I. Introduction

In order for the Department of Justice’s (DOJ) Human Rights & Special Prosecution Unit (HRSP) to charge sexual assaults, including rape, as torture under U.S. law, it is critical to address the requirement to prove the perpetrator’s specific intent to inflict severe pain or suffering (18 U.S. Code § 2340). This memo provides justification for this line of argument through an analysis of relevant academic and legal scholarship. The literature review surveys research on perpetrators’ motivations and concludes that theories of sexual assault as a gender-based hate crime, an expression of control, or a demonstration of power to a community of other men may be relevant to HRSP’s ability to prosecute sexual assaults as torture.

II. Theories of Specific Intent

In charging sexual assaults as torture under U.S. law, HRSP must prove the perpetrator’s specific intent was to inflict severe mental pain and suffering on the victim in order to meet the threshold and gravity requirements of the torture statute. In particular, 18 U.S. Code § 2340 provides:

“(1) “torture” means an act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control;
(2) “severe mental pain or suffering” means the prolonged mental harm caused by or resulting from—

(A) the intentional infliction or threatened infliction of severe physical pain or suffering;

(B) the administration or application, or threatened administration or application, of mind-altering substances or other procedures calculated to disrupt profoundly the senses or the personality;

(C) the threat of imminent death; or
(D) the threat that another person will imminently be subjected to death, severe physical pain or suffering, or the administration or application of mind-altering substances or other procedures calculated to disrupt profoundly the senses or personality.”

The psychology of perpetrators of rape has been studied in detail (Anderson, 1997; Malamuth, 1981). An analysis of the academic literature exposes a critical link between acts of sexual violence against a victim and a perpetrator’s specific intent, which is crucial to HRSP’s ability to prosecute for torture. A review of legal, feminist, and psychological scholarship shows that experts largely assume that rape can constitute torture in the colloquial sense (Baker, 1997). Sexual assault, in all its forms, is a severe violation of women’s autonomy, personhood, and physical and emotional integrity. It represents a way in which men assert and maintain power advantages over women by forcing them to live with a ubiquitous fear of rape (Griffin, 1979).

Perpetrators of sexual assault, and the public-at-large, view sexual assault along a complex spectrum of heinousness. It is crucial to recognize that all sexual assaults are different, in terms of prioritizing of the sexual act, the assertion of masculinity, or the act of domination (Baker, 1997). All, however, involve severe harm to the victims. The international tribunals regularly conceptualize rape as a form of torture. From Kunarac, Kovac and Vokovic, (ICTY Appeals Chamber), June 12, 2002, para. 149-151:

“[S]ome acts establish per se the suffering of those upon whom they were inflicted. Rape is ... such an act. ... Sexual violence necessarily gives rise to severe pain or suffering, whether physical or mental, and in this way justifies its characterization as an act of torture. Severe pain or suffering, as required by the definition of the crime of torture, can thus be said to be established once rape has been proved, since the act of rape necessarily implies such pain or suffering.”

Several broad theories have emerged in the literature in an effort to understand what motivates men (and most perpetrators are men (Wegner, Abbey, Pierce, Pegram, & Woerner, 2015)) to resort to sexual assault and violence. Studies have been conducted on
the range of potential risk factors for the perpetration of sexual abuse (Wegner et al., 2015; Tieger, 1981; Malamuth, 1981). A meta-analyses of these studies reveals multiple dynamics and pathways involved in the perpetration of sexual assault (Ward & Seigert, 2002), and most leading socio-cultural theories rule out sexual desire as a major causal factor (Gottschall, 2004). In particular, the perpetrator’s specific intent is evinced/supported by the following key categories of theories:

A) Sexual Assault as a Gender-Based Hate Crime

Hate crimes are offences driven by personal motivations, which are usually discriminatory (18 U.S. Code § 2491; Goldscheid, 1999). Perpetrators deploy rape-supportive attitudes and sexual assault incident characteristics to justify forcing sex on their victims (Wegner et al., 2015)2. Rape-supportive attitudes, including anti-female biases, greatly increase the propensity to commit sexual assault with the specific intent of causing the victim severe mental or physical pain or suffering (Russell, 1975).

