

*Historicising the perpetrators of sexual violence: global perspectives from the  
modern world*

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*Abstract*

This special issue seeks to re-situate perpetrators at the heart of discussions of sexually coercive behaviour. Acts of sexual aggression are intrinsically connected to historically contingent gender dynamics, as well as by social structures which foster the circumstances for sexual assault. In a wide range of geopolitical contexts, the perpetrators of sexual violence have been protected by ineffective and intrusive police, prosecution and court systems which ultimately place the burden of proof on victims, and by patriarchal social structures in which aggressors are more likely to occupy positions of power which can be exploited with impunity. Our contributors come from varied disciplinary backgrounds, including anthropology, sociology, media studies and history to explore perceptions and characteristics of sexual perpetrators in a range of geographical and cultural contexts. Throughout their work, the term ‘perpetrator’ emerges as both the individual agent of crime as well as the institutions, social structures, and discourses which facilitate and accommodate sexual violence. By recognising the historical contingency of sexual perpetrators, we eschew essentialising worldviews which present sexual harm as natural and immutable.

*...because of two hundred thousand years of human history,*

*thirty-seven of them my own –*

*I do not believe in silence*

Clare Shaw (2012)

Sexual crimes remain under-reported across the globe.<sup>1</sup> Victims who seek legal recourse for harms suffered are often subjected to painful scrutiny of their own behaviour and personal lives by medical personnel, juridical authorities and the media. Survivors of sexual violence have described their frustration at the legal process, which seems to place *them* rather than the person who sexually assaulted them on trial.<sup>2</sup> In particular, court proceedings are frequently influenced by pervasive rape myths which place the burden of responsibility for sexual violence on the failure of victims to protect themselves.<sup>3</sup> At the same time, well-meaning attempts to recognise the trauma experienced by rape victims or to empower women through the use of anti-rape technologies can reinforce emphasis on the victim as the site of rape prevention, thus displacing (usually) male responsibility for sexual violence.<sup>4</sup> This special issue seeks to re-situate perpetrators at the heart of discussions of sexually coercive behaviour.

As Clare Shaw evokes in the poem they have contributed to this special issue, there can be a sense of historical inevitability to the perpetration of sexual violence in our society. Nonetheless, acts of sexual aggression are intrinsically connected to historically contingent gender dynamics, as well as by social structures which foster the circumstances for sexual assault. In a wide range of geopolitical contexts, the perpetrators of sexual violence have been protected by ineffective and intrusive police, prosecution and court systems which ultimately place the burden of proof on victims, and by patriarchal social structures in which aggressors are more likely to occupy positions of power which can be exploited with impunity. Our contributors come from varied disciplinary backgrounds, including anthropology, sociology,

media studies and history to explore perceptions and characteristics of sexual perpetrators in a range of geographical and cultural contexts. Throughout their work, the term ‘perpetrator’ emerges as both the individual agent of crime as well as the institutions, social structures, and discourses which facilitate and accommodate sexual violence. Similarities abound across the different contributions, from the omnipresence of certain—if shifting—‘perpetrator myths’ within modern societies, to the abuse of power which often accompanies sexual harm, whether this is linked to celebrity status, political authority, or some other position of privilege. By paying attention to such convergences as well as the divergences, we encourage greater scrutiny of the motivations, methods, and characteristics of sexual perpetrators throughout modern history. What have been the characteristics of sexual perpetrators across time and space? How have they represented themselves in legal settings? How have they been perceived, managed and ‘treated’ in the modern period? Why is the figure of the perpetrator often missing or obscured in legal and medical spaces? And why, when perpetrators *do* feature in the reporting of sexual crimes, are they commonly depicted as ‘other’, ‘extraordinary’ or a ‘monster’? This special issue seeks to shed light on such questions, exploring the figure of the perpetrator within media, legal, medical, psychiatric, public health, and forensic discourses in a range of contexts during the modern period.

Empathy is unevenly distributed by the media in relation to victims and perpetrators of sexual violence. While victims often become defined by an assault, certain sexual perpetrators are presented as three dimensional, even talented individuals. In some high-profile examples from recent years, we have seen self-confessed ‘pussy grabber’ Donald Trump elected to the White House; media commentary of Stanford rapist Brock Turner’s swimming times in articles about his alleged offences; and film director Roman Polanski continue to accumulate critical accolades despite an outstanding extradition order to the US for sexually abusing a thirteen-year-old girl in 1977 when aged forty-three.<sup>5</sup> This apparent willingness to accommodate or

overlook the harms perpetrated by abusers within society is reflected in the statistics on rape prosecutions. For decades, critics have drawn attention to the appallingly low prosecution rates for sexual crimes. Legal scholar Jennifer Temkin has shown how since the late 1960s, prosecution rates for reported rates have fallen from the already low 53 per cent between 1969-74 to an abysmal 26 per cent in 1999-2000.<sup>6</sup> Conviction rates for rape have continued to plummet, despite rises in reporting. In 2021, Justice Secretary Robert Buckland went so far as to apologise for low conviction rates as Victims' commissioner Dame Vera Baird equated the figures to 'the decriminalisation of rape'.<sup>7</sup> As Joanna Bourke recently stated: 'It is a disgrace that, in 1970s Britain, only one in three cases of rape that were reported to the police ended in a conviction. Today it is fewer than one in twenty. After forty years of feminist activism and legal reform, this is a disgrace'.<sup>8</sup> Given the failure of justice systems to effectively prosecute rape or convict perpetrators, a significant contingent of feminist scholars now reject carceral approaches to sexual crimes altogether. They highlight the failure of a legalistic approach in tackling the root causes of sexual violence and the ways in which reliance on police, prosecutors and courts compounds racist practices that disproportionately imprison people of colour.<sup>9</sup>

