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## Rape Culture on Campus

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By Philip Carl Salzman

Rape is the physical entry into another person's body without the consent of that person. Usually it involves the sex organs of at least one of the people. It is recognised in Western culture as an ugly, violent, and brutal act, and is widely condemned. In Western countries, rape is a serious criminal act, and, if verified in court, leads to a long prison sentence.<sup>1</sup>

Rape can take place wherever people meet: in families, in armies, at parties, in jails, in schools, in businesses. Recently much concern has been expressed about rape in colleges and universities. Students participating in institutions of higher learning are commonly teenagers who participate in partying, dating, and sexual hook ups, often fuelled by alcohol. Students are also in regular contact with professors and teaching assistants, and may enter into intimate relations with teachers. In colleges and universities, there are many occasions in which consensual relations may take place, and in which non-consensual advances may take place. Cases of student accusations against other students or against staff members have caused great concern in universities and beyond.

Female students at McGill University, according to conversations both individual and in class, frame rape as a result of "rape culture." As women, they know about rape as something to fear; as anthropologists, they should know about "culture." But their definition of "rape culture" does not, in my view, fit with what is usually meant by "culture." In general, "culture" is a way of life of a particular population, or, more narrowly, the understandings and values of a particular population which serve to explain the world and provide a guide to action.

Thus, in order to say that we, members of McGill University, or, more broadly, Canadians, have a rape culture, two conditions would have to be met. First, rape would have to be regarded as a good thing, something desirable, beneficial. Second, people would have to be encouraged to engage in rape. I do not believe that either of these conditions are met. Furthermore, I would estimate that regarding rapes among students, 98% are unintentional. Students do not say "I am going out to rape someone tonight"; they say, "I am going out to party, I want to get wasted, I want to get laid". They may not do due diligence in regard to consent, and they may not use good judgement in proceeding or stopping. They may do wrong, but not intentionally. This is further evidence that they are not being guided by a culture, which inculcates intentions.

It is true, of course, that rapes do take place. Various surveys, often tendentious in nature, claim that rape is frequently experienced, by one in five females. However that may be, rapes do take place, and even one is too many. But does that mean that we have a "rape culture"?

Let us take another example that could be framed in a parallel fashion: auto accidents and deaths. In North America there are hundreds of thousands of serious car accidents every year, and tens of thousands of people are killed in auto accidents. Does this mean that we have a "car accident culture"? In fact, we have a car safety culture, which includes laws about who may and who may not drive, extensive training and testing requirements, under what conditions people may or may not drive, elaborate rules of the road, penalties for those who violate the rule, and oversight to catch those who violate the rules. People do not intend to have accidents, but they do intend to do things that inadvertently lead to accidents: they drink and drive, text while driving, drive in fog, snow, and ice, and sometimes impulsively speed or pass when they shouldn't. So, accidents take place, often at great material and human cost. But they take place not due to a

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<sup>1</sup> <https://www.sexassault.ca/criminalprocess.htm>

“car accident culture,” but to human error, human impulse, mechanical breakdown, poor driving conditions, and being subject to the driving of others.

As a male who has spent more than a half century in institutions of higher learning, I can attest that I have never in my life heard anyone say that rape was a good thing, and I have never heard anyone encourage another to engage in rape. Furthermore, I repeatedly cautioned my son in his early teenage years, that he must treat girls and women respectfully, consider how they felt and what they wanted, and never to force himself on a female or anyone else.

I cannot say that no one in North America ever said that rape was okay, or never encouraged someone to take whatever he wanted. But I never heard it, or any such sentiments. So, it appears to me that the concept of “rape culture” in North America is without grounds and without merit; there is no “rape culture” in North America. But that leaves an important question unanswered: Why would intelligent, educated, otherwise reasonable young women assert such an invalid proposition? I will return to this question at the end of this essay.

In our current cultural moment, the interests of females are our highest priority. In the past, men held the power and women tended to be subordinate in law and custom. But fifty years of feminist mobilization has changed the narrative. Partly to compensate for historical oppression, and partly to recognize the equality or superiority of women over men, the general contemporary view is that women should be given special consideration, as in the constant calls for more females in political office, in high executive offices in business, and in traditional male occupations such as the military, police, and firefighting, and in demands for higher and supplemental pay for women. Colleges and universities once all male became co-educational, and the demographic predominance of males has been replaced by the demographic predominance of women, who now make up 60% of undergraduates, men reduced to 40%. Women are numerically dominant in education, social work, the social sciences, and the humanities, and also in law and medicine, in short, in every faculty but STEM fields of natural science, technology, and engineering. In my anthropology senior seminar at McGill University this year all eighteen students were women. And now there is a great push, illustrated at McGill University by recruitment posters of women engaging in scientific and engineering activities, to increase numbers of women in STEM. No university that I know of has shown any concern about the demography of male participation, except where it is “too high”.