According to Burt (1980), rape myths are “prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists” (p. 217). Lonsway and Fitzgerald (1994) extended this definition to include “attitudes and beliefs that are generally false but are

---

1 Relevant provisions on gender: (2) Offenses involving actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability.—
(A) In general.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person—
(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and
(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—
(I) death results from the offense; or
(II) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

2 This study examined the relationships between rape supportive attitudes, sexual assault incident characteristics, and the post-assault justifications of 183 men sampled from the community who self-reported committing at least one act of sexual aggression. Hierarchical multiple regression analyses indicated that rape supportive attitudes, expectations for having sex, misperceptions of sexual intent, victims’ alcohol consumption, attempts to be alone with her, and the number of consensual sexual activities prior to the unwanted sex were significant predictors of perpetrators’ post-assault use of justifications. Greater use of justifications was a significant predictor of sexual aggression over a 1-year follow-up interval.
widely and persistently held, and that serve to deny and justify male sexual aggression against women” (p. 134). Common rape supportive attitudes include the following: women say “no” when they mean “yes”; women who dress provocatively, drink alcohol, or go someplace alone with a man are asking to be raped; women can resist a rape if they try; women falsely accuse men of rape; and a husband cannot rape his wife (Wegner et al., 2015; Basow & Minieri, 2011; Bumby, 1996; Burt, 1980; Lonsway & Fitzgerald, 1994; Payne, Lonsway, & Fitzgerald, 1999).

Research has consistently shown a positive relationship between rape-supportive attitudes and sexual assault perpetration (Abbey et al., 1998; Abbey, McAuslan, Zawacki, Clinton, & Buck, 2001; Loh, Gidycz, Lobo, & Luthra, 2005; Murnen et al., 2002; Tyler et al., 1998). Beliefs in gender inequality and rape myths are associated with a higher frequency of rape, at both the individual and the societal level (Bohner & Schwarz, 1996). Perpetrators of rape may evince discriminatory biases about male entitlement to coerce sexual relations with women against their will, disrespect for women, or gender-derogatory tendencies (Goldscheid, 1999).

Beech and colleagues (2006) interviewed 41 incarcerated rapists in the United Kingdom. The transcribed interviews were coded for the five different rape-supportive implicit theories identified by Polaschek and Ward (2002). 51% of these convicted rapists made comments describing women as sex objects, whose function is to be sexually available to men at all times; 44% expressed feelings of entitlement, assuming that as a man they could take what they wanted from the woman; 15% said that they were unable to control their sexual urges; and 9% indicated a generally hostile and distrustful view of women, which led them to behave toward women in a hostile way. Analyzed together with another study in the United States, both research teams found that incarcerated rapists frequently normalized their actions by blaming the woman or situation for what happened (Wegner et al., 2015; Beech et al., 2006; Scully & Marolla, 1984).

---

3 Convicted rapists in a maximum security prison in Virginia volunteered to be interviewed by Scully and Marolla (1984). These authors distilled the following themes used by rapists to justify their actions: women are seductresses, women mean “yes” when they say “no,” most women eventually relax and enjoy it, nice girls don’t get raped, and it was only a minor wrongdoing. Some rapists implied that the victims brought the rape on themselves or wanted to be raped because they flirted with them; others convinced themselves that when she stopped resisting, it was because she enjoyed it (even if they had threatened her with a weapon). Others cited the victim’s reputation for being sexually promiscuous, her revealing clothing or willingness to go somewhere alone with them as evidence that the victim was asking to be raped.
Sexual assault situations may generate multiple forms of evidence that reflect perpetrators’ gender motivation, attitudes, and rationalizations of sexual assault. Cases meeting the standards of gender-based hate crimes may provide the HRSP with solid cases for prosecuting sexual assault as torture.