Like Bourke and many others, we remain frustrated by the continued focus on the behaviour of victims in popular discourse, which even in sympathetic renderings deflects attention from the root causes of sexual harm and perpetuates victim-blaming narratives. In the UK, coverage of the rape and murder of 33-year-old marketing executive Sarah Everard in March 2021 expressed dismay at the notion that a woman could be kidnapped while walking home at a reasonable hour on a busy street.<sup>10</sup> Shortly after, coverage of the murder of London primary school teacher Sabina Nessa in September 2021 displayed similar outrage at the fact that such an attack could occur again on what should have been a five-minute walk to meet friends.<sup>11</sup> Public discourse then shifted to scrutiny of the greater media and public attention the

Sarah Everard case received over Sabina Nessa's, drawing on ideas of 'white privilege' to critique the phenomenon in which, even in death, white bodies demand greater public sympathy than those of colour.<sup>12</sup> To be sure, as scholars such as Tanya Serisier and Hyunah Yang have pointed out, the politics of 'speaking out' about sexual violence is determined by the politics of listening.<sup>13</sup> Such scholarship has shown how racialised and class-based notions of 'respectability' mean that certain victims' voices have traditionally been marginalised, even within the recent #metoo movement.<sup>14</sup> Public and media discourses which centre the apparent 'ordinariness' of a woman and her behaviour at the time of an attack reinforces ideas of her perceived 'innocence', with the underlying implication that those exhibiting opposing characteristics are somehow responsible for violence suffered. Such conceptualisations of 'innocence' are shaped—consciously or otherwise—by social prejudices, particularly those linked to race, class, sexual orientation, disability and/or gender identity, and can have a significant impact on the kinds of sexual violence we, as a society, are willing to acknowledge. At the same time, some feminist scholars have called out as bogus the 'politics of representation' which 'believes that justice is equal exposure for all murder victims'.<sup>15</sup> Old tropes and new debates about the behaviour and identity of victims mask the reality that sexual harms would not exist without the aggressor. This special issue therefore sets out to recentre the root causes of sexual violence within the figure of the perpetrator, understood as both the individual abuser and the societal structures which enable him.

Feminist scholars of sexual violence have identified multiple popular rape myths relating to the victims of sexual violence which have emerged throughout history. These include the notion that women, children and other victims tend to 'lie' or exaggerate cases of abuse, or that it is 'impossible' to rape a resisting woman—sometimes referred to as the 'vibrating scabbard' myth.<sup>16</sup> Alongside these popular fallacies lie a parallel set of misconceptions surrounding the figure of the sexual perpetrator, particularly with regards to

their relationship to the victim. Although the media minimises the harm rendered by certain powerful male perpetrators, it equally caricatures others as strangers or loners, who are abnormal in some way or mentally ill. As for their victim-related myths, such conceptions of the perpetrator are historically contingent and have evolved over time. From the 1970s, and particularly the rise of second-wave feminism, perceptions of sexual perpetrators as isolated and deranged individuals were challenged by pioneering feminist authors such as Susan Brownmiller, who pointed to the relative rarity of stranger rape, and argued that all men were implicated in the upholding of societal structures that facilitated sexual violence. As such, rape was not an isolated and rare act committed at random by ‘mad’ men, but rather a product of societal inequalities between men and women, or in other words, an expression of power, specifically male power over women. In her now iconic if contentious formulation, Brownmiller argued that rape was ‘a conscious process of intimidation by which all men keep all women in a state of fear’.<sup>17</sup>

Brownmiller’s work subsequently received sustained critique on a number of points, not least for her limited assessment of how sexual violence intersected with questions of race.<sup>18</sup> Brownmiller’s work ignored black feminist scholarship on rape, and downplayed the ways in which racial stereotypes of predatory black men encouraged racialised violence and legal injustices, as in the infamous cases of the Scottsboro Nine and Emmett Till in 1931 and 1955 respectively.<sup>19</sup> In 1989, feminist lawyer and academic Kimberlé Crenshaw articulated the concept of ‘intersectionality’ specifically in relation to sexual violence.<sup>20</sup> This was a direct critique of white feminist assumptions about rape, which failed to address the compounding nature of rape for Black women in America. There was a long and violent history of sexual assault and rape by white perpetrators in positions of unfettered power, dating from their enslavement. Their experiences proved that gender could not be looked at in isolation, and that victimisation and abuse of power was compounded by race and other characteristics. Black

women were at the forefront of feminist thinking and activism against sexual violence in the 1970s and 1980s, yet white feminists did not incorporate their theorising until much later.

