

Reversal of Fortune: The Rape of Men by Women Jarrod Reich, Brandeis University Class of 2001

“Throughout history no theme grips the masculine imagination with greater constancy and less honor than the myth of the heroic rapist. As man conquers the world, so too he conquers the female. Down through the ages, imperial conquest, exploits of valor and expressions of love have gone hand in hand with violence to women...”¹ “...The pervasiveness of men’s problem with sexual aggression suggests one of two things: Either [*sic*] God developed a defective sensibility gene when he assembled males, or there’s a major flaw in our cultural conditioning, and that flaw feeds this madness that’s corrupted us.”²

If anything seems clear among scholars and commentators of rape, it is that the assailant is always a male; if someone has two testicles and a thick beard, these academics assert, he has or will be the mastermind behind a flagrant act of sexual abuse. When one considers all of the scholarly literature on rape, the so-called “rape culture” of contemporary society, and even the mechanics of sexual intercourse, he or she can easily come to the conclusion that all sex crimes are committed by men. Whether due to the biological need to procreate, the societal pressure to prove one’s masculinity, or the perversion of traditional gender roles, men commit rape.³

Can rape, a crime of power and dominance, a crime referred to by Justice Byron White of the Supreme Court as “the ultimate violation of self,”⁴ be so gender-specific that its only perpetrators are male? Although it is nearly absent from any mainstream piece of academic literature concerning rape (and the lexicon of rape scholars, for that matter), women can rape men. Whether rape scholars are reluctant to discuss female-on-male rape because they believe that no man can be raped (or, if they can be, that they would dismiss unwanted sexual intercourse

¹ Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York: Simon and Schuster, 1975), p289.

² Nathan McCall. *What’s Going On: Personal Essays* (New York: Random House, 1997), p35.

³ For the argument that rape is a natural male impulse, see Barbara Ehrenreich, “How ‘Natural’ Is Rape?” *Time*, January 31, 2000, p88. McCall and Brownmiller, among others, discuss at length the societal pressure and perpetuation of rape.

⁴ *Florida Star v BJF* 491 US 524, 542 (1989).

as a pleasant surprise) or it may refute their “rape comes from the culture of masculinity”⁵ theses or what have you, the fact remains that men can be, have been, are, and will be raped by women.

Not only is it medically possible, male heterosexual rape survivors perhaps face more difficulties in achieving justice: not only is social stigmatization an ordeal perhaps as unbearable as the rape itself, but also jurisprudentially it is all but impossible for a female rapist to be arrested, much less convicted. Male survivors also are victimized by the very society that supposedly promotes the aforementioned male sexual aggression and deification of heroic rapists.

Male rape survivors can find very little—if any—solace through the court systems. In fact, courts have traditionally held the belief that a woman cannot rape a man. One particular British Common Law case illustrates the courts’ bias. In *Willan v Willan*, an English court held that a husband, who alleged that his wife badgered him to have sex until he finally gave in to her pressure, was a voluntary participant. The court claimed that the mere act of intercourse was proof of the husband’s condonation (read: erection). The author of the opinion even admitted that his decision would have been different had the complainant been the wife, but “in the case of a husband who has sexual intercourse it can only be said of him that what he does he does on purpose, and that sexual intercourse with his wife must be a voluntary act on his part.”⁶ He later elaborated by saying that it is “impossible to say that the subsequent action of the wife in submitting herself to an act of sexual intercourse could in any circumstances amount to an act of cruelty against the husband.”⁷

Even if the justice system does not consider rape a gender-neutral offense, many medicinal experts have claimed that a woman can physically rape a man. Most people share the

⁵ Rus Ervin Funk, *Stopping Rape: A Challenge for Men* (Philadelphia: New Society, 1993), p19.

⁶ *Willan v Willan*, 2 All. E.R. 463 (CA 1960) at 466. Quoted from Aimee L. Widor, *Comment: Fact or Fiction?: Role-Reversal Sexual Harassment in the Modern Workplace*, 58 U. Pitt. L. Rev. 225, 232 (1996).

