

Raping The Scapegoat

By Philip Jones

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Although written from a UK perspective, the subject matter of this article is I am sure, equally relevant to recent developments in most western societies. So for those readers who are not British, please `tune out` those aspects and elements which are written with my own country primarily in mind, and apply the necessary equivalents from your own societies. Like I have said, it shouldn't be too hard to do, as what is now occurring in the UK with regard to this subject can be seen to be happening throughout the west.

The American writer Mark Twain once observed that there were three kinds of untruth: lies, damned lies and official statistics. Perhaps it is time to add to this list a fourth category:

The United Kingdom Home Office Research Study.

According to one such specimen published recently, at least one in every twenty women aged between sixteen and fifty nine years of age in England and Wales have been raped, and one in ten have experienced some form of 'sexual victimisation.' The majority of these alleged assaults, said the study, had been committed not by strangers but by intimates; partners, former partners and casual acquaintances. If true, this would indeed be an appalling state of affairs. Such large numbers of women suffering serious sexual assault would clearly seem to indicate that British women were living in constant fear of an insufferable level of violence at the hands of men. Rape is one of the most serious crimes on the statute book, and rightly so considering the damage it does to a woman, both physically and psychologically.

So if the researchers were correct, we would therefore expect to hear of a voluminous level of female distress and rage being verbally vented against these male 'intimates.' We would all of us surely know women friends or

relatives who had been raped or sexually assaulted. But we are not hearing this. Instead, we are shocked and amazed by these figures. The reason for our incomprehension is quite simple. What the researchers are telling us is not true. Indeed, this study is a nothing less than a load of manipulative, malevolent rubbish which calls the very credibility of the Home Office Research Department seriously into question.

The `Satan` here is to be found in the definition. To most people, rape means sexual penetration against the victim's consent, which implies of necessity an act of violence or the threat of violence. The Home Office researchers have I believe, intentionally and willfully muddied this concept. Instead of using the legal definition of rape as 'penile penetration,' the study now defines it merely as one being 'forced to have sexual intercourse against one's will.' But the definition of 'forced against one's will' is highly subjective. It can very easily translate into 'if you didn't want to,' which can become rendered meaningless. Even though the study claims that the word 'forced' implies an assault, it does nothing of the kind.

A woman might feel forced to have sex against her will, if for example, her lover tells her that unless she does, he will leave here for another woman. Or she might be an unwilling participant because he is drunk, or hasn't taken a shower for a week, or she no longer loves him. The crucial point is, that in circumstances such as these, she is still participating in the sexual act, even though she could choose not to do so. No one is forcing her. She cannot therefore be termed a victim of violence. By any just or common-sense definition, this is not rape. Yet the Home Office researchers appear to have included exactly this kind of experience in their definition.

This already highly questionable exercise, then becomes positively surreal. Astoundingly, believe it or not, the women who the researchers allege to have been 'raped,' state in the survey, that they themselves don't classify what has happened to them as rape. In fact, the study actually admits that of the women who the researchers said had been raped, fewer than two thirds themselves described what had happened to them as rape. And fewer than three quarters of those who the researchers said had experienced sexual victimisation thought of themselves as victims of a crime.

The reason for the discrepancy is perfectly obvious to anyone who is not too busy playing the game of sexual politics. These events were simply not rapes or sexual assaults, and the women concerned knew this perfectly well. That is because most of these incidents happened within sexual relationships with intimates, and the women involved appeared to accept what most people would think, that the issue of consent between lovers can be highly ambiguous. Yet what these women themselves made of their experiences seems to be of no consequence to these Whitehall researchers, who of course know better than the victims what has happened to them. This makes laughable the insistence by the Home Office that they are about putting the victim first. They therefore dream up one self-serving reason after another to explain why sexual experiences, which the women involved did not consider to be rape, were indeed rape.

Thus, they suggest that the women might not want to admit they have been raped because this is degrading and stigmatising; or they may not want to acknowledge that someone they like or love is a rapist. The idea that they knew perfectly well that the person they liked or loved was not a rapist does not occur to these researchers. The women are simply wrong. This astonishing display of contempt arises because nothing as inconvenient as a few facts can get in the way of the assumption behind this study: that women are being raped, and men are getting away with it.

The ideological bias that is clearly the driving force behind this research is underlined by a crucial omission. The study says that most sexual violence is committed by partners. But, and this is highly significant; it omits to make any distinction between partners and spouses. It therefore does not tell us whether women suffer as much sexual assault from husbands as from boyfriends or cohabitants. Yet all the available research suggests that the risk of sexual violence is negligible within marriage, and is hugely increased among cohabitants or more casual sexual partners. Marriage is actually the best physical protection against sexual violence.

Instead, this study states that home life not safe. It is here we get to the rotten core of this whole misleading exercise. For the underlying purpose is

to demonize men and write them out of the domestic script altogether. It is this agenda of marriage-busting, man-hating feminism which has now got the Home Office well and truly in its clutches. Ever since New Labour came to power, it has been spouting a torrent of distorted information about domestic violence.

It has been exaggerating its incidence, omitting a vast amount of international evidence that women are equally as aggressive as men and again can be seen to be refusing to acknowledge the key fact that most domestic violence takes place between cohabiting and other unmarried couples.

The fact is that sexual mores have dramatically changed. Women now initiate casual sex; they carry condoms in their bags and drink, smoke, swear and often parody the worst caricature of macho culture. As a result, the rules of the mating game have totally altered. The room for ambiguous signals has hugely expanded. That's why the courts are ever more reluctant to convict men accused of rape.

