, their legacies and our birthright. Designated as 'matricide' (2020), and marked by 'matrophobia' (Henry, 2000), and 'trashing' (Pan, 2014), the patriarchal construction of 'waves' serves not just to enable the slaughter of our foremothers, but of our children. More accurately, they are sacrificed – not in the interests of progress, despite pretensions to the contrary, but in the interests of the status quo. I would argue that this illustrates my concept of Patriarchy's discursive equilibrium, on a longitudinal scale. And if we are to rediscover and reclaim feminist history, we'd surely be remiss not to place our likewise erased male rape victim squarely within it.

Feminism has a wo/man problem?

This caution applies to our present historical knowledge scape too. In my reading of contemporary feminists such as Srinivasan[159] (2021) and Angel[160] (2021), I noted that despite embracing intersectionality, and forming their work through a broadly conceived postmodern lens, their work can be read as surprisingly exclusionary in terms of gendered subject positions. It is certainly the case that their works on rape, consent, and the body are largely silent in regards to lived realities of victimities, sexual and otherwise, outside of the usual male offender/female victim. This might be attributed to the post me-too knowledge scape, which in its populist presentation has encoded the feminist & criminological imaginary of villain and victim as once again drawn along largely gendered lines. Thus, despite drawing

[159] Discussed in more detail below
[160] Discussed in more detail below

on works of a postmodern ilk, the category of 'woman' is not problematised itself as a complexified, precarious and fully intersectional cultural construct, instead it is drawn as a sexed intersectionality. This is thornier than it appears. If the construct is to be problematised, a'la Dworkin[161] (1974), we can move beyond it – as she urged us to do - despite recognising its traces in the social body as reification; if we instead orient ourselves to those traces of reification, we treat the construct as having some prefigurative stability, an ontological specificity to the category itself, which becomes revered, and which our works then both deify & reify. In defending itself against this charge, feminism has long responded as if calls to inclusion reflect a 'man' problem. Dworkin's critics are interesting in this vein, as there appears a totality of concern that her work on the one hand weakens the contours of the construct 'woman' such that this provides a route for male incursion in to it, whilst on the other her work is critiqued by Trans authors as effacing the category of women, providing them no route therefore to claim that identity for themselves. This provides a fascinating insight into how gender binaries are weaponised and policed, and how works that seek to speak to and for particular gendered subject positions are pulled into the service of Patriarchy – something Butler[162] (1990, 1992) has both cautioned against, and is accused of (Butler, 2025). Perhaps then it is time to slip our bondage to the category of 'woman'', or indeed it is long past it. As Lorde (1984, p110-111) in her critique of white feminism asserted, 'the master's tools will never dismantle the master's house'. Given the significance of sex and gender to the rise of science, and its 'experts' (Foucault 2001), handmaidens of modernity both, affixing a radical project to the obedient servant of one's enemy is surely something to be wary of, at least. To put it another way, the category 'woman', as a site of contestation, is regarded as a battleground. And I agree. Where I diverge, is in accepting that 'woman' is a

[161] Discussed in more detail below
[162] Discussed in more detail below

Patriarchal battleground. It is a Patriarchal stronghold. It was ever thus. And as such, is already lost to the Patriarchal project.

Does this mean that the category of 'woman' is unimportant? Far from it. As Butler (2010) cautions, identity categories are always normative' (p16), they are irreducibly important in that sense. This holds for all: woman, female, feminist. Identity does not exist outside of power, they are not prediscursive in that sense. Whilst used strategically to 'speak truth to power', we must remain aware that 'truth is a thing of this world' (Foucault 1980). Acting otherwise simply stays the dead hand of Patriarchy. Feminism's woman/man problem then is actually a gender/binary problem. And in that sense, it most assuredly cannot be said to be unimportant. As Gardiner (2004) asserts, feminism's 'most important contribution…is the concept of gender as a social construction; that is, the idea that masculinity and femininity are loosely defined, historically variable, and interrelated social ascriptions to persons with certain kinds of bodies – not the natural, necessary or ideal characteristics of people with similar genitals' (p35), along with the understanding that these constructs, being binarized, are interlinked (Butler, 1990).