B) Control Theory

Another class of perpetrators view sexual assault as a form of expressing control, anger, or sadism (Baker, 1997) and act with the specific intent of causing the victim severe pain or suffering. This has been described as the power hypothesis of rape, where rape is identified not as a crime of sexual passion but as a crime motivated by the desire of a man to exert dominance over a woman (see Brownmiller, 1975; Gottschall, 2004). In Malamuth, Linz, Heavey, Barnes, and Acker’s Confluence Model of sexual aggression, which aims to predict men’s conflict with women (1995), a hostile masculinity pathway is related to an insecure sense of masculinity, as well as hostility towards, distrust of, and a desire to dominate women (Malamuth et al., 1995). Beliefs that expressions of power, forms of coercion, and sexual violence generally are “arousing” for women increases men’s likelihood of sexual assault and self-reported willingness to rape (Baker, 1997, p. 601; Malamuth, 1981; Tieger, 1981). Perpetrator’s likelihood of sexual assault was studied by Malamuth et al.’s 10-year follow-up study, where the data collected supported the hypothesis that sexual aggressors can be identified by two sets of characteristics, labeled hostile masculinity and impersonal sex. Self-reported willingness to rape was

---

4 Goldscheid, Julie, Gender-Motivated Violence: Developing a Meaningful Paradigm for Civil Rights Enforcement, 2 Harv. Women's L.J. 123 (footnotes omitted), 146: “In addition to the workplace sexual assaults and the gang rapes analyzed in the first VAWA Civil Rights Remedy cases, sexual assault and domestic violence situations may contain other evidence that reflects gender-motivation. A perpetrator may have uttered gender-derogatory epithets such as ‘bitch,’ ‘slut,’ or ‘whore’ in the course of committing a violent act. He may have made comments that reflect anti-female bias such as those cited in the Brzonkala case. A defendant may have made derogatory comments about a woman’s physiology or may have mutilated her genitals during an assault. In acquaintance rape cases, a defendant may have disregarded a woman’s protests, reflecting the stereotypical view that ‘no’ means ‘yes’ that underlies much violence against women. Or a defendant may have committed serial rapes or participated in gang rapes.”

5 These beliefs can be increased by exposure to violent pornography (Baker, 1997).

6 The study tested a model describing the characteristics of sexually aggressive men that may also be useful for understanding the causes of other antisocial acts against women. This model hypothesizes that sexual aggressors can be identified by two sets of characteristics, labeled hostile masculinity and impersonal sex. To test this model, the researchers followed up a sample of men 10 years after first studying them when
examine by Tieger’s study, which found that 37.2 percent of 172 male respondents indicated some likelihood of raping if certain they would not be caught. Examining rape as an expression of control, not as a matter of sexuality, is critical to understanding perpetrators’ specific intent to inflict severe pain or suffering on their targets. Based on the findings of these psychological studies, scholars have challenged understandings of rape law to bring greater attention to the control issues involved (Baker, 1997). HRSP can utilize control theories to argue that to express control or sadism, perpetrators specifically intend to inflict severe suffering.

C) IMPRESSING THE COMMUNITY OF MEN

Men often use sexual violence to demonstrate their strength, virility, and masculinity to other men (Baker, 1997). For these perpetrators, sex is instrumental and having an audience is critical for perpetrators who use their actions to relate to other men (Groth & Birnbaum, 1979).

In keeping with the so-called Divide Theory of rape, men may commit sexual assault to establish power over, to denigrate, or to distinguish themselves from other men. According to this theory, women are seen as the property of an inferior group of males (Baker, 1997). By abusing the property of a rival group of men, the perpetrator establishes his dominance over those men. These two rape theories are particularly relevant in the case of sectarian or armed conflict, in which perpetrators may commit sexual assault with the specific intent of causing the victim severe pain and suffering, to express a desire for camaraderie, or to demonstrate their dominance and control over

