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An existential radical feminist account of rape: dominance and objectification
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Abstract

Radical feminism explains rape as an act of dominance based on the sexual objectification of women. The rise of a Foucauldian post-structural account of power has led to explaining dominance through vulnerability and attributing agency to the position of being sexually objectified. This article uses the subject of existentialism to reinstate the dominance of the rapist and the structural constraint of being sexually objectified. An existential account of choice in consciousness, found in the narrative construction of identity, can be combined with the radical feminist structural explanation of rape. The structure in which women are sexually objectified provides rationalisations to rape. The theory is developed through a reinterpretation of the psychosocial case studies of Gadd and Jefferson, rejecting their supposition of finding vulnerability in the rapist and their claim to find agency in the rape victim. The structural critique of sexual objectification is reinstated through the introduction of an existential subject.

Key words:

Rape, radical feminism, existentialism, power, dominance, sexual objectification

Introduction

This article defends a radical feminist explanation of rape, utilising the central concepts of dominance and sexual objectification. I will offer existentialism as an account of the subject that can be combined with radical feminism, thus contributing to the field of existential criminology (Lippens and Crewe 2009; Hardie-Bick and Lippens 2011). The article uses Gadd and Jefferson's (2007) psychosocial case studies of rape as data. Psychosocial criminology provides a necessary intervention in criminological theory, combining a social explanation of crime with an account of the individual. This is in response to the fact that structural theories of crime have not theorised the individual, such that the only theories of the subject of crime tend towards psychopathological/medicalised accounts, or accounts based on the abstracted figure of homo-economicus (such as rational choice theory) (Gadd and Jefferson 2007). The psychosocial account combines a psychoanalytic subject with an account of post-structural discursive positions, and the theory of rape is represented as a rebuttal of the 'over-social' approach of radical feminism. In providing an existential radical feminist reinterpretation of Gadd and Jefferson's case studies, I aim to reinstate the value of radical feminism to theorising rape.

The psychosocial explanation of rape presents the rapist as vulnerable and sexual objectification as a position of agency. In reinterpreting the data from psychosocial criminology, I aim to demonstrate the role of dominance in the act of rape and the need to conceptualise sexual objectification as a structural constraint on women's agency. An existential interpretation of the data establishes the role of sexual objectification in the dominant self-construction of the rapist, challenging the theorisation of the rapist as vulnerable. The structural analysis of radical feminism reveals the denial of women's agency in the post-structural account of discourses and dispersed power, challenging the representation of sexual objectification as a position of agency. The first section will provide an overview of radical feminism and how it has become a widely rejected position, then providing an overview of the relevant aspects of existential theorising that will be used in defence of radical feminism. The next section will offer an existential re-interpretation of Gadd and Jefferson's (2007) narratives of men on rape, to reassert the radical feminist explanation of dominance in rape. The final section defends a radical feminist structural explanation of rape through a critique of the use of post-structuralism in Gadd and Jefferson's psychosocial theory. This article suggests that the vulnerable rapist, and the presentation of sexual objectification as a position of agency, relies on placing women's power in the sexuality of their bodies.

Radical feminism and existentialism

Radical feminist theory arises from consciousness-raising groups in the 1960s, making belief in women's testimonies foundational to this theoretical perspective (MacKinnon 2000; Mackay 2015). The prevalence and gendered dynamic of sexual violence made it apparent that this treatment of women was normalised, hence requiring a structural explanation. The structural explanation distinguishes between sex and gender; gender is the hierarchical social meaning that is imposed onto the biological differences between men and women. The social construction of gender centres on the sexual objectification of women. Radical feminism thereby explains rape as an act of sexual objectification that provides a performance of masculinity (Millet 1971; Dworkin 1981; MacKinnon 1989; Scully 1990). Through utilising the social construction of gender, the rapist is able to assume a position of dominance within the patriarchal social order. The radical feminist explanation of rape was preceded by theories of the individual that pathologised the rapist or made the victim responsible for being raped (Amir 1968; Oosterhuis 2012). Radical feminism thereby represented a paradigm shift, changing the focus to the social structure as opposed to the individual victim or perpetrator, whilst exposing and challenging the androcentrism of criminology, allowing for the introduction of the *perspective* of women into the discipline. For a radical feminist account of structure, power is seen as an oppressive force held

by men through their socially constructed positioning as sexual subjects and withheld from women through their socially constructed positioning as sexual objects. Sexual objectification is a structural constraint on women's agency.

