The Rape of Mr. Smith

In the following situation, a holdup victim is asked questions by a lawyer.

"Mr. Smith, you were held up at gunpoint on the corner of First and Main?"

"Yes"

"Did you struggle with the robber?"

"No."

"Why not?"

"He was armed."

"Then you made a conscious decision to comply with his demands rather than resist?"

"Yes."

"Did you scream? Cry out?"

"No, I was afraid."

"I see. Have you ever been held up before?"

"No."

"Have you ever GIVEN money away?"

"Yes, of course."

"And you did so willingly?"

"What are you getting at?"

"Well, let's put it like this, Mr. Smith. You've given money away in the past. In fact, you have quite a reputation for philanthropy. How can we be sure that you weren't CONTRIVING to have your money taken from you by force?"

"Listen, if I wanted -"

"Never mind. What time did this holdup take place, Mr. Smith?"

"About 11:00 P.M.."

"You were out on the street at 11:00 P.M.? Doing what?"

"Just walking."

"Just walking? You know that it's dangerous being out on the street that late at night. Weren't you aware that you could have been held up?"

"I hadn't thought about it."

"What were you wearing at the time, Mr. Smith?"

"Let's see ... a suit. Yes, a suit."

"An EXPENSIVE suit?"

"Well – yes. I'm a successful lawyer, you know."

"In other words, Mr. Smith, you were walking around the streets late at night in a suit that practically advertised the fact that you might be good target for some easy money, isn't that so? I mean, if we didn't know better, Mr. Smith, we might even think that you were ASKING for this to happen, mightn't we?"

From "The Legal Bias Against Rape Victims (The Rape of Mr. Smith)." Connie K. Borkenhagen, American Bar Association Journal. April, 1975

Facilitating The Rape of Mr. Smith

The Rape of Mr. Smith is intended to highlight the notion of "victim blaming" in cases of rape. Often times, women are challenged according to how they were dressed, how many times and with how many different partners they have consented to sexual intercourse in the past, or their choices for being present in various situations commonly perceived to be risky (i.e. alone at a house party, walking across campus at night, etc.). While these scenarios are seen to be humorous in the case of Mr. Smith's robbery, women are often challenged according to the role they played in the rape while the assailant's involvement is excused or overlooked.

Potential questions:

- 1. How many people found the scenario to be humorous or ridiculous?
- 2. Why is it easy to find this scenario humorous yet it remains appropriate to ask such questions of a woman who has accused a man of rape?
- 3. How else are women blamed for their own oppression?
- 4. What advantage do men have in perpetuating this blaming of the victim?
- 5. How are other groups within our society blamed for their own opression?