

Constituting and responding to domestic and sexual violence

Ann Weatherall

High levels of domestic and sexual violence perpetrated by men against women are worldwide problems. Around one in three women in the world have experienced some form of physical or sexual violence, with the rate being as high as 70 per cent in some Pacific countries (UN Women 2012). The alarming statistics point to a cultural normalisation of rape and physical violence as a routine, albeit stigmatised sexual experience. For example, in many countries in the world there are no legal sanctions against rape within marriage. Even where rape and other forms of violence against women are recognised as serious crimes, there are significant problems in its policing and prosecution due to the devaluing and stifling of women's voices. This special issue showcases contemporary feminist language research on violence against women. Its aim is to further develop understandings of how discursive, interactional and textual practices constitute and respond to gender-based violence.

Violence against women 'is a consequence – perhaps the most devastating consequence – of gender inequality. In its most extreme form it is a lethal act. Nearly 60 per cent of all female homicides are at the hands of male partners or family members' (UNODC 2018). For survivors, it has significant and ongoing negative consequences on health and well-being. Experiences of violence can make girls and women vulnerable to further experiences of violence (Senn et al. 2017). Furthermore, there are also high costs to society from violence including the provision of services to respond

Affiliation

Victoria University of Wellington, New Zealand.
email: ann.weatherall@vuw.ac.nz

to and reduce the harm it causes. A common theme in the contributions to this special issue is that the initial victimisation is regularly just a terrible beginning of an ongoing trajectory of violence and traumatisation. For example, in a legal setting there are repeated challenges to the construction of the experience of rape that continue even after an initial guilty verdict (see the article by Freitas and Bastos in this issue). The ways gender-based violence is represented in media including newspapers (see Tranchese's article in this issue) and magazines (see McLoughlin's article in this issue) further perpetuate harm by reporting violence in ways that blame the victim and diminishes the culpability of the offenders.

Feminist discourse theory points to normative conceptions of gender and heterosexuality as part of a scaffolding that constructs rape as 'just sex' (e.g. Gavey, 2005). It explains why, across the world, and not least of all in Anglo-American societies, there is a culture of minimising and downplaying the significance of sexual violence and rape that continue, especially when women are sexually assaulted by men they know and should be able to trust. Partner rape, for example, is the least reported form of sexual violence and the most unlikely to be prosecuted (Jordan 2011). An exception to normative conceptions is the way violence is represented in a feminist guidebook for survivors (see Candelas's article in this issue). The Women's Aid guidebook shows that violence can be constructed in ways that challenge a sexist moral order by appreciating systemic gender inequalities, calling perpetrators' into account and producing women as agentic. However, Candelas points out that there is still linguistic work to be done to construe the experience of marginalised women in inclusive ways.

An important development in the recent past has been the rise of the #MeToo movement. One of the important accomplishments of #MeToo has been to cast experiences of sexual assault, previously dismissed as an inevitable part of being a woman, as not okay. The #MeToo movement is highlighting that the problem of sexual assaults and inappropriate sexual relations is pervasive, even in academia (Airey 2018). This resonates with a personal experience of mine that shows the robustness of the cultural scaffolding of rape. A student I supervise recently disclosed that one of my colleagues was routinely having sex with his students. At the time the university was supporting disclosures of inappropriate conduct, so I reported what I had been told. The ultimate result was to be told that there was no policy prohibiting academics having intimate relations with students if there was reason to believe it was consensual. So, at the end of the day, there is an institutional infrastructure that supports the cultural scaffolding of rape. There are no consequences for men in academia having sexual relations with students.

Since there are always power imbalances in a relationship, the issue of consent is a thorny one. Even in rape cases where the victim has died because of the assault, a lack of consent is particularly difficult to establish. In legal proceedings rape myths (e.g. women 'ask for it' by dressing or behaving provocatively; allegedly enjoying 'rough' sex) show a remarkable robustness and are routinely used to undermine the credibility of the victim (Lees 1996). Ehrlich's article herein picks up the issue of consent, drawing on the theoretical notion of heteronormativity to explain why non-consent is difficult for women to establish in legal proceedings. Women's sexual passivity is culturally normative, so establishing silence and passivity can be cast as providing consent. Ehrlich shows how the introduction of digital images of the comatose woman who was raped brought into stark relief the deeply problematic nature of the defence's position that passivity and silence indicated consent. A positive message emerging from Ehrlich's work is that more widespread use of images as evidence in rape trials introduces a powerful visual ideology that trumps a purely linguistic one. Images are a convincing way of establishing silence and passivity as non-responsiveness rather than consent.

Weatherall and Tennent's article in this issue is distinctive for examining recordings of talk, rather than textual data. Their article examines how disclosures of violence are made when women call a service that offers support for victims of crime and trauma. The issue of disclosure is important in feminist research on violence, because accurate statistics rest on reports of violence being made. Furthermore, it is understood that women face considerable barriers to reporting experiences of violence and rape (Jordan 2011). Counter intuitively, Weatherall and Tennent found explicit disclosures about violence were rare. Rather, a joint understanding that a call was about violence was accomplished inferentially using identity categories such as 'ex-partner' and via references to locations such as jail.

The methodological approach used by Weatherall and Tennent was conversation analysis. Other methodological approaches used in this special issue include critical discourse analysis (Ehrlich; Freitas and Bastos) and corpus-based analysis (Candelas; Tranchese). All in all, the contributions to this special issue provide clear evidence that linguistic and discursive constructions, alongside institutional practices on domestic and sexual violence, draw upon and reproduce a cultural scaffolding of rape, in which women's agency and credibility is repeatedly and systemically undermined. Feminist linguistic research highlights the ongoing need for critical analyses of the ways language as discourse, text or as used in interaction reproduces or challenges a social system that condones gender based violence.

References

- Airey, J. L. (2018) #MeToo. *Tulsa Studies in Women's Literature* 37(1): 7–13. <https://doi.org/10.1353/tsw.2018.0000>
- Gavey, N. (2005) *Just Sex? The Cultural Scaffolding of Rape*. New York: Routledge.
- Jordan, J. (2011) Here we go round the review-go-round: rape investigation and prosecution – are things getting worse not better? *Journal of Sexual Aggression* 17: 234–49. <https://doi.org/10.1080/13552600.2011.613278>
- Lees, S. (1996) *Carnal Knowledge: Rape on Trial*. London: Hamish Hamilton.
- Senn, C. Y., Eliasziw, M., Hobden, K. L., Newby-Clark, I. R., Barata, P. C., Radtke, H. L. and Thurston, W. (2017) Secondary and 2-year outcomes of a sexual assault resistance program for university women. *Psychology of Women Quarterly* 41: 147–62. <https://doi.org/10.1177/0361684317690119>
- UNODC (2018) *Global Study on Homicide 2018*. Vienna: United Nations Office on Drugs and Crime.
- UN Women (2012) *Violence against Women Prevalence Data: Reports by Country*. New York: UN Entity for Gender Equality and the Empowerment of Women. <https://doi.org/10.1093/law-epil/9780199231690/e2195>