---

7 In the attempt to extend the results of the Malamuth et al. studies, male respondents were asked to rate their own likelihood of raping, “if they could be certain they would not be caught.” Out of 172 males responding to the question, 64 indicated some likelihood of raping. Thirty-five males indicated a likelihood greater than or equal to the midpoint of our rating scale (“Somewhat”) that they would themselves rape. These 35 subjects were considered the high likelihood of raping (HLR) group for subsequent analysis. This likelihood of raping measure was submitted to a Method 1 analysis of variance (Overall & Spiegel, 1969) with stimulus picture and self-rated sex role as factors.
other rival men (Baker, 1997). In particular, by making rapes public or forcing communities to watch the severe pain inflicted, soldiers seek to demonstrate the superiority of their team over the local men (Brownmiller, 1975).

**D) Strategic Rape Theory**

Strategic rape theory states that rape is a tactic executed by soldiers or military unit to accomplish its strategic objectives (Gottschall, 2004). This theory can be used to support a finding of the perpetrator’s specific intent. One strategic objective could be the destruction of a community through mass rape and the infliction of severe suffering on its members. However, it is important to note that strategic rape theory could also be utilized as potential argument against perpetrator's specific intent to inflict severe pain, if rape is justified as serving the function of a military tactic.

A broader definition of strategic rape theory from the United States Institute for Peace states that sexual and gender-based violence (SGBV) is a tool to subjugate populations, instill fear, curtail movement and economic activity, stigmatize women, undermine community and family structures, contribute to bonding of perpetrators through the common act of rape, and in some cases, deliberately pollute the bloodline of the victimized population (Kelly, 2010). In line with this definition, which integrates key elements of the aforementioned three categories of theories (Sexual Assault as a Gender-Based Hate Crime, Control Theory, and Impressing the Community of Men), strategic rape theory highlights the perpetrator’s specific intent to inflict severe mental or physical pain or suffering on their victim.

**III. Potential Opposing Arguments**

In order to refute theories that may undermine a finding of the necessary specific intent and respond to challenges that a perpetrator’s motive was “merely” sexual gratification, it is necessary to analyze potential alternative theories. Sexual gratification has been presented as the primary motivation for rapists, rather than a means of expressing anger or hostility towards women (Hamilton and Yee, 1990; Siefert, 1994, p. 55). Siefert (1994) describes the “pressure cooker” theory of wartime rape, which suggests, in line with the biological determinism theory that war rapists are victims of irresistible biological imperatives, that the “chaos of wartime milieu encourages men to vent their urges to terrible effect” (Gottschall, 2004). This is refuted by the feminist
theory of wartime rape\textsuperscript{8}, which states that the pressure that builds on men is misogynistic, not libidinal, in nature. Furthermore, some soldiers rape in degrees of force far in excess of that required to perpetrate the rape, greatly diminishing the chance of passing on genes (Gottschall, 2004, p. 134), refuting the biological determinism theory and strengthening the evidence for specific intent. Hamilton and Yee (1990) describe their theory of rape motivation as instrumental aggression, as compared with the hostility-driven theory. The study finds that greater knowledge about rape trauma and perceptions of rape as more aversive were associated with fewer pro-rape attitudes and lower self-reported likelihood of raping\textsuperscript{9} (Hamilton and Yee, 1990).\textsuperscript{10} However, the authors acknowledge that the instrumental-aggression model of rape need not and, in fact, almost surely does not, apply to all rapists. It is, for example, difficult to reconcile this model with the not infrequent occurrence of sexual assault involving extreme brutality (Katz and Mazur, 1979).

Research documents that coercive sexual behavior is correlated with a lack of a social conscience, consistent with rape serving as a vehicle to inflict pain upon a victim (Baker, 1997).

\textsuperscript{8} Under this theory, men in patriarchal societies are conditioned to distrust, despise, and dominate women. Warrior rapists “vent their contempt for women” (Brownmiller, 1975, p. 32), while enforcing and perpetuating patriarchal gender arrangements from which all men benefit. Hence, rape in war is deemed the result of a systematic, whether conscious or not, conspiracy to dominate and oppress women (Gottschall, 2004).