At this point, it should be noted that I'm drawing on legacy feminism in order to critique & sensitise contemporary feminism. In my readings, I am accustomed, through problematisation and reverse reading, to 'twisting' the established narrative - thus approaching the current problematique as pivoting on a transformation of feminist thought from its original roots as inclusive, to a present day tendency towards exclusion (in ironic contrast to what is accepted as 'truth'). But what if there's a need to 'twist' again? I revisited the work of Srinivasan (2021) and Angel (2021). Srinivasan's (ibid) series of essays cover a

raft of domains, but converge in their articulation of a politics of desire, asking what sort of sex is produced by patriarchy, and noting that a focus on consent has not solved the problem of rape - but has solved a problem in regards to the ascription of blame, in regards to the scapegoating of women for their own victimity (p29). She is highly critical of feminism's tendency to drift to the centre, leaving those marked by marginality, marginalized. In particular, she cautions that intersectionality, leveraged by white feminism to find common ground for activism, produces an 'assimilationist politics' (p17), and decries the potential for a feminist consciousness to be a false consciousness (p49). Angel's (ibid) work on the patriarchal construction of sex, rape, and consent looks to explore the multitude of ways in which women's sexuality is policed vis a vis this discourse, and how feminism, particularly 'confidence culture' (p17) is coopted in this process. Using Foucauldian thought as a touchstone, her work details, through use of reflective engagement, and lived experience, how knowledges of the (feminist, desiring, sexual) self are inhibited by a discourse around empowerment, and autonomy, rooted in a rape culture that both demands & weaponises 'truth-telling' and renders praxis precarious; asserting that, in this as all things, 'we cannot leave power behind' (p114). She deftly critiques the articulation of consent & desire as responsibilising women both for 'bad' sex, and rape. Importantly, she vaunts the rejection of gender binaries, drawing on works that 'unlock the rigidity of gender roles' (p109), preferring a 'merging of identities' (p109), not least in order to overcome the phallocentric and heteronormative gaze that warps, limits, and sabotages women's agency. Hence both have attracted the label of 'postmodern feminist', are recognised as being intersectional in their approaches, and as valuing complexity. Importantly, they both owe a debt to foundational critical works such as Mackinnon (ibid) and Dworkin (ibid) along with Butler (ibid). The implications of this should not be underestimated, and needs to be unfolded.

Mackinnon's work (ibid) was pivotal in conceptualising the rapeable body as a social construct and argued that sexual discrimination is not based on differential treatment per se, but on the cultural context that produces meaning in regards to that, and to which such phenomenon then writes back. She continues to contribute significantly to feminist jurisprudence, amongst other areas. Classic works include that which unmasked the machinery of justice as inherently patriarchal, and her work continues to map patriarchal inflections and infections of the law, such that feminist gains can be understood as won but not done. The chimerical nature of patriarchy ensures that the sites and mechanisms of power shift, rather than are overthrown. Her more recent works (2023) include responding to calls to replace sex with gender in legal forms, recognising both constructs as a product of oppression under Patriarchy. Her emphasis on the social construction of gender, and thereafter its displacement in discourse, has proved contentious. For her, sex as a category fills the gap, and does so in a way that can yet be understood as written on the body vis a vis patriarchy – this is inclusive, and means to be, and yet is frequently understood otherwise. The tension here can be in part explained by the fact that she sees gender as called upon whenever we denote sex, and vice versa. This is not an equivalence, it's a consequence of an empty signifier seeking social meaning within a patriarchal sphere.

Dworkin's (ibid) extensive body of work moves beyond gender, and gender binaries, dichotomies or polarities, She rejects the concepts of man and woman as 'fictions' (ibid) – and ultimately having argued for gender as a concept to be eradicated - to foreground asymmetric power relations inherent within patriarchy as key to understanding rape, not the body per se. For her, consent is irrelevant as a concept, because violence is innate within patriarchy's (heteronormative) context of intercourse, and as such, is itself an expression of

unequal power relations. Dworkin was avowedly inclusive, her work motivated not by equality rhetoric, but by a commitment to new ways of being, living, loving, and community.