⁷ *Ibid.*

sentiments of the *Willan* judge: how can a woman accomplish forcible vaginal intercourse with an unwilling male partner (with presumably a limp penis)? While the consensus may be that “under a sex-neutral definition of rape, a woman could rape a man but this would involve acts such as a group of women forcibly holding a man down while they use carrots to penetrate him anally,”⁸ it has been asserted that it is medically possible for a woman to rape a man by the “garden variety” vaginal intercourse. According to doctors, however, men can experience sexual arousal due to touch stimulation or strong emotional reactions, even when they do not have any psychological desire for a female initiator.⁹

It is completely possible that a man’s “penile unit can salute at full attention”¹⁰ as an autonomic response to either manual stimulation or fear; it can be therefore asserted that a male rape victim is doubly betrayed—by not just his assailant but also his own body. Society also betrays the survivor because it feeds into the erection-as-compliance myth: “widespread acceptance of [the stereotype that a man cannot have an erection when he does not want to and thus cannot be raped by a woman] has unfortunate implications for medicine, psychology, and law.”¹¹ It is important to note, however, that sexual arousal during forced intercourse is not limited to men. Most women, in fact, lubricate and some even respond at orgasmic levels while they are being sexually molested. “The belief that a female sexual assault victim must not be a victim because ‘she enjoyed it or would not have lubricated’ [is rarely, if ever, espoused].

⁸ Charlene L. Muehlenhard, *The Importance and Danger of Studying Sexually Aggressive Women*, from *Sexually Aggressive Women*, Peter Anderson and Cindy Struckman-Johnson, eds. (New York: Guilford Press, 1998), p32.

⁹ Cindy Struckman-Johnson and Peter Anderson, “*Men Do and Women Don’t*”: *Difficulties in Researching Sexually Aggressive Women*, from Anderson and Struckman-Johnson, p12.

¹⁰ *Picket Fences*, Episode 24, “Unlawful Entries,” Aired October 29, 1993. This episode of the David E. Kelley television drama dealt with the alleged rape of Patrick Gatwood by a female companion. The attorney defending the alleged rapist uttered this particular quote.

¹¹ John G. Macchietto, *Treatment Issues of Adult Male Victims of Female Sexual Aggression*, from Anderson and Struckman-Johnson, p195.

Extending this knowledge, just because a man became aroused or even ejaculated when assaulted does not mean that he ‘enjoyed it.’”¹²

Alcohol, like fear, can cause men to engage in unwanted sex. Women can use the “great leveler” of gender roles, alcohol, as a tool of sexual manipulation just as men stereotypically use it. Laws in most states recognize that a rape occurs when a consensual participant is intoxicated at the time of sexual contact. Most of these laws, however, go on to state that it is rape if the participant recognizes that *she* would not have engaged in the sexual activity if sober.¹³ Rape scholars also espouse this gendered view of date rape. In Dartmouth College Dean Daniel Nelson’s treatise of informed consent and intoxicated sexual intercourse, he, too, automatically assumes that the woman is inevitably the victim:

Depending on the level of impairment and what desires were or were not communicated, *the woman has still been wronged, and the man has still done the wrong, even [if the woman willingly becomes intoxicated]. Her consent is still necessary for the sexual activity not to be an act of violence against her.* The fact that *she* chose to get drunk does not mean that *she* gave up *her* right not to have harm done to *her*.... One might conclude she exercised extraordinarily poor judgment by drinking so much that she left herself vulnerable to men who might not respect her personhood and choose to use her for their own purposes.... *The fault lies with the man who intimately touched or penetrated her without her freely given permission, the permission that is hers alone to give.* She might have wanted to have sex while intoxicated, [*sic*] yet she might not. There isn’t any sure way to know. Men who have sex with intoxicated women run the risk of harming them and leave themselves vulnerable to very legitimate complaints of sexual assault or abuse. (Emphases added.)¹⁴

It is safe to assume that Dean Nelson is trying only to discourage sex among his intoxicated students in order for both men and women to avoid its potential dangers. No matter his intention, Nelson managed to promote the traditional gender roles that prevent men from acknowledging the crimes against them. Why is the male invariably the perpetrator and the woman the demure damsel undone by the dangers of alcohol? “The fact is that most men who are

¹² Ibid.