\textsuperscript{9} 33\% of the males reported some likelihood of committing a rape. 35\% was found in a previous study (Briere & Malamuth, 1983).

\textsuperscript{10} Previous research has indicated that greater knowledge about rape is not associated with reduced rape propensity. The present study differed from previous research by defining rape knowledge as knowledge about the effect of rape on the victim. Two scales were created: one measuring knowledge of rape trauma syndrome and one measuring beliefs about the aversiveness of the rape victim’s experience. These scales and measures of attitudes toward rape and self-report likelihood of raping were included in questionnaires completed by 276 male and female undergraduates. Scores on the Rape Trauma Knowledge Test (RTKT) were significantly correlated with the Attitudes Towards Rape (ATR), \( r(115) = -.41, p < .001 \) and with the RAS, \( r(115) = .55, p < .001 \), indicating that greater knowledge of the psychological after-effects of rape is associated with fewer rape-supportive attitudes and with perception of rape as a more aversive experience for the victim. Scores on the RAS were negatively correlated with scores on the ATR, \( r(115) = -.5, p < .001 \), indicating that males who perceived rape to be aversive had fewer rape-supportive attitudes. Self-report likelihood of raping was significantly correlated with scores on the RTKT, \( r(115) = -.3, p < .001 \), with scores on the RAS, \( r(115) = -.32, p < .001 \), scores on the ATR, \( r(115) = .59, p < .001 \), and with personal knowledge of a rape victim, \( r(113) = -.16, p < .05 \). Males indicating more likelihood of raping display less knowledge about rape trauma, perceive the victim’s experience to be less unpleasant, have more rape-supportive attitudes, and are less likely to have known a rape victim.
In terms of other potential theories of rape, evolutionary or biological theory purports to provide an explanation for rape in humans based upon rape’s ability to increase the “reproductive success” of males who rape (Thornhill, 1999). Needless-to-say, this explanation has been rejected by feminist academics and others who argue that rape is a crime reflecting socially-constructed male domination (Wright, 1994).

Developmental theory posits that rape-prone men come from harsh developmental backgrounds marked by impersonal and short-term social relationships (Malamuth and Heilman, 1998). One can imagine defense counsels invoking such theories in opposition to specific intent arguments. However, a number of studies suggest that men who rape are “normal” to the extent that psychologists fail to find evidence of psychological abnormality (Malamuth and Check, 1985)\textsuperscript{11}. Indeed, male levels of sexual aggression do not correlate with elevated scores on the Psychopathic Deviate scale, and there is a lack of evidence that all or most rapists are objectively depraved (Baker, 1997).

**IV. HRSP Prosecution of Sexual Assault as Torture**

In prosecuting sexual assault as torture, the academic literature provides useful analysis of the perpetrator’s psychology. In prosecuting cases of sexual assault as torture, it may be helpful to avoid monolithic constructions of rape in order to understand the different “motivations” underlying the use of sexualized violence (Baker, 1997). U.S. states differ on how to classify various types of rape and the types of force or threats, the defendant’s state of mind, the forms of manipulation and coercion, and the degrees of consent or lack thereof are necessary for a sexual act to be considered criminal (Baker 575).

Further, the admissibility of prior act evidence in cases of sexual assault under U.S. law (Rule 413) could potentially be used to strengthen justification that perpetrators