Meanwhile, though Brownmiller's naming of 'all men' as direct or indirect perpetrators of sexual violence has attracted legitimate critique, some discussion is needed of the reasons why it is men, rather than women or other gender identities, who make up the overwhelming majority of sexual perpetrators. In their article on the 'missing' perpetrator in rape prevention initiatives, Deborah White and Lesley McMillan discuss a generalised 'failure to explicitly name men as perpetrators' within our own, twenty-first-century society.<sup>21</sup> A national survey carried out in the US in 2011 found that 99 per cent of female rape victims had only male perpetrators while 79 per cent of male rape victims had only male perpetrators.<sup>22</sup> This makes it important for us to assess how issues of gender, or more specifically what has become widely known as 'toxic masculinity', contribute to the perpetuation of sexual crimes.<sup>23</sup> At the same time, we must acknowledge other 'constellations' of sexual violence beyond the male-on-female paradigm, notably violence within same-sex relationships, male victims, female abusers, as well as disproportionately high rates of violence against trans men and women.<sup>24</sup> As Rhian Keyse's article shows, gender stereotyping around the 'nurturing' role of women as wives and mothers can obfuscate the role of female perpetrators in the most heinous of crimes, including rape and genocide.<sup>25</sup>

Beyond such gender stereotyping, perhaps the most obstinate myths to challenge are those which continue to present rape and sexual abuse as extraordinary, as something which does not belong to the everyday. Despite the paradigm shifting interventions of second wave feminists, as a society we continue to fixate on egregious cases of sexual abuse committed by celebrities or those in positions of power—Jimmy Savile, Harvey Weinstein, and Jeffrey Epstein constituting key examples of this in recent times. Paradoxically, as Nick Basannavar argues in his article on Jimmy Savile, such heinous figures are in some senses comforting: they



facilitate cathartic episodes of collective moral outrage while precluding any need for self-reflection on a deeper, societal level.<sup>26</sup> Yet one does not need to be a celebrity to occupy a space of relative power, and some perpetrators of recent high-profile cases have shocked the public due to the perceived ordinariness of those who inflict sexual harm. Wayne Couzens, rapist and murderer of Sarah Everard, was a former garage mechanic and serving police officer at the time of the attack, who took advantage of his position amidst prevailing Coronavirus restrictions to falsely ‘arrest’ his victim.<sup>27</sup> John Worboys, who is believed to have carried out over 100 sexual assaults on women in London, targeted lone women late at night from the relative comfort of his taxi cab.<sup>28</sup> Serial rapist Reynhard Sinaga who operated in Manchester between 2015 and 2017—and according to the British Crown Prosecution Service ‘the most prolific rapist in British judicial history’—was a seemingly ‘nice, meek and inoffensive’ PhD student.<sup>29</sup> Sinaga targeted scores of young men, often under the pretence of being a ‘good Samaritan’ helping them to locate friends or a place to stay after a night out. Unlike Savile, Weinstein and Epstein, none of these perpetrators were high-profile individuals, though they all found ways to abuse their relative positions of situational power to abuse their victims. Yet perhaps more importantly for understanding the attention these cases have received in the media, all three of these perpetrators conformed to the age-old stereotype of the lone-rapist, preying on ‘innocent’ victims previously unknown to them.

As some authors contend within this special issue, one of the main obstacles to recognising (and therefore preventing) sexual violence is that public discourse, including within rape prevention initiatives, tends to foster a false binary between ‘good’ and ‘bad’ men, with the underlying implication that ‘good’ men cannot commit acts of abuse. In actual fact, a person can simultaneously be highly respected for their work in fields as disparate as medicine, politics, art, sport and music, while being implicated in worrying acts of harm against those less powerful than they. Personalities as well-loved as David Bowie, Mahatma Gandhi, and

Diego Maradona have all been implicated in sexually harmful behaviour.<sup>30</sup> Focusing on notorious and universally condemned abusers distracts us from confronting serious questions about how our society creates, nurtures, protects and even loves the perpetrators of sexual harm.

The high levels of attention received by the Couzens, Worboys and Sinaga cases in contrast to more ‘everyday’ forms of sexual harm, reinforce misconceptions around the prevalence of stranger rape over other kinds of abuse. The vast majority of sexual abuse never reaches the headlines, and is suffered in silence by those abused by partners, parents, siblings, friends, and other persons known to them. By all metrics, stranger rape is relatively uncommon; women and children are far more likely to be abused by someone who is known, or even close to them, perhaps even sharing the same home.<sup>31</sup> As such, rather than a stranger, the sexual perpetrator is more likely to bear the familiar face of a father, brother, uncle, cousin, neighbour or acquaintance. Ideas about ‘good’ and ‘bad’ men exist in the everyday as they do in the public sphere and survivors fear they will not be believed if they speak out about their experiences. They point out that cultural assumptions in relation to religion or professional prestige can reduce the likelihood that they will be believed. As one sixteen-year-old British Pakistani girl who had been sexually abused pointed out, ‘it’s quite hard to believe that a person who is strongly religious could do that. In my family we’re all quite religious. Cause like mine – my family – I’m a Muslim and – so people think Muslims don’t do things like that...’<sup>32</sup> Similarly, Clare Devlin—daughter of judge Patrick Devlin—did not speak out about her father’s long-standing abuse of her until she was an adult, after all, he was ‘one of the most celebrated judges in the country’ whose ‘word was law’.<sup>33</sup>