¹³ Ibid, p196.

¹⁴ Daniel M. Nelson, When “Yes” is Not Consent, from *The Other Side of Silence*, Christine Carter, ed. (Avocus Publishing, 1995), p64-5.

sexual with women who have been drinking have also been drinking themselves. Therefore to be fair and consistent, those men can logically claim that they were date raped themselves if they believe they were sexually active against their sober judgement.”¹⁵ One man’s story in particular illustrates how men can be vulnerable due to intoxication: “On a recent date with a woman I’ve been seeing a few months, we got quite drunk. We argued, in jest, then it got heated. She slapped me hard. For some reason this led to sex I really didn’t want. But I couldn’t hit back, or shove her off of me. My friends laugh at this; even a therapist questioned how much I ‘didn’t want it.’”¹⁶

The average person would, if the gender-specific portions of this account were either removed or changed, undoubtedly consider this a rape. According to Dean Nelson, however, the woman in this account can file a rape charge! In fact, the above account was written to a local newspaper’s advice columnist, who had this to offer: “You know that if you fought back, she could have called the cops. And there you’d both be. Torn clothes. Disheveled. Bruised. And who would be believed? Exactly.”¹⁷

Aside from force and alcohol, women can use positions of power to force sex upon men. Women in these superior positions—usually in the workplace—threaten to unleash their wrath upon the unwilling men. The most known case of such sexual assault is in fiction, namely Michael Crichton’s novel *Disclosure* and the Warner Brothers movie of the same name. *Disclosure* centers on the allegations of sexual harassment by Tom Sanders against his former lover and current boss, Meredith Johnson. In the film, Sanders, played by Michael Douglas, is invited to late night meeting in Johnson’s (played by Demi Moore) office, where she engages him in sexual activity; at one point she begins to perform oral sex on him. Sanders, arousal and

¹⁵ Macchietto, p196.

¹⁶ “Dr. Love.” *Buffalo (NY) News*, 23 June 1995, pC6.

¹⁷ *Ibid.*

Johnson's willingness notwithstanding, keeps repeating the word "no" over and over, and ultimately escapes the office. Sanders faces allegations of sexual harassment by Johnson, and therefore files his own harassment. Aside from his wife and feminist attorney, no one believes that it is possible. His colleague and friend Phil does not believe that Sanders's allegations are honest: "You're like one of those Goddamn women, Tom, who think they're going back to the hotel at two in the morning drunk to watch HBO. Could you be any more lame?"¹⁸

In the film, those on the periphery have a hard time dealing with the notion of a woman raping a man; this is particularly due to the idea that a woman dominating a man is the ultimate sexual fantasy:

It's difficult for a woman to talk about [sexual assault]. But it's even more difficult for a man.... He tends to get laughed out of the room. We have this underlying belief that men should be sexually available at all times—and like it. The assumption is that men derive such enjoyment from sexual advances that they become incapable of being sexually [assaulted]... In a society where many characterize a female seizing the reigns of power and overcoming a man's will as constituting the ideal male sexual fantasy, it is difficult for a man to convince society, much less a predominantly male judiciary, that his claim has merit and should be accorded due weight.¹⁹

A recording of Sanders's repeated rejection of Johnson's advances proved the harassment in the film. Literary and cinematic irony may have ensured justice, but in the real world, it is much more difficult for the Tom Sanderses to seek justice from the Meredith Johnsons. Role-reversal sex cases are typically met with skepticism. Tension exists in our society between "what is perceived as the 'self-same wish of men to be utterly overcome by a woman' and the reality that women can seize the reigns of power and snub the coy fantasy of an alluring vixen who enjoys recreational sex and makes men blush with her flirtations. In the end we are left with women who are just as capable of sexual harassment as men."²⁰

¹⁸ *Disclosure*. A Warner Brothers Picture, 1995.

¹⁹ Widor, p245.

²⁰ *Ibid*, p226.

