



Faculty Against Rape

How to Shift Campus Rape Culture

“It takes one rapist to commit a rape, but it takes a village to create an environment where it happens over and over and over.”

-- Thomas MacAulay Millar

One-in-five women and 6% of men face sexual assault/rape during their time at college. Going to college increases the likelihood that a person will be raped because, like the military and prisons, schools are enclosed institutions with particular norms and practices that amplify broader rape culture. The purpose of this document is to share ways to effectively shift rape culture on college campuses, and to explore why many administrators are reluctant to do so.

What is Rape Culture?

Rape culture describes a society in which rape is common and normalized by societal attitudes and practices. In the U.S., rape is tacitly condoned through denial of widespread rape, denial of the harms of rape, not considering rape a “real” crime, victim blaming, trivializing rape, and the normalized of female sexual objectification and rape eroticization in pop culture. Rape culture is evident in the U.S. by the staggering statistics about its prevalence, vast underreporting of this crime, victim blaming when the crime is reported, and the fact that only 3% of rapists spend a single day in jail for their crime. Survivors often suffer high levels of PTSD because they are blamed, shamed, and rejected by friends and peers.

Causes of Rape Culture

In order to shift rape culture on campus and in broader society, we must understand its root causes. Rape culture is the product of a society in which both men and women accord men higher value than women, and male dominance over women is considered natural and desirable. We see evidence of this belief system in the vast overrepresentation of men in positions of power, the devaluation of work associated with women (e.g., homemaking, caretaking), men being paid more for performing the same work, men’s stories overrepresented in pop culture, and disparaging stereotypes about women’s intelligence, humor, ability to drive, etc. In order to eliminate rape culture, we have to eliminate the underlying sexist belief system that is so socially ingrained that both men and women uphold it in various ways every day. This would require a monumental, concerted effort on the part of schools, parents, religious institutions, governments, and media, and such an effort is unlikely to ever happen on such a large scale.

In short, the cultural knowledge, agreement, and coordination it would require to shift rape culture will not happen anytime soon, but we can address the symptoms on college campuses through education and sanctions today.

How to Shift Rape Culture

Cultures are created by formal and informal practices that establish patterns and norms. Colleges and universities could shift campus rape culture immediately by implementing four formal practices that, given time, would establish new norms: 1) establish and communicate a clear definition of consent, 2) educate students about what legally constitutes different forms of sexual violence, 3) stop sending mixed messages by tolerating some forms of sexual violence on campus, and 4) establish and enforce strong sanctions for sexual violence. Each of these is addressed in turn.

1) Establish a clear definition of consent.

A key part of ending campus rape culture is to clearly define consent, and to make sure students know the definition. Most schools have overly complex, unclear definitions of consent. For example, many schools have moved away from a verbal consent standard in favor of a verbal or physical consent standard, but physical consent is based on non-verbal cues that are often misread, especially with alcohol involved. Additionally, some students on the autism spectrum cannot give or receive non-verbal cues in an accurate way, so a non-verbal standard for consent is discriminatory. If campus administrators cannot provide a clear definition and examples of “non-verbal consent,” then students cannot be asked to use this as the basis for determining whether their sexual activities are consensual. Verbal consent is the gold standard for consent.

Another way consent has been clarified is by moving beyond “no means no.” California recently passed a “yes means yes” law requiring that parties give affirmative consent prior to engaging in sexual activities. According to this new law, “Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time.” This law effectively shifts the burden from survivors proving they did not consent to both parties proving they did consent. “Yes means yes” moves us from sexist roles where men are expected to push sex and women are expected to be gatekeepers, to expecting people of all genders to actively give consent.

Many campus officials are reluctant to implement a clear line of consent because students this “isn’t where students are” with sex. Exactly. Most students are not practicing consent all of the time because they are steeped in two decades of rape culture. If campus officials meet students “where they are” instead of establishing logical standards for consent, rape culture on campus will continue to thrive. In order to shift rape culture, campus officials have to establish a reasonable standard that complies with state and federal laws, and use this standard to shift student’s sexual attitudes and behaviors away from rape culture.

2) Educate students about what constitutes sexual violence according to state and federal law.

Rape culture involves a spectrum of violence, ranging from sexual harassment (on the street, in the workplace, etc.) to sexual battery (non-consensual touching outside of clothing), sexual assault (non-consensual touching inside of clothing), and rape (non-consensual penetration of any orifice). The first step in shifting campus rape culture is for officials to educate their students about these definitions and the law through mandatory orientations, on-going trainings.

The gold standard for making sure that students understand the policy is to have them complete a contract where they write the definition of consent, write the definitions of sexual harassment, sexual battery, sexual assault, and rape, write the sanctions that accompany each, and sign their name pledging that they will not engage in these illegal activities. This contract would simplify adjudication processes if students engage in any form of sexual violence.

3) Send a clear message that sexual violence of any kind will not be tolerated on campus.

Virtually all campuses send mixed messages by tolerating some forms of sexual violence but not others. Most students come to campus with nearly two decades of attitudinal baggage that sexual violence is normal and not really that bad. This belief is reinforced at campus functions that are rife with condoned sexual violence – “surprise” grinding at dances (sexual battery), non-consensual grabbing and fondling at parties (sexual battery or sexual assault), pledging and party rituals that include sexual battery and assault, etc. Sexual violence at social college functions is so normal that some students think it’s a rite of passage demarcating high school and college. To shift rape culture, officials have to send the clear message that no form of sexual violence will be tolerated on campus or at campus-related or student events (e.g., off-campus parties).

4) Establish and enforce strong sanctions for sexual violence on campus.

All schools have a sanctioning scheme for sexual violence based on the type of offense and previous offenses. However, almost no schools publish specific sanctions for different types of sexual violence, and most schools apply sanctions on a case-by-case basis. It seems like common sense that schools would have clear sanctions and publish them, like they do for plagiarism and theft and other violations of the student code of conduct. But schools are reluctant to develop standard sanctions and advertise them because officials would lose the power to apply sanctions in an individualized way that takes other factors into account, such as how much money the perpetrator’s family might contribute to the institution or the likelihood that the perpetrator will sue the institution. Schools cannot possibly hope to shift rape culture until they establish and advertise strong sanctions for each type of sexual violence.

Enforcing sanctions is a must if campus officials want to shift campus rape culture. Sexual violence has become a normal part of campus life, but at the far end of the spectrum, rape is driven by 4% of male students who perpetrate nine-in-ten rapes (Lisak & Miller, 2002). These serial rapists perpetrate an average of six rapes during their time at college, and school officials who keep rapists on campus put the student body at risk. Currently, only 12% of sexual assaults/rapes are reported (Kilpatrick, 2007), and of those, half are found responsible for

sexual assault/rape (Center for Public Integrity, 2010). Of students found responsible, only one-third are expelled (The Huffington Post, 2014). Given the very low false reporting rate (about 2% according to the Department of Justice, 2001), this means that fewer than 2% of campus rapists are ever held accountable for their actions. Public enforcement of strong sanctions is the best way to swiftly and effectively shift campus rape culture. Campuses can drastically reduce their rape rates if they get serial rapists off campus after their first or second rape.

Conclusion

Colleges should address the manifestations of rape culture on their campus by establishing clear definitions of consent, sexual battery, sexual assault and rape; conveying these definitions to students; and establishing and enforcing universal sanctions for different forms of sexual violence. Despite what college presidents publicly say about being dedicated to major reform, they have concerns that compete with student safety (i.e., fundraising and risk management) that leave them reluctant to implement commonsense, effective measures.

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