‘Everyday’ sexual violence has also provoked intense debates within psychiatry. In this issue, Joanna Bourke explores the controversy that arose in the 1950s in relation to whether rapists were mentally ill and should be classified as such in the American Psychiatric Association’s *Diagnostic and Statistical Manual of Disorders* (DSM). Psychiatrists’ refusal to

pathologise ‘normal’ male sexual aggression was bolstered by feminists, who feared ‘ordinary’ rapists would plead insanity and be absolved of responsibility for the violence they inflicted. But the conflict over the DSM was as much about internecine professional conflict between psychiatrists, social workers, psychologists and anti-psychiatry activists over territory, authority and profit as it was about the ethics of such labelling. The medicalisation of thinking in relation to the ‘perpetrator’ as opposed to the ‘act’ had started more than half a century earlier. Paedophilia, for example, was part of the lexicon of sexual deviance devised by the German psychiatrist Richard von Krafft-Ebing in the late nineteenth century. While sexual acts such as gay sex and child abuse had hitherto been thought of as ‘unnatural’ or sinful behaviours, von Krafft-Ebing reconceptualised these as ‘symptoms of pathology’, and those who enacted them as ‘patients’.<sup>34</sup> Yet, as historian Adrian Bingham has demonstrated, the term ‘paedophile’ did not come into popular usage until the 1970s in Britain.<sup>35</sup> This increased visibility of the ‘paedophile’ was driven by feminist activism and medical inquiry, with both parties conceiving of child abuse as a ‘social problem’ that must be exposed and eradicated.<sup>36</sup> As Bassanavar points out in this issue, it was also paedophile interest groups such as the British Paedophile Information Exchange (PIE) who in the 1970s brought the ‘paedophile’ into popular awareness, through their lobbying—under the guise of ‘children’s rights’—for public acceptance of adult men’s ‘right’ to sexual ‘relations’ with underage boys. The figure of the paedophile has become the source of significant social anxiety in recent decades, often depicted in popular discourse as the very personification of ‘evil.’<sup>37</sup> Yet more recent scholarship has sought to nuance our understanding of those who abuse children. Since at least the 1980s, feminists have emphasised that child sexual abuse could be, and usually was, perpetrated by a stronger and older male authority figure in a child’s life such as their father, brother, cousin or teacher. It was not necessary for the abuser to be a paedophile whose primary or exclusive sexual attraction was to children. These ideas frequently resurface, however, for example, in 2017, when the US

politician Roy Moore was accused of molesting a fourteen-year-old girl when he was in his early 30s. He was labelled a paedophile on social media and in the press but, as the DSM defines it, ‘the paraphilic focus of Paedophilia involves sexual *activity* with a prepubescent child (generally age 13 years or younger)’.<sup>38</sup> Moore was not a paedophile, but rather a powerful man exploiting his position for sexual gratification with both minors and adults.<sup>39</sup> Conflating paedophilia with sex crimes against children may discourage adults who experience a strong sexual attraction to children from seeking treatment to manage their impulses.

One obstacle to tackling the issue of sexual harm, therefore, is an inability or unwillingness to ‘see’ perpetrators of abuse or to see them only as a specific stereotype, particularly when to do so would imply challenging deeply-ingrained worldviews. Hegemonic narratives relating to a particular period in history or a particular conflict can also serve to overshadow or eclipse sexual harms which lie beyond the perimeters of these established truths, or where the realities of sexual harm conflict in uncomfortable ways with social narratives that a population might hold dear. As Camila Sastre’s work on wartime rapes in Manta (Peru) shows, within prevalent narratives which held the Peruvian military up as the defenders against the much-hated Sendero Luminoso (Shining Path), it has become difficult for victims of military rape to have their voices heard.<sup>40</sup> Historical scholarship on rape in war is one of the most developed areas of research in the field of sexual violence, and offers some important insights for understanding the identities, motivations, and modus operandi of sexual perpetrators. Historians in a number of contexts have perceived the female body as another battleground in war, in which one side’s masculinity can be asserted over the other.<sup>41</sup> In the 1990s, such ideas found echo in new legal definitions of rape as a weapon of war within the genocides of Rwanda and the former Yugoslavia.<sup>42</sup> Since this time, however, scholars have increasingly raised doubts over the utility of the ‘rape as a weapon of war’ paradigm. In her work on rapes committed on the eastern front by members of the German Wehrmacht in the

Second World War, historian Regina Mühlhauser has shown how the drive to rape often came from below, from the ‘ordinary’ soldiers themselves, and that superiors were aware of this and incorporated it into broader war strategy.<sup>43</sup> Historians do not deny the ubiquity of sexual violence in war, but they point out that understanding it only as part of a coherent top-down policy can obfuscate important continuities with peacetime rape, and mask the complex realities of why men commit sexual violence in times of conflict.<sup>44</sup>