But Whitehall's feminists cannot allow a little thing like injustice to interrupt their agenda. So the government is now hell bent on rigging the justice system itself to get men convicted of rape, by hook or by crook. To justify this, men have to be shown as perpetrating an intolerable level of violence upon women. The result of this lie is not only to commit a calumny upon the male sex. It will also trivialise real rape when it occurs, make it harder to convict the guilty and betray the true needs of women to be protected against violence.

Once again, the House of Lords has ridden to the rescue of elementary justice, fairness and common-sense. Once again, the government has announced that it is determined to prevent their Lordships from carrying out this service to the nation. Earlier this week, peers voted in an amendment to the Sexual Offences Bill that the names of defendants in rape cases should be kept secret. The government promptly announced it would overturn this decision when the bill returned to the Commons.

The Home Office minister Lord Falconer told the Lords the criminal justice system had to remain open and transparent. But women who bring rape charges against men are granted anonymity. So why does Lord Falconer believe the criminal justice system can justifiably suspend its important transparency for women accusers but not for the men they accuse? The reasons given for this discrimination are utterly preposterous. The radical barrister Baroness Kennedy said anonymity for women was essential because otherwise they would not bring their accusations forward on account of the 'stigma' attached to making such claims.

Now, no-one should minimise the ordeal for a woman in not only having to face her attacker in court and having to give evidence of a highly distasteful kind, but in facing cross-examination which inevitably calls into question her own character and morals. But what about the stigma that attaches to men who are unjustly charged? For the concern that women won't bring charges if they are identified totally ignores the fact that a steady stream of men who are thus accused are subsequently shown to be innocent. Yet their reputations and careers have nevertheless been ruined.

Last year, for example, the Australian snooker player Quinten Hann was cleared of raping a student. He said he felt that he was the victim after a nine-month investigation and six-day trial in which he consistently claimed that his accuser had been a willing partner. Then there was the case of the rugby player Hywel Jenkins, cleared of rape in just five minutes after the Crown Prosecution Service said there was not enough evidence to put him on trial. Afterwards, he said that he had endured 'seven weeks of hell' after being accused by a 28-year-old woman of raping her during a party.

Giving women the protection of anonymity means it is more likely that women will make such false accusations. But then, the monstrous presumption beneath this bill is that all women are truthful and all men who are accused of rape are guilty. The reason for the bill is that the government believes there are not enough convictions for rape. It thinks too many men are getting acquitted of rape who are actually guilty. It is simply astonishing that people who purport to understand the rule of law and care about the presumption of innocence can say that not enough people are being

convicted. On whose say-so? By what criteria?

Do they have any reason for thinking that any of these acquitted men is guilty of rape? Of course not. How can they possibly do so? It is merely their prejudice - a pathological belief in male sexual guilt. It is not even the case that rape convictions are particularly low. Convictions for murder, for example, are running at 40 per cent while convictions for rape at 41 per cent. But no-one suggests that 'not enough' people are being convicted for murder.

There may be a variety of reasons for the low number of rape convictions, just as there are for other crimes. The incompetence of the Crown Prosecution Service is undoubtedly a factor in not properly assessing the evidence in cases that fail to convince the jury. But one of the most likely reasons why convictions have fallen is that rape claims have become highly ambiguous through the dramatic changes in sexual mores. While the number of rapes by complete strangers has gone down, the frequency of casual sexual encounters has caused a steep rise in claims of 'date rape'.

This is clearly far less straightforward than a case where a woman claims she has been pounced upon in a dark alley. A sexual encounter freely entered into but where at some point the woman may have changed her mind, or where one or both partners were drunk, poses very tricky problems of judgement for juries. So not surprisingly, they are reluctant to convict - especially for a crime which can result in life imprisonment.

But such an obvious explanation is dismissed out of hand because it assumes that women may not always be victims - indeed, that they may even be partly responsible for what has happened to them but are not prepared to take any responsibility for it. And this contravenes the cardinal tenet of extreme feminism - the assumption that men are intrinsically rapists, wife-beaters, child abusers and generally violent individuals, that women are their prey and that society additionally loads the dice against the female sex.

Lady Kennedy actually said in the Lords: 'To treat as equal those who are unequal creates further injustice.' So women are to be given a protection denied to men, despite the proven injustice of innocent men having their

reputations ruined by women - because women are supposed to be the victims of society!

To paraphrase George Orwell, all animals have equal rights - but women have more equal rights than others.

No-one should be surprised that the government, unabashed by the eloquent arguments mounted in the Lords against this proposed injustice, is refusing to admit that it was wrong. For it has been captured by an ultra-feminist agenda promoted by pressure groups which have put down deep roots within government - in the Home Office in particular. So determined are ministers to pursue this anti-man vendetta that the new Sexual Offences Bill loads the court dice drastically against male defendants.

Until now, a man accused of rape could use the defence that he honestly believed the woman had given her consent. The bill not only removes that defence, but reverses the burden of proof. Now, the man will have to prove that no reasonable person could have doubted that the woman gave her consent to sex. The inclusion of that objective 'reasonable' test, the Lords heard, means that even if the defendant honestly believes the woman had consented, he might still be convicted. In other words, the test he will have to meet to be acquitted is now being set impossibly high.

Civil libertarians like Lady Kennedy, who would die in the last ditch to defend the presumption of innocence, normally pronounce that ten guilty people should go free rather than one innocent person be convicted. They ruthlessly use the Human Rights Act to pursue such principles through the courts. Yet they suddenly put all that into screaming reverse when it comes to fighting the sex war. Rigging the justice system in this way is based on sheer malicious, vicious prejudice against men - mostly driven through, ironically, by male politicians, in thrall to a feminist agenda they are too cowardly to confront.