Butler's works (1990, 1992, 2025) start from an understanding of both sex and gender as social constructs, culturally & historically 'perfomed', rather than pre-formed, as patriarchal. Foregoing abolition, she notes that gender can be rewritten, and 'undone', that freedom, insubordination, and subversion exist as inherent potentialities within this concept. Her concept of 'performativity' is key to destabilising patriarchal norms that underpin rape and sexual violence. Alonside this, her most significant contribution is to a Foucauldian inflected feminist theory, drawing on a Foucauldian understanding of power, knowledge and subjectivity. Butler (2010, p4) critiques the sexed as gendered subject, noting that 'assuming a stable, prefigured subject is to foreclose and protect from scrutiny', and asserting that gender, perceived as an empty signifier, is to miss that it is 'overdetermined' (Butler, 2025, p8) by patriarchy. Her work is avowedly inclusive, and most recently explicitly scathing of works by 'feminists of the exclusionary brand' (2025, p167), deriding anti-trans feminists as, in essence, anti-feminist themselves, such that they 'turn against the history of feminist struggles' (ibid, p168). As such, this work has a reach far beyond the discipline which it is a part.

Returning then to the work of Angel (ibid) and Srinivasan (ibid), and reading these again, in conversation with such feminist thinkers, it can be more readily perceived that they critique not just established gender norms, but (populist) feminist normative knowledges. Whilst the category of 'woman' is retained in their analysis, and focus, their work complexifies this, and destabilises it. For Angel (ibid), this is largely implicit - achieved vis a vis the category's

primacy and boundaries; whilst for Srinivasan (ibid), this is clearly articulated – her work specifically addresses the inclusion of trans women, and in doing so, could be argued to extend an invitation to trans men and cis gender males. Indeed, the contributions from feminism's foremothers reverberate through, and are amplified in these works to the extent that in my original notes, I annotated each as derivative. Reading these current feminist works felt, to me, akin to time-travel - given their debt to what had come before. Everything 'old' seemed 'new' again. And I initially failed to stop and question what that really means, and, by extension, I failed to stop and consider the contribution that, and indeed their work, makes to this thesis. By undoing gender, displacing sex, challenging essentialism and binarism, and foregrounding the body (and victim) as written in and by cultural context, Angel & Srinivasan's works mark an inclusive feminism, and they do not do so by standing on the shoulders of giants - they walk behind, in footprints already formed, and waiting. Their works provide stark illustration of the falsity behind the conceptualising of feminist history as 'waves', the manufacturing of inter-generational conflict, and the function therefore of postfeminist erasure of feminist history, or rather, the erasure of feminist history as postfeminism. In being truly inclusive, Feminism's only problem is forgetting. Feminism does not have a wo/man problem. The problem, as ever, is Patriarchy.

Male Rape, Populist Feminism & Postfeminism

Campbell (2014, p1) asserts that 'The neoliberal project can't work and doesn't work except in relation to another political project: male domination. What we have today is a neoliberal neopatriarchy'. Salzinger (2020) asserts "at the fulcrum of neoliberalism stands a choosing subject: homo economicus" (p196), a 'normative man', whose 'patriarchal relations and gendered performances …make him tick' (Salzinger, ibid). Understood as a product of a

‘symbiotic convergence of neoliberal capitalism and a neopatriarchal gender order’ (Campbell, 2014), and a ‘correlate of governmentality (Salzinger, ibid) homo economicus can be said to ‘reveal[…] masculinity’s pivotal role and varied manifestations at crucial moments in the functioning of the neoliberal economy” (p196). But, as Salzinger asserts, this figure is largely an absence in current neoliberal theoretical inquiry, and certainly one whom neoliberal theorists largely ignore (Salzinger, ibid). Amongst these absences, one may readily note, is rape and sexual violence. Feminist neoliberal theory does not remedy this, nor does masculinities work in regards to neoliberalism. For each, there is a resounding silence is sexual victimity as regards the male.