With regard to violent sexual assaults on females, the feminist narrative combines with the traditional male protectiveness toward women when women may have been subjected to violent sexual assault, to rape. Hillary Clinton’s plea that “every survivor of sexual assault deserves to be heard, believed, and supported,”<sup>2</sup> was and is understood as meaning that any female making an accusation must be believed. Michelle Malkin<sup>3</sup> reports that “Actress Emily Ratajowski declared at a Marie Claire magazine’s women’s conference on Monday: ‘The most important response to #metoo is “I believe you”.’”<sup>4</sup>

The Obama Administration sent directives to institutions of higher learning making it clear that accusations by women must be accepted and acted upon. American university administrations saluted and acted energetically, trying, suspending, and expelling accused men. The same spirit also moves Canadian universities: McGill University designates any person who makes an accusation, with no test of validity, a “survivor.” Unfortunately, the Obama directives paid no attention to the rights of the accused, or to due process, of which there was in many cases very little. Consequently, a raft of court suits by men denied due process in university hearings followed.<sup>5</sup>

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<sup>2</sup> <https://twitter.com/HillaryClinton?lang=en>

<sup>3</sup> [http://www.rasmussenreports.com/public\\_content/political\\_commentary/commentary\\_by\\_michelle\\_malkin/beware\\_the\\_rape\\_all\\_egation\\_bandwagon](http://www.rasmussenreports.com/public_content/political_commentary/commentary_by_michelle_malkin/beware_the_rape_all_egation_bandwagon)

<sup>4</sup> Malkin replies, “No. I do not believe every woman who is now standing up to ‘share her story’ or ‘tell her truth.’ I owe no blind allegiance to any other woman simply because we share the same pronoun. Assertions are not truths until they are established as facts and corroborated with evidence. Timing, context, motives and manner all matter.”

[http://www.rasmussenreports.com/public\\_content/political\\_commentary/commentary\\_by\\_michelle\\_malkin/beware\\_the\\_rape\\_all\\_egation\\_bandwagon](http://www.rasmussenreports.com/public_content/political_commentary/commentary_by_michelle_malkin/beware_the_rape_all_egation_bandwagon)

<sup>5</sup> [https://www.washingtonpost.com/local/education/expelled-for-sex-assault-young-men-are-filing-more-lawsuits-to-clear-their-names/2017/04/27/c2cfb1d2-0d89-11e7-9b0d-d27c98455440\\_story.html?utm\\_term=.5a37c842da3d](https://www.washingtonpost.com/local/education/expelled-for-sex-assault-young-men-are-filing-more-lawsuits-to-clear-their-names/2017/04/27/c2cfb1d2-0d89-11e7-9b0d-d27c98455440_story.html?utm_term=.5a37c842da3d)  
[https://www.campusafetymagazine.com/clery/accused\\_students\\_sexual\\_assault\\_title\\_ix\\_lawsuit/](https://www.campusafetymagazine.com/clery/accused_students_sexual_assault_title_ix_lawsuit/)

In courtrooms, where accusations of rape were tested against evidence, it turned out that many accusations of rape and sexual assault by females were unsupported by evidence, or were outright lies. Figures vary, but even advocates and apologists for accusers recognise that up to ten percent of accusations are proven to be false.<sup>6</sup> Some observers in law enforcement say that false accusations are as high as forty percent.<sup>7</sup> How many accusations are false, but either not seriously tested, or not disproved? No one knows.