By contrast, Native American scholars writing about gender-based violence see rape as explicitly part of a broader strategy by colonial settlers to enforce racist and colonialist ideologies, a process that they see as perpetuated by the federal government in the contemporary US.<sup>45</sup> For example, Sarah Deer explains that the federal government categorised ‘Indian bodies .... as inherently “dirty” and “rapeable,”’ just as they classified Indian lands as ‘inherently invadable’.<sup>46</sup> Rape was a tool of conquest from early colonisation and a means of demonstrating to the tribes that it was futile to attempt to resist colonial power. In the twentieth century, the federal government constrained tribal legal systems whilst imposing federal Indian law in ways that made native women particularly vulnerable to rape and their perpetrators unlikely to be brought to justice. As a result, activist scholars such as Angela Davis question the extent to which the US government can be entrusted with protecting indigenous women and children from sexual and domestic violence given its ‘racist, sexist, and homophobic brutality in dealing with Native Americans’.<sup>47</sup> Such insights teach us that we need to understand the perpetration of sexual violence in a holistic sense, recognising the interplay between the individual agency and desire of the perpetrator to commit violence, and the ways in which states, institutions and their cultures tolerate, fail to condemn, or even encourage acts of sexual harm.<sup>48</sup>

Indeed, to understand fully how sexual violence is perpetrated, it is vital to analyse how abuse is tied up, facilitated and protected by social structures, both formally and informally. In

recent years, scholars have increasingly sought to better understand how social, political, religious, medical and legal institutions have fostered and perpetuated harm. High-profile child sexual abuse cases in children's homes, psychiatric hospitals and the Catholic Church have demonstrated how power differentials combined with silencing cultures of shame can provide contexts of impunity for perpetrators, who feel empowered to exert violence against vulnerable people, often under their care.<sup>49</sup> Legal institutions in particular have been singled out as the site of the secondary victimisation or 'second rape' of sexual abuse victims, given that insensitive and victim-sceptic attitudes can often render the process of reporting and prosecuting rape as equally, if not more, distressing than the attack itself.<sup>50</sup> Within this process of victimisation, the figure of the 'perpetrator' takes on new guises, from the police officer who might refuse to take a complaint seriously, and the defence lawyer who probes into the victim's sexual history to deflect attention from the accused, to the medical expert who 'reads' the body of the victim in a way which undermines their narrative of events or examines them in a way that is experienced as another assault on their bodily integrity.<sup>51</sup> As Stephanie Wright's article shows, medical forensic experts are not objective witnesses to sexual assault, and often reinforce culture-based assessments of female 'honour' and 'dishonour' within the courtroom. This exploitation of medical evidence is particularly pronounced within authoritarian contexts such as Francoist Spain, where corruption and the removal of legal checks and balances can foster an arbitrary legal system which protects the impunity of sexual perpetrators.

Aside from expanding scholarly understandings of perpetrators in modern history, we and our contributors hope that this special issue will contribute to a constructive reframing of popular discussions around sexual violence. Some historians have studied the social and cultural meanings of violence 'not in order to control it or to prevent it from recurring, but simply to gain a deeper understanding of past cultures'.<sup>52</sup> As activist scholars, we hope that the articles included here *do* contribute to change by opening up a wider discussion about those

who perpetrate sexual harms, directly or indirectly. We recognise that perpetrators may themselves have suffered abuse and cruelty in their earlier lives, although that does not justify or excuse the harms they inflict on others.<sup>53</sup> We also acknowledge that few perpetrators of sexual violence act alone, but are shaped, justified, and accommodated by the societies and communities they inhabit. Those who commit sexual violence often exploit structural inequalities and widespread discrimination against racial minorities, disabled, and neurodiverse people to cause sexual harm with impunity. While many remain unwilling to confront the ongoing phenomena of predominantly male sexual violence directed at those with less power—namely women and children, trans and queer people, disabled people, and other men—societies can change. By recognising the historical contingency of sexual perpetrators, we can reject essentialising worldviews which present sexual harm as natural and immutable, and begin to invest in strategies to make such violence less common. Whilst we may be some distance from a world free from rape, we can make perpetrators visible and hold them to account.

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<sup>1</sup> Office for National Statistics, '[Nature of sexual assault by rape or penetration, England and Wales: year ending March 2020](#)', 18 March 2021; Department of Justice, Office of Justice Programs, '[Bureau of Justice Statistics, National Crime Victimization Survey](#)', 2015-2019, (2020).

<sup>2</sup> Jennifer Temkin, *Rape and the Legal Process* (Oxford: Oxford University Press, 2022 [1992]); Rose Corrigan, *Up Against a Wall. Rape Reform and the Failure of Success* (New York: NYU Press, 2013); Rosa Márquez and Marta Jaenes, *¿Cerró Usted las Piernas? Contra la Cultura de Violación* (Barcelona: Plan B, 2021); Heather R. Hlavka and Sameena Mulla, *Bodies in Evidence: Race, Gender, and Science in Sexual Assault Adjudication* (New York: NYU Press, 2021); Emily Hunt, *'We Need to Talk': The Truth about Sexual Violence and My Fight for Justice* (London: Mardle Books, 2023).