\textsuperscript{11} Malamuth and Check’s study presents aspects of the feminist viewpoint as empirically testable hypotheses about rape and examines research evidence relating to (1) the normality of rape, (2) the pervasiveness of rape and sexual coercion, (3) rape myths and their influence, and (4) the effects of sexual violence against women in the mass media. It is suggested that research findings support central tenets of feminist theory. Evidence indicates support for the hypothesis that rape and forced sexuality are widespread and to an extent acceptable in North American society, that rape is not exclusively the product of bent and twisted minds, that beliefs in rape myths are linked to acts of aggression against women, and that sexual violence in the mass media plays a significant role in the fostering of rape myths and in the acceptance of rape and other forms of violence against women.
of sexual assault commit the offence with the specific intent to inflict severe pain or suffering (Baker, 1997). Perpetrators who can justify their behaviors are at increased risk for future perpetration (Wegner et al., 2015); hence, it is crucial for HRSP to prosecute offenders and reduce repeat perpetration of sexual assault. Ultimately, the perpetrators of rape induce within a victim and her family deep chronic psychological wounds and severe mental anguish (ICC Experts Report, 2014). Through prosecution of sexual assault as torture, HRSP wields a powerful means of defending survivors and bringing perpetrators to justice.
Potential Expert Witnesses

Due to their extensive research on the psychology of perpetrators of sexual assault, Professor Neil Malamuth (UCLA, Psychology) and Professor Katherine Baker (Chicago-Kent College of Law) may be expert witnesses in the event that a case goes forward.

Bibliography


The article discusses (a) the importance of rape attitudes, (b) the major rape attitude measures, and (c) the applicability of four theoretical frameworks of hostility toward women to rape attitude maintenance. Findings from 72 studies of rape attitudes and individual differences were quantitatively synthesized. The meta-analysis revealed more rape acceptance for men, older people, and people from lower socioeconomic status backgrounds. For men, cognitive predispositions toward perpetrating rape were strong predictors of rape acceptance. For women, experience and exposure to rape victims were associated with slightly less rape acceptance. Consistent with some theoretical predictions, traditional gender role beliefs, adversarial sexual beliefs, needs for power and dominance, aggressiveness and anger, and conservative political beliefs predicted rape acceptance. Implications for rape education programs and research are discussed.


This article is a response to Rule 413 in the Federal Rules of Evidence, which made prior acts of sexual assault by alleged rapists admissible evidence in criminal sexual assault cases. Baker argues the rule is misguided as it fails to address the different reasons men rape. The article considers various motivations behind different typologies of rape and demonstrates how a more realistic understanding of motive can secure rape convictions, refute persistent stereotypes, advance our understanding of rape and promote equitable enforcement of the law.


This is an empirical study on the correlational evidence between gender inequality and rape prevalence. The authors conducted a series of experiments based on experimental procedures borrowed from social cognition research, to assess the impact of the threat of rape on women’s self-esteem, their trust in others, and their perception of personal control.


Brownmiller's book is widely credited with changing public outlooks and attitudes about rape and influencing law, but her arguments have been criticized by scholars. Critical to her study is the recognition that rape has a history, and that "through the tools of historical analysis we may learn what we need to know about our current condition. The subject of rape has not been, for zoologists, an important scientific question. No zoologist has ever observed that animals rape in their natural habitat, the wild. But we do know that human beings are different. Man's structural capacity to rape and woman's corresponding structural vulnerability are as basic to the physiology of both our sexes as the primal act of sex itself. Man's
discovery that his genitalia could serve as a weapon to generate fear must rank as one of the most important discoveries of prehistoric times, along with the use of fire and the first crude stone axe. Rape's critical function is nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear.”


This article elaborates an approach to assessing gender-motivation that can guide courts in determining when violent acts are sufficiently gender biased to warrant federal civil rights intervention. Beginning with an overview of the federal legislative initiatives, this Article addresses why adding gender to the protected groups covered by criminal and civil federal bias crime remedies should be an unremarkable development. Through an in-depth analysis of the first cases litigated under the Civil Rights Remedy, as well as an analysis of other bias crime case law, the Article shows how circumstantial evidence of bias readily identifies bias motivation underlying violent crimes, regardless of whether the bias is based on race, color, religion, national origin, sexual orientation, disability, or gender. Building on that basic framework, the Article will address some of the perceived limitations of the analogies between gender-motivated and other types of bias crimes in offering directions for federal enforcement. The framework provides a basis for analyzing future VAWA Civil Rights Remedy cases and will help address concerns that may arise in the course of debates about amending the federal hate crime law.