In many cases, some high profile, prosecution failed, and, in others, accusers were deemed to have lied, and were sentenced to incarceration. Canadians watched as prominent television personality Jian Ghomeshi was accused of sexual assault by a number of women whose testimony failed to convince, and Ghomeshi was acquitted on all charges.<sup>8</sup> In a high profile American case, an exotic dancer hired by several members of the Duke University lacrosse team falsely accused them of gang rape, which forensic evidence refuted.<sup>9</sup> Then there was the "brutal gang rape" at the University of Virginia reported by *Rolling Stone*, which resulted in considerable embarrassment for the University administration which initially sided with the accuser, but ultimately launched a successful legal suit against the author.<sup>10</sup> There are many such stories, which apologists dismiss as minor, arguing that no real harm comes to men who have been falsely accused. At universities, where administrations are rarely known for moral courage, men are punished in response to untested accusations; in fact, suspension and expulsion are not minor penalties. Furthermore, to all but apologists, those falsely accused pay a high emotional price in being victimized, and are left with destroyed reputations, because "where there is smoke,...." One of the accused in the Duke case said, "I don't think it really will ever be over,".... "No matter what, you can try to move on, but 'rape' will always be associated with my name. 'Innocent' might be a part of that, but when I die they'll say, 'One of the three Duke lacrosse rape suspects died today. He led a life and did this, but he was one of the three Duke lacrosse rape suspects.'"<sup>11</sup> In another case, a female American college student named Nikki Yovino, who had consensual sex with two male college football players, and then accused them of rape so that her

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<https://www.insidehighered.com/news/2016/04/14/several-students-win-recent-lawsuits-against-colleges-punished-them-sexual-assault>

<https://www.theatlantic.com/education/archive/2017/09/the-uncomfortable-truth-about-campus-rape-policy/538974/>

<http://www.latimes.com/local/la-me-sexual-assault-legal-20140608-story.html>

<sup>6</sup> <http://journals.sagepub.com/doi/abs/10.1177/1077801210387747>

<https://qz.com/980766/the-truth-about-false-rape-accusations/>

<sup>7</sup> According to Michelle Malkin,

Brent Turvey, a forensic scientist and criminal profiler who heads the Forensic Criminology Institute, is author or co-author of 16 criminal justice books, including textbooks on rape investigation, crime reconstruction, behavioral evidence analysis and forensic victimology.

Turvey's most recent book, written with retired NYPD special victim squad detective John Savino and Mexico-based forensic psychologist Aurelio Coronado Mares, is "False Allegations: Investigative and Forensic Issues in Fraudulent Reports of Crime."

Based on their review of decades of scientific literature, Turvey and his colleagues explode the "2 percent myth" peddled by politicians, victims' advocates and journalists "claiming that the nationwide false report rate for rape and sexual assault is nonexistent." In fact, the statistic was traced to an unverified citation in a 1975 book by feminist author Susan Brownmiller.

"This figure is not only inaccurate," Turvey and his co-authors conclude, "but also it has no basis in reality."

Published research has documented false rape and sexual assault rates ranging from 8 percent to 41 percent. Savino notes that in his NYPD's Manhattan Special Victim Squad, "our false report rate was in the double digits during all of my years. Sometimes, it was as high as 40 percent." Turvey, Savino, and Mares make clear to students that based on the evidence -- as opposed to Facebook trends:

"False reports happen; they are recurrent; and there are laws in place to deal with them when they do. They are, for lack of a better word, common."

[http://www.rasmussenreports.com/public\\_content/political\\_commentary/commentary\\_by\\_michelle\\_malkin/beware\\_the\\_rape\\_all\\_egation\\_bandwagon](http://www.rasmussenreports.com/public_content/political_commentary/commentary_by_michelle_malkin/beware_the_rape_all_egation_bandwagon)

<sup>8</sup> <https://www.theglobeandmail.com/news/national/jian-ghomeshi/article28476713/>

<sup>9</sup> <https://www.cbsnews.com/news/60-minutes-investigates-the-duke-rape-case>

<sup>10</sup> <https://www.npr.org/sections/thetwo-way/2016/11/04/500701682/jury-finds-rolling-stone-reporter-liable-for-damages-over-rape-allegation-story>

<sup>11</sup> <https://www.cbsnews.com/news/60-minutes-investigates-the-duke-rape-case/>

boyfriend would not be mad at her, was charged with giving a false incident report and with tampering with physical evidence, a felony punishable by up to five years in prison. She was released on \$150,000 bond pending trial.<sup>12</sup> In one final case, an English woman, Rebecca Palmer accused a soldier who she had had a relationship with, and who dumped her, of raping her. She was convicted of perverting the course of justice, and jailed for five years.<sup>13</sup>

It should not be necessary for me to say that, in cases where rape accusations have been fully tested and proven in a court of law, the punishment the accused receives is well deserved. As well, all people of good will hope that the example of punishment for rape would deter such acts in the future. Furthermore, we hope that children of all sexes and orientations would be taught to respect other persons and to only enter into clearly consensual relations. But let us be clear that favouring due process for all is not favouring rape, but rather it is favouring human rights. According to the United Nations Universal Declaration of Human Rights, Article 7: “All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.”