Gadd and Jefferson recognise the value of radical feminism in situating sexual violence within the context of patriarchy and thus rejecting the previous psychopathological explanations of rape, but they consider a number of problems that arise from failing to theorise the subject (2007: 70). The primary criticisms they provide of radical feminism are that the theory presents men's position of power as uncontested and removes women's agency. The criticism of radical feminism undermining agency is well-established, through accusations of essentialism, determinism, and universalism: all men become oppressors, whilst all women become victims (Messerschmidt 1993; Brown 1995; Butler 1999; Cahill 2001). In response to the radical feminist inclusion of prostitution and pornography as forms of male violence against women, it is argued that these practices are not universally experienced as violations, so to use them in an analysis of patriarchal structures directly silences women who gain a sense of agency and identity through these sexual practices (Showden 2012). A structural analysis based upon this universal victimisation serves to undermine women's proclamations of agency by instead defining them as unknowing victims. Third-wave feminism defines itself partly in opposition to second-wave feminism, with the "espousal of a pro-pornography position (in conscious repudiation of radical feminists like Dworkin and MacKinnon)" (Aune and Holyoak 2017: 14). The result of this shift is that the "mainstreaming of the sex industry is now often presented as the culmination of the freedoms that feminists have sought" (Walter 2010: 8).

In response to these criticisms, post-structuralism has gained predominance within feminist theory (Butler 1999), this is consistent with the ascendancy of post-structuralism in the social sciences (Hardie-Bick and Lippens 2011). The grand-narrative and totality of a structural analysis is responded to with the idea of power working at the micro-level. A Foucauldian post-structural account of discourses presents a theory of power that it is circulating everywhere; all relations are infused with power (Foucault 1976). Subjects will be variously discursively constructed but cannot escape relations of power. The question of whether sexual objectification should be theorised as a structural constraint or one of several discursive positions which can be liberating and empowering, underlies the 'feminist fault-line' around the sex industry. Radical feminists are pejoratively categorised as sex-negative, whilst post-structural analysis – in allowing multiplicity – is said to be sex-positive, which allows for women's sexual agency. Claims of all men and all women are seen to be reductive, the focus on the micro-dynamics of power is needed to complicate the analysis in order to allow for agency (Showden 2012).

The problem with the 'sex wars' is that radical feminism's analysis of sexual objectification is rejected in application to the sex industry, as opposed to rape. In focusing on the sex industry, the opposition to radical feminism is in search for *women's* agency. Without a focus on the agency of the oppressor, feminist theory has floated to a meta-level in which the primary target of the critique becomes feminists themselves instead of patriarchy¹. When we consider the centrality of sexual violence to radical feminist theorising, these are acts in the world, perpetrated by individuals that form intentions and are thereby responsible for the action. The consciousness of these men needs to be central to feminist theorising. The sex industry is important to theorise in terms of the representation of women as sexual objects that exist to serve the sexual needs of men, this argument can be made without the need to deny or affirm the individual women's agency who are involved in the industry. The reassertion of the need to

¹ This is not to place feminist theory itself beyond critique; we must always be mindful of oversights or exclusionary implications of theory. However there seems an over-focus on criticising feminist theory for undermining women's agency (looking inward), rather than theorising the agency of the oppressor (looking outward at the context of oppression).

critique sexual objectification does not advocate for a particular legal position on sex work but provides an explanation of why the sex industry is part of the radical feminist critique of patriarchy. We need to understand the subjectivity of men who commit violence against women, but this understanding must be compatible with a structural analysis that recognises the social construction of the sexual objectification of women (part of which is the sex industry). This article proposes that existentialism can provide a route to theorising the subject on a radical feminist account, focusing on the agency of the rapist. I aim to reinstate three central elements of radical feminist theory: rape as an act of dominance; the role of the sexual objectification of women in rape; the credibility of women's account of being raped.