This paper provides an overview of the literature on wartime rape in historical and ethnographical societies, and a critical analysis of the four leading explanations of its root causes: feminist theory, cultural pathology theory, strategic rape theory, biosocial theory. The paper provides counterevidence against the first three socio-cultural theories, and concludes that biosocial theory is the only one capable of bringing all the phenomena associated with wartime rape into a single explanatory context.


In a contribution to feminist literature, Griffin examines rape as an inevitable result of a culture that celebrates and rewards aggressive sexual behavior in men, and one in which male dominance and female submissiveness have long been considered natural.

Groth, Nicholas and Birnbaum, Jean H. Men Who Rape. (1979)

A standard reference on the psychology of rape, Men Who Rape presents a comprehensive clinical profile of sexual offenders with extensive information on counseling, prevention, and psychiatric treatment.


Theoretical studies on forms of female sexual victimization and on the victim before, during, and after the rape are examined, and some recommendations regarding prevention and treatment are made.


This report reflects a key goal of USIP's Gender and Peace Initiative, which seeks to inform policy through analytical and practitioner work. The report presents the results of qualitative research conducted with
combatants from the Mai Mai militia in eastern Democratic Republic of the Congo (DRC), as part of a project by the Harvard Humanitarian Initiative (HHI). Interviews conducted at three field sites provide insight into soldiers’ motivations and their attitudes toward sexual violence in their group. However, soldiers’ responses also reveal potential areas for intervention.


A useful summary of different theories of rape and references. Includes biological, commodification and developmental theories.


This article integrates the findings of a series of studies that empirically address contentions that many “normal” men possess a proclivity to rape. In these studies, an attempt was made to identify individuals with such a proclivity by asking male college students how likely they personally would be to rape if they could be assured of not being caught. On the average, about 35% indicated some likelihood of raping. To assess the validity of such reports as indicators of a proclivity to rape, the following three steps were taken: First, the literature was reviewed to identify responses that distinguished convicted rapists from the general population. The responses found to characterize rapists were greater acceptance of rape myths and relatively high sexual arousal to rape depictions. Second, the relationships between reported likelihood of raping and the responses found to characterize rapists were analyzed. The data clearly showed that in comparison with men who reported lower likelihood of raping, men who indicated higher likelihood were more similar to convicted rapists both in beliefs in rape myths and in sexual arousal to rape depictions. Third, the relationship between likelihood of raping reports and aggressive behavior was examined. It was found that higher reported likelihood of raping was associated with greater aggression against women within a laboratory setting. The overall pattern of the data is interpreted as supporting the validity of likelihood of raping ratings and consistent with contentions that many men have a proclivity to rape. Possible causes of such a propensity and directions for future research are discussed.


The study presents aspects of the feminist viewpoint as empirically testable hypotheses about rape and examines research evidence relating to (1) the normality of rape, (2) the pervasiveness of rape and sexual coercion, (3) rape myths and their influence, and (4) the effects of sexual violence against women in the mass media. It is suggested that research findings support central tenets of feminist theory. Evidence indicates support for the hypothesis that rape and forced sexuality are widespread and to an extent acceptable in North American society, that rape is not exclusively the product of bent and twisted minds, that beliefs in rape myths are linked to acts of aggression against women, and that sexual violence in the mass media plays a significant role in the fostering of rape myths and in the acceptance of rape and other forms of violence against women.


The study tested a model describing the characteristics of sexually aggressive men that may also be useful for understanding the causes of other antisocial acts against women. This model hypothesizes that sexual aggressors can be identified by two sets of characteristics, labeled hostile masculinity and impersonal sex. To test this model, the researchers followed up a sample of men 10 years after first studying them when
they were young adults. They sought to predict which men would be in distressed relationships with women, be aggressive sexually, be non-sexually aggressive, or some combination of these. These behaviors were measured not only by questioning the men themselves but also by questioning many of the men's female partners. Some couples' videotaped conversations were also analyzed. The data supported the ability of the model to predict behavior 10 years later. They also developed the model further and identified the common and unique characteristics contributing to sexual aggression as compared with the other conflictual behaviors studied. The data supported the usefulness of hierarchical modeling incorporating both general factors that contribute to various interpersonal conflicts as well as specific factors uniquely pertaining to dominance of women.