<sup>3</sup> Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (London: Secker and Warburg, 1975); Joanna Bourke, *Rape: A History from 1860 to the Present* (London: Virago, 2007).

<sup>4</sup> Carine Mardorissian, 'Toward a New Feminist Theory of Rape', *Signs: Journal of Women in Culture and Society* 27, no. 3 (2002): 743-775; Deborah White and Lesley McMillan, 'Innovating the problem away? A critical study of anti-rape technologies', *Violence Against Women* (2019): 1-21.

<sup>5</sup> Vanessa Viehbeck, 'The freshman swimmer and the intoxicated woman: sexist discourse in news coverage of the Stanford rape case', *Pragmatics and Society* 11, no. 3 (2020): 363-390.

<sup>6</sup> Temkin, *Rape and the Legal Process*, 22-23.

<sup>7</sup> See, for example, '[Why are rape prosecutions falling?](#)', BBC News, 27 May 2022.

<sup>8</sup> Joanna Bourke, *Disgrace: Global Reflections on Sexual Violence* (London: Reaktion Books, 2022), 8.

<sup>9</sup> See, for example, Kristin Bumiller, *In an Abusive State: How Neoliberalism Appropriated the Feminist Movement Against Sexual Violence* (Durham: Duke University Press, 2008); Critical Resistance and INCITE!, 'Statement on Gender Violence and the Prison Industrial Complex', *Social Justice* 30, no. 3 (2003); Maddie Brockbank and Sara Greene, 'Beyond the



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<sup>10</sup> See, for example, Fiona Jones, “‘She was just walking home’: the impact of Sarah Everard’s murder”, *LBC News*, 28 June 2021; Courtney Worrell, ‘Sarah Everard was just walking home: a conversation on women’s safety and the potential to make change’, *Medium*, 26 March 2021; Melissa Jeltsen, ‘She was walking home: How Sarah Everard’s murder revealed feminism’s fault lines’, *Vanity Fair*, 28 September 2021.

<sup>11</sup> See, for example, ‘Sabina Nessa: Teacher killed on walk to meet friend’, *BBC News*, 23 September 2021; ‘Sabina Nessa murder: teacher attacked in park during five-minute walk to the pub’, *The Telegraph*, 23 September 2021; Sian Elvin, ‘Teacher killed five minutes from her house was walking to pub to meet friends’, *Metro*, 23 September 2021.

<sup>12</sup> See, for example, discussions of ‘missing white woman syndrome’ in Radhika Sanghani, ‘Why did it take so long for us to hear about Sabina Nessa’s tragic killing?’ *Cosmopolitan*, 12 April 2022; Anita Mureithi, ‘Why isn’t Sabina Nessa getting the attention Sarah Everard did?’ *openDemocracy*, 24 September 2021; Hanna Flint, ‘Why does the media only react when victims are young, pretty and white?’ *GQ Magazine*, 23 May 2021.

<sup>13</sup> Tanya Serisier, *Speaking Out: Feminism, Rape and Narrative Politics* (London: Palgrave Macmillan, 2018); For a similar discussion in a different context, see Hyunah Yang, ‘Remembering the Korean Military Comfort Women: Nationalism, sexuality and silencing’ in Elaine H. Kim and Chungmoo Choi (eds), *Gender and Korean Nationalism* (New York: Routledge, 1998), 123-139.

<sup>14</sup> Serisier, *Speaking Out*; Joanna Bourke, “‘Animal instincts’: the sexual abuse of women with learning difficulties, 1930s-1910s,” *Women's History Review* 29, no. 7 (2020): 1201-1217.

<sup>15</sup> Aviah Day, ‘We must stop comparing Sabina Nessa’s murder with Sarah Everard’s’, *Novara Media*, 23 September 2021; Kimi Chaddah, ‘Why debating the so-called “privilege” of female murder victims ultimately serves no one’, *British Vogue*, 29 September 2021; Sabrina Roman, ‘Should ‘privilege’ and ‘femicide’ be in the same sentence?’ *shift*, 4 November 2021.

<sup>16</sup> See, for example, Bourke, *Rape*, 21-49; Brownmiller, *Against our Will*, 213.

<sup>17</sup> Brownmiller, *Against our Will*, 15.

<sup>18</sup> See, for example, Angela Davis, *Women, Race and Class* (New York: Random House, 1981).

<sup>19</sup> Brownmiller, *Against our Will*, 210-255; Davis, *Women, Race and Class*, 155- 181; Bourke, *Rape*, 100-110.

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<sup>20</sup> Kimberlé Crenshaw, ‘Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics,’ *University of Chicago Legal Forum* 139, no. 8 (1989): 139-167.

<sup>21</sup> Lesley McMillan and Deborah White, ‘The missing and imagined perpetrator in rape prevention efforts,’ *Women’s History Review*, [this special issue].