Now let us return to the reason for the invention of the dubious concept of “rape culture”. To lobby for change, three strategies can be implemented: refer to universal criteria; celebrate your virtues; and denigrate your opponent. Feminists lobbying to advance the interests of women have employed and continue to employ all three strategies: They refer to the universal criterion of equality, and argue that it must replace the subservience and subordination imposed on women by the Patriarchy, which could legitimately be said to have a “patriarchal culture.” They celebrate women’s intelligence, strength, and social sensibility. And they point to men’s weaknesses, their lack of emotional sensibility, their tendency to hog attention, their unreliability in relationships, and their attempts to impose their will on others, especially women. The concept of “rape culture” was invented to tar all men with the brush of the worst of them. Any sane woman knows that most men are not rapists, but to construe all men as sharing rape culture undermines male status by putting all men in a bad light. Denigrating your male opponents, especially morally, enhances feminist claims for legitimate female ascendancy. It is a dishonest trick, but those are not unknown in politics.

My own view is different from feminists: while I accept the plea that ideally all people should be treated as equal, I think a serious attempt should be made to operate in a gender-blind, race-blind, religious-blind, ethnic-blind manner, I believe that men and women are people, and people are highly variable: some intelligent, some not; some kind, some not; some strong, some weak; some with sensibility, some without; some reliable, some not. To say that all women are this way, and all men are that way, is, well, sexist. I prefer to consider individuals rather than gross categories, and to assess the character of each person. That is the liberal sense of equality.

## About the Author



**Philip Carl Salzman** B.A. (Antioch), M.A., Ph.D. (Chicago) is Professor of Anthropology at McGill University, appointed in 1968. He founded the Commission on Nomadic Peoples of the International Union of Anthropological and Ethnological Sciences, and its international journal, *Nomadic Peoples*, for which he received the IUAES Gold Award. In recent years he has also served as Senior Fellow at the University of St. Andrews, Open Society International Scholar at the American University of Central Asia, Erasmus Mundus International Fellow at the University of Catania, and Visiting Professor at the University of Sydney. Extensive ethnographic field research in Baluchistan (Iran), Gujarat and Rajasthan (India), and Sardinia (Italy) provided the foundation many articles in academic journals, and for book publications such as *The Anthropology of Real Life: Events in Human Experience* (1999), *Black Tents of Baluchistan* (2000), winner of the Premio Pitr<sup>2</sup>–Salomone Marino, *Understanding Culture: An Introduction of Anthropological Theory* (2001), *Pastoralists: Equality, Hierarchy, and*

<sup>12</sup> [http://www.ctpost.com/local/article/College-student-accused-of-making-false-rape-11288951.ph](http://www.ctpost.com/local/article/College-student-accused-of-making-false-rape-11288951.php)

<http://www.ctpost.com/local/article/Police-Football-players-falsely-accused-of-rape-10950934.php>

<sup>13</sup> <http://metro.co.uk/2017/10/20/woman-26-falsely-accused-soldier-of-rape-after-he-rejected-her-7015992/?ito=cbshare>

*the State* (2004), *Culture and Conflict in the Middle East* (2008), *Postcolonial Theory and the Arab-Israel Conflict* (2008), and *Thinking Anthropologically 3<sup>rd</sup> Ed*, (2010). His latest book publication is *Classic Comparative Anthropology: Studies from the Tradition* (2012). In public affairs, he was a member of Middle East Strategy at Harvard (2008-2010), a member of the Board of Directors of Scholars for Peace in the Middle East (2004-2012), and is currently a Senior Fellow at the Frontier Centre for Public Policy, a member of the Academic Council of the Canadian Institute for Jewish Studies, a Fellow of the Middle East Forum (2015-), and a member of the Board of Directors of Scholars for Peace in the Middle East (2016-). His articles have been published by the Frontier Centre, the Middle East Forum, the Gatestone Institute, the Canadian Institute for Jewish Research, the Macdonald Laurier Institute, and *Areo Magazine*.