Simone de Beauvoir's (1949) *The Second Sex* can be seen as providing the groundwork for much of the radical feminist critique of the social construction of gender as the sexual objectification of women (Simons 1999; Altman 2020). This makes existentialism a candidate for theorising the subject within a radical feminist perspective. Sartre (1943; 1946) and Beauvoir (1947; 1949) developed their existential canon of literature and philosophy in dialogue with each other, although their perspectives can be importantly differentiated (Vintges 1999; Arp 2001), their theories can be taken as holistic. The central claim of existentialism is that in there being no pre-destined goal, man must make his own values in the world. To make his own values is to construct and define his own identity, known as transcendence. Transcendence is not a specified form of subjectivity, but the potential for the subject to choose and will themselves forward in the world. The focus on 'projection forth' considers how the present extends into the future, as opposed to the present being determined by the past. Freedom and responsibility are found in 'creating a self' (Vintges 1992; Pilardi 1999). Another central premise of existentialism is that the freedom of self-creation leads to an experience of anguish, resulting in constant evasions of consciousness. It is through denying the self as both subject and object in the world (embodiment), or through denying the relation to the other (intersubjectivity), that we can evade responsibility for ourselves. Using existentialism to defend radical feminism against the insurgency of post-structuralism, parallels the way in which Foucault's (1976) post-structural anti-humanist position develops as a critique of Sartre's humanist existentialism, this will be considered in the third section of this article.

Existential criminology has noted overlaps in the theorised subject of symbolic interactionism and Sartre's (1943) existentialism. This article defends the combination of Beauvoir's/Sartre's existentialism and symbolic interactionism, in order to provide an account of the subject that is compatible with a radical feminist structural analysis. Goffman (1959) provides a subject that presents a self in interaction through the management of an impression. This impression is managed "by influencing the definition of the situation which the others come to formulate" (Goffman [1959] 1969: 15). Hardie-Bick and Hadfield propose that Sartre's existentialism and symbolic interactionism both present 'personal identity as constructed through performativity' (2011: 15). Lippens and Crewe consider the overlap between Mead and Sartre in their "focus on the dialogical self and its internal deliberations and conversation" (2009: 6). Arp's overview of the existential subject brings forth this compatibility with the subject of symbolic interactionism, as she states that existentialism "sees humans as beings who create and define themselves in interaction with others and the circumstances, they find themselves in" (Arp 2001: 2).

Combining existentialism and symbolic interactionism to theorise the subject of radical feminism is further supported by considering how MacKinnon's (1989) definition of sexual objectification implies an interactionist subject. MacKinnon defines sexual objectification as "having a social meaning imposed on your being that defines you as to be sexually used" (1989: 140). Theorising rape through the concept of sexual objectification is to consider that in rape a social definition 'to be sexually used' is imposed onto the victim, which interferes with their ability to be recognised in social interaction through presenting themselves. They are unable to negotiate an identity as in being sexually objectified they are denied subjectivity. The imposition

of sexual objectification is thereby a central harm to women's standing as subjects. If self-presenting subjects co-construct themselves through negotiating their identity and managing impressions, sexual objectification as an imposition of a definition undermines the intersubjective foundation of self-production. An existential analysis is adopted in this article for the present orientation that allows for theorising the intersubjectivity of the moment and the choice within the moment of the act. An existential account that retains choice in consciousness can reinstate the radical feminist account of dominance, in opposition to the theorisation of the rapist as vulnerable.