<sup>22</sup> Centre for Disease Control and Prevention, ‘Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization — National Intimate Partner and Sexual Violence Survey, United States, 2011’ (5 Sep 2014), 5-6. In addition, nearly 95 per cent of female victims of sexual violence other than rape only had male perpetrators but for male victims, the sex of the perpetrator varied by the type of violence inflicted on them: <https://www.cdc.gov/mmwr/pdf/ss/ss6308.pdf>

<sup>23</sup> For a recent discussion of the concept of ‘toxic masculinity’, see Carol Harrington, ‘What is “Toxic Masculinity” and why does it matter?’ *Men and Masculinities* 24, no. 2 (2021): 345-352.

<sup>24</sup> In the US context, bisexual women had a significantly higher prevalence of lifetime rape, physical violence, or stalking by an intimate partner (61.1 per cent) compared to lesbian women (43.8 per cent) and heterosexual women (35 per cent). The lifetime prevalence of rape, physical violence, or stalking by an intimate partner was 29 per cent among heterosexual men, 37.3 per cent among bisexual men, and 26 per cent among gay men. National Center for Injury Prevention and Control, ‘The National Intimate Partner and Sexual Violence Survey 2010 Findings on Victimization by Sexual Orientation’, [https://www.cdc.gov/violenceprevention/pdf/nisvs\\_sofindings.pdf](https://www.cdc.gov/violenceprevention/pdf/nisvs_sofindings.pdf); Matthew J. Breiding, ‘Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization — National Intimate Partner and Sexual Violence Survey, United States, 2011’ at <https://www.cdc.gov/mmwr/preview/mmwrhtml/ss6308a1.htm>; Shon Faye, *The Transgender Issue: An Argument for Justice* (Milton Keynes: Allen Lane, 2021), 54, 255-256. On the stigma experienced by male victims of sexual violence, see B. Kennath Widanaralalage, Benjamin A. Hine, Anthony D. Murphy, and Karim Murji, “‘I didn’t feel I was a victim:’ A phenomenological analysis of the experiences of male-on-male survivors of rape and sexual abuse,’ *Victims and Offenders* 17, no. 8 (2022): 1147-1172; Heather R. Hlavka, ‘Speaking of stigma and the silence of shame: young men and sexual victimization’, *Men and Masculinities* 20, no. 4 (2016): 482-505.

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<sup>25</sup> Rhian Elinor Keyse, “‘A very sensitive Rwandan woman’”: sexual violence, history, and gendered narratives in the trial of Pauline Nyiramasuhuko at the International Criminal Tribunal for Rwanda, 2001-2011’, *Women’s History Review*, [this special issue].

<sup>26</sup> Nick Basannavar, ‘Savile’s shadow: Historical exceptionalism and historical contingency in perpetration narratives’, *Women’s Historical Review*, [this special issue].

<sup>27</sup> ‘Sarah Everard murder: Wayne Couzens given whole-life sentence’, *BBC News*, 30 September 2021.

<sup>28</sup> ‘John Worboys charged with sex offences’, *BBC News*, 1 May 2019.

<sup>29</sup> Helen Pidd and Josh Halliday, ‘Reynhard Sinaga: the “Peter Pan” student who raped scores of men’, *The Guardian*, 6 January 2020.

<sup>30</sup> See Angelina Chapin, ‘Why talking about Bowie’s sexual misconduct matters’, *HuffPost*, 18 January 2016; Ian Jack, ‘How would Gandhi’s celibacy tests with naked women be seen today’, *The Guardian*, 1 October 2018; ‘Diego Maradona: Cuban woman alleges footballer raped her when she was 16’, *The Guardian*, 23 November 2021.

<sup>31</sup> Globally about one in three (30 per cent) of women worldwide have been subjected to either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Most of this violence is intimate partner violence. Worldwide, almost one third (27 per cent) of women aged 15–49 years who have been in a relationship report that they have been subjected to some form of physical and/or sexual violence by their intimate partner. ‘Violence Against Women’, *World Health Organisation*, 9 Mar 2021.

<sup>32</sup> Camille Warrington, Helen Beckett, Elizabeth Ackerley, Megan Walker, and Debbie Allnock, *Making Noise: Children’s Voices for Positive Change after Sexual Abuse*, (Beds: University of Bedfordshire in partnership with the NSPCC, 2017), 50.

<sup>33</sup> Beatrix Campbell, “‘Our silence permits perpetrators to continue’”: one woman’s fight to expose a father’s abuse’, *The Guardian*, 25 July 2021.

<sup>34</sup> Richard von Krafft-Ebing, *Psychopathia sexualis: Eine klinisch-forensische Studie*, 1st edn (Stuttgart: Enke, 1886); Harry Oosterhuis, ‘Sexual Modernity in the Works of Richard von Krafft-Ebing and Albert Moll’ *Medical History* 56, no. 2 (April 2012): 133-155.

<sup>35</sup> Adrian Bingham, ‘It Would be Better for the Newspapers to Call a Spade a Spade’: the British Press and Child Sexual Abuse, c. 1918–90’, *History Workshop Journal* 88, (2019): 89–110.

<sup>36</sup> Jennifer Crane, *Child Protection in England, 1960-2000 : Expertise, Experience, and Emotion* (Basingstoke: Palgrave Macmillan, 2018).