One man, however, was able to break this taboo and not only come forth, but win a sexual harassment suit against a female boss. Sabino Gutierrez was awarded one million dollars in a unanimous verdict. Gutierrez was harassed by Maria Martinez, the chief financial officer of the company for which Gutierrez worked; he alleged that Martinez constantly pressured him to engage in sexual intercourse, and that for fear of losing his job, he succumbed to his advances. Gutierrez later became engaged and a few days after breaking this news to Martinez, he was demoted; months later, someone was hired to take over Gutierrez's duties and he was ultimately forced to quit. Gloria Allred, the attorney for the plaintiff, stated that this 1993 case was the first—and only—successful sexual harassment case by a man against a woman. There were no previous and have not been any subsequent federal or state published cases where there was a male victim of sexual harassment.²¹ What this case does, hopefully, is take away the gendered nature of sexual harassment—no boss, male or female, is free to sexually exploit his or her underlings.

In *Disclosure*, Meredith Johnson tried to justify, during her deposition, her sexual assault on Tom Sanders: “Sometimes no means that person wants to be overwhelmed, dominated.... Veil it, hide it, lock it and throw away the key; we expect a woman to do a man's job, make a man's money, and then walk around with a parasol and lie down for a man to fuck her like it was still one-hundred years ago. Well no thank you.... I'm just playing the game by the rules you men made.”²² What the Gutierrez case does is prevent women from excusing their sexual aggression toward their male employees. The judicial system, at least one court in California, made tremendous strides in achieving true gender equality; perhaps there won't be too many women who will play into sexual stereotypes and justify their aggression with Meredith Johnsonesque tirades.

²¹ John L. Mitchell, “Man Gets \$1-Million Award in Sexual Harassment Case; Courts: Ruling against spa company's top financial officer is believed to be first such verdict against a woman,” *Los Angeles Times*, 20 May 1993, pA-1.

²² *Disclosure*.

Whether forced into sex physically, emotionally, mentally, or socially, more men are raped than most would believe. In fact, according to one particular study, “more men than women reported having engaged in unwanted sexual intercourse.”²³ The majority of such crimes go unreported. In today’s culture it is nearly impossible for a man to come forth and accuse a woman of raping him. Gender stereotypes in our “rape culture” fail men in two ways: they place an unfair double standard on men and women concerning acceptable sexual behavior and they presuppose definite roles for men and women in the sexual dialectic. It seems apparent that men cannot play the victim because the liberalized perception of rape prevents men from asserting their plight:

Definitions of male sexual aggression now include pressure tactics such as continual arguments, deception, and use of authority, as well as force tactics of intimidation physical restraint, harm, threats of harm, and use of alcohol and drugs to diminish one’s ability to consent.... In contrast...the use of pressure tactics and even the use of some force tactics may be considered acceptable for today’s sexually active woman.... *Sexual violations by a woman are seen as romantic and motivated by intimacy, whereas the identical behaviors by men are viewed as threatening, aggressive, and motivated by power and control.... A woman who persistently demands sex from a reluctant man is viewed as “expressing her sexuality”; a woman who persistently kisses, touches, and removes clothing from a reluctant man is being “seductive”; a woman who uses physical restraint to sit on a man or lock in a room is being “playful”; and a woman who initiates sex with a drunken man is “way too horny for her own good.” Some of these same actions could potentially result in criminal prosecution.* (Emphases added.)²⁴

Does our culture therefore enable women to comfortably physically force or mentally manipulate men into having sex? In our twenty-first century mentality, where men and women are supposed to be viewed as equals, is there any justification in letting women rapists free to coerce any man of their choosing into unwanted intercourse? Startlingly enough, it appears as though society is not ready to accept rape as a gender-neutral crime and dismiss their traditional sexual stereotypes.

²³ Muehlenhard, p19.

²⁴ Struckman-Johnson and Anderson, from Anderson and Struckman-Johnson, p15.