The study differed from previous research by defining rape knowledge as knowledge about the effect of rape on the victim. Two scales were created: one measuring knowledge of rape trauma syndrome and one measuring beliefs about the aversiveness of the rape victim’s experience. These scales and measures of attitudes toward rape and self-report likelihood of raping were included in questionnaires completed by 276 male and female undergraduates. Greater knowledge about rape trauma and perception of rape as more aversive were associated with fewer pro-rape attitudes and lower self-report likelihood of raping. The practical implication is that educational interventions may be effective in decreasing the incidence of rape. Theoretical implications are also considered. Specifically, the distinction between hostile and instrumental aggression frequently made in the more general aggression literature is applied to the issue of rape motivation. The pattern of results suggests that rape is more likely to be an act of instrumental aggression than an act motivated by hostility toward women.


Russell was among the first feminist writers to offer a revolutionary new understanding of rape as a manifestation of sexism. In a series of interviews with 22 rape survivors, Russell conveys the heart wrenching pain, trauma, and long-term consequences caused by mens' misogynist attitudes and behavior toward women.


Three hundred ninety-two junior college students responded to a questionnaire concerning a depiction of a rape incident in which a photograph of the supposed victim was included. A manipulation of the attractiveness of the victim produced several findings indicating that views of rape as a sexually motivated crime mediate attributions of blame to the rape victim. Gender differences in attitudes toward rape were also prevalent throughout the factor structure of beliefs which was found. Male subjects also rated their own likelihood of raping, “if they could be certain they would not be caught”. The results of a discriminant analysis indicated that high scorers on this self-rating showed a pattern of disinhibitory beliefs about the normality and acceptability of rape, and the seductiveness of rape victims.

“The Mental Health Outcomes of Rape, Mass Rape, and other Sexual Violence”. Produced by the Program for Human Rights in Trauma Mental Health, Department of Psychiatry and Behavioral Sciences, Stanford University School of Medicine for the Office of the Prosecutor of the International Criminal Court for The Case of ICC Prosecutor v. Jean Pierre Bemba Gombo, Case No. ICC-01/05-01/08
Since the late 1980s, there has been a strong theoretical focus on psychological and social influences of perpetration of child sexual abuse. This paper presents the results of a review and meta-analysis of studies examining risk factors for perpetration of child sexual abuse published since 1990. Results of the study show child sex offenders are different from non-sex offenders and non-offenders but not from sex offenders against adults. This study suggests that the presence of general risk factors may lead to a variety of negative behavioral outcomes, including the perpetration of child sexual offending.


The book explores many facets of our everyday life through the lens of evolutionary biology. Wright provides Darwinian explanations for human behavior and psychology, our social dynamics and structures, as well as our relationships with lovers, friends, and family.


Perpetrators use rape supportive attitudes and sexual assault incident characteristics to justify forcing sex on their victims. Perpetrators who can justify their behaviors are at increased risk for future perpetration. This study examined the relationships between rape supportive attitudes, sexual assault incident characteristics, and the post-assault justifications of 183 men sampled from the community who self-reported committing at least one act of sexual aggression. Hierarchical multiple regression analyses indicated that rape supportive attitudes, expectations for having sex, misperceptions of sexual intent, victims’ alcohol consumption, attempts to be alone with her, and the number of consensual sexual activities prior to the unwanted sex were significant predictors of perpetrators’ post-assault use of justifications. Greater use of justifications was a significant predictor of sexual aggression over a 1-year follow-up interval. These findings demonstrate the need for further research exploring when and why perpetrators use post-assault justifications and whether they are amenable to change.