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<sup>37</sup> See, for example, Chas Critcher, 'Media, government and moral panic: the politics of paedophilia in Britain, 2000-2', *Journalism Studies* 3, no. 4 (2002): 521-535; Frank Furedi, 'The moral crusade against paedophilia' in Vivien E. Cree and Gary Clapton (eds), *Revisiting Moral Panics* (Policy Press, 2015), 201-210.

<sup>38</sup> 'Sexual and Gender Identity Disorders' in DSM IV - TR (Revised) at

<https://www.helping-people.info/articles/dsm.htm>.

<sup>39</sup> Rachel Hope Cleves and Nicholas L. Syrett, 'Roy Moore is not a pedophile', *The Washington Post*, 19 Nov 2017.

<sup>40</sup> Camila Sastre, "'They were their boyfriend": the construction of the perpetrator's image in sexual violation cases in the community of Manta during the Peruvian internal armed conflict', *Women's History Review* [this special issue].

<sup>41</sup> See, for example, Brownmiller, *Against Our Will*, 38; Maud Joly, 'Las violencias sexuales de la guerra civil española: paradigma para una lectura cultural del conflicto', *Historia Social* 61 (2008): 89-107.

<sup>42</sup> For an overview of the Rwandan and Yugoslav cases and legal innovations in relation to sexual violence in war, see Joanna Bourke, Kirsten Campbell, Regina Mühlhäuser, Fabrice Virgili, and Gaby Zipfel, 'Introduction' in Gaby Zipfel, Regina Mühlhäuser, and Kirsten Campbell (eds), *In Plain Sight: Sexual Violence in Armed Conflict* (New Delhi, 2019), xi-xiv.

<sup>43</sup> Regina Mühlhäuser, 'Reframing sexual violence as a weapon and strategy of war: the case of the German Wehrmacht during the war and genocide in the Soviet Union, 1941-1944', *Journal of the History of Sexuality* 26, no. 3 (2017): 366-401.

<sup>44</sup> In the Rwandan case, Doris Buss argues that narrow definitions of rape as a 'weapon of war' can make it difficult for courts to address sexual violence which occurs beyond this paradigm. See Doris Buss, 'Rethinking rape as a weapon of war', *Feminist Legal Studies* 17, no. 2 (2009): 145-163. For further critiques of the rape as 'weapon of war' framework in the German and Spanish contexts, see Regina Mühlhäuser, *Sex and the Nazi Soldier: Violent, Commercial and Consensual Encounters during the War in the Soviet Union, 1941-45* (Edinburgh: Edinburgh University Press, 2021); Kerry Crawford, 'From spoils to weapons: framing wartime sexual violence', *Gender and Development* 21, no. 3 (2013): 505-517; Ángel Alcalde, 'Wartime and post-war rape in Franco's Spain', *The Historical Journal* 64, no. 4 (2021): 1060-1082.

<sup>45</sup> Andrea Smith and Luana Ross, 'Introduction: Native Women and State Violence', *Native Women and State Violence* 31, no. 4 (2004): 1, 6.

<sup>46</sup> Sarah Deer, *The Beginning and End of Rape: Confronting Sexual Violence in Native America* (Minneapolis, London: University of Minnesota Press, 2015).

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<sup>47</sup> Smith and Ross, 'Introduction: Native Women and State Violence', 6.

<sup>48</sup> Sexual assault and harassment within militarised contexts continue to be an issue, including in the UK. See 'Report: Protecting those who protect us: women in the Armed Forces from recruitment to civilian life', [UK Parliament: Committees](#), 25 July 2021. On the US context, see Joanna Bourke, 'Military sexual trauma: gender, military cultures, and the medicalization of abuse in contemporary America', *Journal of War and Culture Studies* 15, no. 1 (2021): 86-105.

<sup>49</sup> See, for example, Louise Hide, 'In Plain Sight: Open Doors, Mixed-sex Wards and Sexual Abuse in English Psychiatric Hospitals, 1950s-Early 1990s', *Social History of Medicine* 31, no. 4 (2018): 732-753. For the UK, see the [reports of the Independent Inquiry into Child Sexual Abuse \(IICSA\)](#); Australia, [Royal Commission into Institutional Responses to CSA](#); [Boston Globe Inquiry](#) into CSA in the Catholic Church.

<sup>50</sup> On the idea of the 'second rape', see Lee Madigan and Nancy C. Gamble, *The Second Rape: Society's Continued Betrayal of the Victim* (New York: Lexington Books, 1991), 7. Again, such processes of victimisation are sensitive to intersectional questions of race, gender, class, sexuality, disability, etc. See, for example, Sameena Mulla, *Bodies in Evidence: Race, Gender, and Science in Sexual Assault Adjudication* (New York: NYU Press, 2021).

<sup>51</sup> Mulla, *Bodies in Evidence*.

<sup>52</sup> Philip Dwyer, 'Violence and its histories: meanings, methods, problems', *History and Theory* 55 (Dec 2017): 7-22, 8.

<sup>53</sup> See particularly the work of London-based charity [Respond](#), which works with sexual perpetrators with learning disabilities. On 'cycles of abuse' see Malory Plummer and Annie Cossins, 'The cycle of abuse: when victims become offenders', *Trauma, Violence and Abuse* 19, no. 3 (2018): 286-304.