“Acknowledging victimization of men by women violates two of society’s stereotypes: (1) that women are weak and need protection from men and (2) that men are strong and thus it is unmasculine to be abused by a woman.”²⁵ A man who comes forth as a rape survivor thus violates the comforting gender stereotypes we have attributed to both men and women. Since we, in a neo-feminist age, like to tout the equality of the sexes, we should also acknowledge that women can be equally as sexually aggressive and violative as men. “Even though a man usually does not suffer the same physical intimidation or threats a woman encounters, that does not mean that a man cannot be a victim”²⁶ of sexual assault. If a man were to come forth, he would most likely be chastised (and called many female sexual euphemisms, for that matter). “Men have been raised to be protectors of women. Male chivalry is the action reflecting the attitude that women need protection from other men.”²⁷ Men also have intrinsic pressures that lead him to have unwanted sex, such as “the worry that the woman will think either he is gay or that she lacks sex appeal, the fear that he is not a real man because ‘real men’ would never refuse advances from a woman, or his shame at being a virgin. In these situations, the woman may hold some power...[and the man] does not feel he has the choice to avoid the sexual encounter.”²⁸

Women who foray into a male-dominated sphere, such as a family breadwinner, a corporate executive, or a military commander, are perceived as “masculine” women. The converse of this tenet is that men who display sensitivity, rear children, or live lives of domesticity are non-masculine wimps. A man deemed effeminate is considered as a social outcast and even a sick individual. Men who are sexually victimized, therefore, are often unwilling to come forth in an attempt to avoid being considered less than men. “For men to be victimized themselves, or to be viewed as victims, is to be seen as less masculine by a society that

²⁵ Macchietto, p194.

²⁶ Widor, p246-7.

²⁷ Macchietto, p191.

²⁸ Andrea Parrot, *Meaningful Sexual Assault Prevention Programs for Men*, from Anderson and Struckman-Johnson, p207.

holds this stereotype. It makes sense that men, because of their socialization, would resist being viewed as victims, with the helplessness and emasculation connotations that go along with it.”²⁹

Traditional rape myths that plague women equally plague men. In *Disclosure*, for example, Tom Sanders’s sexual history came into play; Meredith Johnson’s attorney questioned Sanders’s character by discussing both the various sexual positions and acts Sanders and Johnson engaged in while a couple and the number of sexual partners Sanders has had. On the David E. Kelly drama *Picket Fences*, one episode centered on the alleged rape of local geometry teacher Patrick Gatwood by his female date. During questioning by police and the district attorney, the alleged rapist talked about Gatwood’s dress—tight jeans, a form-fitting shirt—and his willingness to participate in foreplay; this was in an effort to show that Gatwood “asked for it.” These two fictional situations play into the typical “vamp” and the “cannot-lead-a-person-on-and-stop” rape myths, and are representative of other situations of gender role-reversals regarding rape.

While it should be acknowledged that rape is a gender-neutral crime, there are scholars who seek to minimize the effects of female sexual abuse of men; most either ignore female-on-male rape outright or doubt its very presence, but there are some academics who contend that male rape survivors are not victims in the same sense that female survivors are. In various studies, it has been claimed that male rape survivors suffer less emotional trauma than female survivors. One such study led to seven conclusions regarding various forceful sexual advances: that men respond positively when the advance is either from a woman with whom they have a romantic relationship and when the woman is very attractive; and that men respond negatively when the woman threatens or demonstrates capacity to do harm, when the woman is a stranger, when the woman is unattractive, when the advance is against their beliefs of casual sex, loss of

²⁹ Macchietto, p191.

virginity, or infidelity, and when the woman takes advantage of their intoxicated state.³⁰ One scholar, Wendy Stock, interpreted this study (among others) as an indication that men can't really be raped because they were not, against forceful sexual advances across the board: "If male-to-female and female-to-male forced sex is equivalent, it would report equal degrees of negative emotional sequelae."³¹ Stock argues that "equating male rape with women's typical experiences of rape trivializes the more extensive damage, both physical and psychological, to women rape victims."³²