This should provoke us to ask precisely what is being missed. After all, Campbell (ibid) astutely notes that the interdependence of the neoliberal and patriarchal projects is ‘expressed most clearly in [the former’s] dependence on two ancient patriarchal practices: the sexual division of labour, and violence’ - something sexual violence theorists have long recognised as intrinsically intertwined in ‘rape’, whereby normative gender roles, gender binaries, and heteronormative logics are understood as produced and reproduced through such behaviour as it seemingly affirms, and naturalises, hierarchical relationships both between men, and between men and women (Murphy, 2009; Messerschmidt 1993; Sanday 1990). At its simplest, rape can be understood as ‘doing masculinity’, where violence, and specifically violent masculinity is understood as ‘neoliberalism's way of doing business’ (Campbell, ibid), or perhaps, more accurately, we should stop and question how our understanding of rape as ‘doing masculinity’ facilitates neoliberalism’s way of ‘doing business’.

Formation of the Gendered Neoliberal Subject

Victimhood, understood through feminist critique of neoliberalism (see Bumiller, 2008; Phipps, 2014; Stringer, 2014; Zeislar, 2016) is aligned with the neoliberal agenda through the ascription of blame & thus responsibilisation; where tied to gendered dimensions it has an inexorable role in deploying gender – the cornerstone of neoliberalism. In this sense, NVT[163] also explicitly includes what Stringer (ibid) terms 'anti-victim talk, and, one must suppose, although she does not stipulate it, also includes the construction of the 'anti-victim'. The relationship is not incidental. As she states 'coinciding historically with the rise and consolidation of neoliberal hegemony, much anti-victim talk powerfully reflects the values of neoliberal thought, in particular, the concept of personal responsibility' (Stringer, 2014, p2).

Although she does not articulate it in these ways herself, her notion of 'anti-victim' can be readily aligned with the construct of the ideal victim (a'la Christie) and my ideal victim taxonomy[164]. And, of course, in this sense it can be understood to be purposeful to both neoliberalism and its undergirding of Patriarchy, via gendering, or, rather, the gendered differentiation and specificity accorded when mediated through the taxonomy of the IV, which serves to legitimise victim blame & hierarchies of victimity - sorting victims into visible & invisible, worthy and unworthy, according to gendered dimensions of the IV & IO.

Stringer (ibid) describes the variant of 'anti-victim feminism' that gave rise to the discourse of the valorisation of 'survivor' of the 1990s as straightforward anti-feminism and thus she situates this as backlash. I agree, but unlike Stringer, I agree with the tenet of the anti-victim

[163] Neoliberal Victim Theory
[164] see previous discussion in this thesis

movement: that victim feminism is coopted too. I would also suggest that to focus solely on those who can readily be included as 'seen', whether as victim or survivor, is too stunted an analysis. One must also attend to those who are neither. In that same vein, whilst appreciating her use of post-feminism, postfeminism is also a lens that needs to be used here. Thus sensitised, can the dynamic here for the (gendered) rape victim be fully articulated and understood in relation to neoliberal governmentality.

As Murphy (2009, citing Jones 2003 & Kaplan 2000) observes, "thanks to a generation of feminist scholarship, the crucial role of such visual culture forms in the social reproduction of sexual inequality and the ideological perpetuation of rape culture is now well understood". Yes. In regards to the rape of the female. However, the 'male' in postfeminist inquiry, is many things, but what he is not, is raped. This contrasts with depictions of the male in postfeminist cultural forms, where he frequently is. And, together, these form a significant lacunae.

As Medina (2011) cautions, 'cultural practices of remembering and forgetting are…loci where multiple power relations & power struggles converge' (p10), going on to note that 'memory and oblivion are manufactured' through discursive practices (p10). In thinking about this, one must conceive of this gap then, as not just a gap in the literature, not just a gap in knowledge, it is loss of meaning, of histories, of shared endeavours and experiences - a subjugated knowledge. Understanding it as such serves to lend critical insight to our understanding of neoliberal Patriarchy, such that we might engage with this properly; but it also illustrates subjugation of knowledge in action vis a vis postfeminism, such that we might

interrupt such processes; and in so doing, this thesis suggests a space and significance for the male victim of rape squarely within the feminist project, whilst steadfastly contributing to it.

This is my feminist and Foucauldian attempt to ‘think differently’ about male rape & feminism.

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