An existential radical feminist account of Jay and Jim

The psychosocial account combines a psychoanalytic subject with an account of post-structural discursive positions (Gadd and Jefferson 2007). The complication of the 'over-simplified' analysis of power is achieved through inserting vulnerability into the theorisation of the position of dominance in rape. The vulnerable subject is seen to be investing in discourses of power as a defence against anxiety. This rebuffs the radical feminist analysis that singularly focuses on men's dominance/power. Gadd and Jefferson use secondary data to develop case studies of rape. They begin their discussion with interview data from two sources – Beneke (1982) and Levine and Koenig (1982). Beneke interviews men about their views on rape. Levine and Koenig provide data on men convicted of rape. After providing some quotes from Beneke on men's feelings of being vulnerable, including quotes from Jay (who admits to fantasising about raping women), Gadd and Jefferson provide an extract from Levine and Koenig on Jim (who is a convicted rapist). I will use the quotes from Jay and Jim to demonstrate how from an existential perspective, radical feminism can be reinstated, as the expressions of vulnerability can be seen as part of a dominant self-construction premised on the sexual objectification of women. I will then offer an existential interpretation of how the past should be considered in terms of the conscious construction of self. Finally considering how a narrative construction of identity can connect the individual to the structure.

The following are two quotes from Jay that Gadd and Jefferson claim reveal the inner defended subject – the vulnerability of men who rape:

“A lot of times a woman knows that she's looking really good and she'll use that and flaunt it, and it makes me feel like she's laughing at me and I feel degraded” (Beneke 1982: 43, in Gadd and Jefferson 2007: 74).

“Just the fact that they can come up to me and just melt me and make me feel like a dummy, makes me want revenge. They have power over me so I want power over them” (Beneke 1982: 44, in Gadd and Jefferson 2007: 74).

The focus of an existential analysis is “the content of language expressions and manifestations insofar as they point to the world-design” (Binswanger 2004: 201). When we consider how Jay constructs the world through these expressions of vulnerability, it is in fact his dominance that is revealed. Jay is locating women's power in their sexuality; his feeling of degradation is because women are seen to be flaunting their sexual attractiveness. His hostile feeling of revenge is in response to the sexual power of women's bodies. The world-design, the lens through which Jay views the world, is to invest women's bodies with an overpowering sexuality that he feels compelled to control – *“want revenge. They have power over me so I want power over them”*. The sexual objectification of women does not make her a passive object. In fact, she can be read as having an enticing, provocative sexuality. Previous explanations of the rapist presented women's sexuality as 'dangerous and lurking' (Gavey 2005: 9). If the power against which Jay is positioned as vulnerable is the sexuality of women's bodies, this must be

understood as the sexual objectification of women. This locating of women's power in the sexuality of their bodies, in fact presupposes his own position of dominance, not vulnerability. Jay's world-design reduces women to the sexuality of their bodies, and thus their presence is interpreted as flaunting their attractiveness and hence they are seen to precipitate his desired attack.

Quotes from Jim further demonstrate the idea that claims of vulnerability are based on the sexual objectification of women and thereby presuppose a position of masculine dominance. These are the two quotes that Gadd and Jefferson used as a basis for their interpretation of Jim as a vulnerable subject:

"you sort of expect rejection, when you're out with a girl. But then when she does reject you it complicates it. It multiplies your feeling and you take your anger out on her...I'm most angry at my own lacks" (Levine and Koenig 1982: 83, in Gadd and Jefferson 2007: 74).

"I wouldn't take no for an answer. I think it had something to do with my acceptance of rejection. I had low self-esteem and not much self-confidence and when I was rejected for something I considered to be rightly mine, I became angry and went ahead anyway" (ibid, in Gadd and Jefferson 2007: 75).