Stock's analysis seems too wrapped up in feminist bitterness to be taken as an attack on the validity of male rape survivors' accounts. Stock cites one study as the use of male rape as a trivialization of female (or "real") rape victims: "[B]ecause 63% of the men and 46% of the women [in this study] said that they experienced unwanted sexual intercourse, then by 'feminist definitions of rape as unwanted sex, virtually everyone has been raped. And that's how rape begins to look like an epidemic. It's also how rape gets trivialized.'"³³ Stock counters this claim by asserting that the "debate about rape should be predicated on an understanding of gender inequality and sexual relations, with the acknowledgement that there is no such thing as gender-neutral experiences of sexual coercion or even consensual sexual relations within a gender-asymmetric power structure."³⁴

Why does Stock feel that a man's claim of rape by a woman somehow trivializes the horrendous effects and affects of rape on female survivors? If anything, the prevalence of men rape survivors and the subsequent gender neutrality of rape reinforces the grim reality of this crime; if anything, it sends the message that no person is immune from being raped by anyone else. Stock seems to be suggesting that if rape is seen as something other than a crime by men against women, it will be trivialized and therefore not taken seriously. Male reaction to rape may

³⁰ Struckman-Johnson and Struckman-Johnson, from Anderson and Struckman-Johnson, p138-140.

³¹ Wendy Stock, *Women's Sexual Coercion of Men: A Feminist Analysis*, from Anderson and Struckman-Johnson, p172.

³² *Ibid.*, p178.

³³ *Ibid.*, p178-9.

³⁴ *Ibid.*, p181.

not be as severe as women, but that does not in any way reduce the seriousness of the crime. Stock's argument collapses on its reliance on feminism. The more generalized definition of rape may cause more people to consider themselves rape survivors, but that does nothing more than raise awareness and consciousness of this horrendous crime. Awareness seems to be the goal of feminists—does their message become muddled because men may march side-by-side them on a “Take Back the Night” march?

There is a classic joke that asks, “How do you get men to star in pornographic films?” The answer is that “You ask them.” In our culture, men are seen as beings with an insatiable lust for sex; all a man needs is a willing partner and he's ready to “rock and roll.” Unlike these overgeneralizations and stereotypes, men do in fact possess emotions and can be physically, emotionally, or socially coerced into doing things against their will. “Sexual assault of men involves many of the same circumstances and variables are present in the sexual assault of women.”³⁵ Rape of women and rape of men are both crimes of power. One party is being coerced into actions beyond his or her will and is violated physically, emotionally, and mentally.

What difference does it make whether the victim is male or female? Rape is not a gender-specific crime; just as it was once assumed that AIDS was a disease among homosexual men, people assume that rape is a crime only perpetrated by men. Rape is a crime regardless of the victim and the perpetrator. Dismissing female-on-rape may be tempting, but “the reality is that the impact of female-on-male assault can be just as damaging [as male-on-female rape].... Rape affects men in many ways similar to women. Anxiety, anger, sadness, confusion, fear,

³⁵ Parrot, p208.

numbness, self-blame, helplessness, hopelessness, suicidal feelings, and shame are common reactions of both male and female survivors.”³⁶

Many men may, in a feigned display of machismo, claim that he cannot be raped, because no sexual advance from a woman would be unwanted. What needs to be remembered, though, is that despite all false senses of libido, men can be as vulnerable and as sensitive as women. Acknowledging that men can be raped and that women can rape does not in any way trivialize rape as a serious crime. Men can, have been, are, and will continue to be raped just as women can, have been, are, and will be. Rape is a universal crime, and it is important for everyone to realize that rape is as indiscriminant as any other serious crime; this will obviously take time, but it needs to be realized. It may be true that “portraying women as potentially sexually harmful is an unpopular concept, particularly in light of the decades it has taken for researchers to demonstrate the sobering problems of male sexual assault of women. However, social science should not be driven by popularity of suitability of topics but by the need to understand behavior in all of its variations.”³⁷

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³⁶ Jonathan C. Stillerman, “What You Should Know...About Men Who Have Been Sexually Assaulted,” *Men’s Rape Prevention Project*, <http://www.mrpp.org/docs/malerape.html>

³⁷ Peter Anderson and Cindy Struckman-Johnson, *Postscript: Where Do We Go From Here?* from Anderson and Struckman-Johnson, p225.