Women make Jim feel inferior when they do not validate his position of sexual dominance. Jim expects rejection and thus expects resistance from his sexual advances, but he does not take no for an answer as he has constructed women as sexual objects, making him entitled to the sexual use of her. Her rejection of his sexual advances are seen as a rejection of something that is 'rightly his'. This expresses masculine entitlement to women's bodies; the sexual use of her body is something he is entitled to, *precisely through* him constructing a dominant sense of self in which she is reduced to a sexual object. These claims of vulnerability – 'having low self-esteem and not much self-confidence' – do not reveal the true inner vulnerable subject, because it is contextualised by his consideration of her body as rightly his.

Seeing the rapist's dominance as a response to vulnerability refuses the intersubjectivity of identity, with the choice and subsequent responsibility we have in defining ourselves in relation to others. From Scully's research on convicted rapists, she states that "motivations to rape are not irrational, subconscious and uncontrollable, but rather, overt and deliberate" (1990: 137). This can be accounted for if the subject is understood as consciously constructed. An existential interpretation considers the intersubjective moment and his choice in constructing women as sexual objects and concomitantly positioning himself as dominant. Considering his experience in the moment in his orientation towards the future (his way of being), the claims of vulnerability are premised on his prior assumption of dominance in presenting a view of the world that positions women as sexual objects, either provoking sexual attack from their overwhelming sexual attraction, and/or as bodies that men are entitled to. Jim is a repeat rapist, he has been convicted of three sexual offences (Levine and Koenig 1982: 83) – this pattern of behaviour suggests a mode of being. This mode of being is a conscious construction of self in relation to the other. Providing an existential reading permits us to see the claims of vulnerability in the context of the sexual objectification of women, and hence in the context of his dominant self-construction. Intersubjective identity construction requires an understanding of the future, how one projects oneself forth in the moment. The rapist constructs himself as dominant in relation to the objectified position of the victim. In defining her as a sexual object he evades responsibility for his treatment of her by placing himself as vulnerable to her sexuality and thus compelled to rape. This reinstates the radical feminist position of dominance as the explanatory concept in rape.

For psychosocial criminology, the vulnerable rapist is investing in discourses of power as an unconscious defence against anxiety. The level of anxiety and the unconscious defence are determined by the rapist's early nurturing experiences (Gadd and Jefferson 2007: 53); the

vulnerability arises from a tragic past. An existential perspective does not dismiss the subject's past as irrelevant, but instead considers that "how he commits himself to existence at the moment – also determines his past. That is, it determines what he can recall of his past, what portions of his past he selects" (May 1983: 172). Rather than seeing the rapist as compelled to rape due to his history, we can instead see the rapist as committed to providing a particular narrative concerning his identity and his past once he has committed to the act of rape. It is the meaning we give to past experiences that requires consideration of choice and consciousness. Attributing meaning to our past experience is part of our ability to self-reflect. This capacity for self-reflection is the capacity to stand back from ourselves (Hardie-Bick and Hadfield 2011). According to an existential account, the subject's freedom is found precisely in this self-reflection; imagining different possibilities for action and seeing the self in these possibilities provides a transcendence of the immediate that constitutes agency (May 1983). Reinserting a subject that can reflect on and interpret past experiences, in the narrative construction of identity, provides an account of the past that is compatible with choice. Rather than seeing the subject as a product of the past, we can see the subject in a reflective relation to the past, as the conscious narrative of his past is used to justify his present.

Instead of taking claims of vulnerability and powerlessness made by convicted rapists to reflect dominance being underwritten by vulnerability, I suggest that these claims can be understood as rationalisations for rape. It is important to consider that in studies of convicted rapists the men being interviewed are negotiating an identity that has been stigmatised through the label of rape. If these men can present themselves through a lens of suffering and impotence, this alleviates the responsibility of having committed rape. Scott and Lyman include 'sad tales' as a category of accounts: "The sad tale is a selected (often distorted) arrangement of facts that highlight an extremely dismal past and thus explain the individual's present state" (1968: 52). In rejection of the vulnerable rapist, we can theorise the investment in narratively constructing a vulnerable self, as this functions to lessen his responsibility for violation. Gadd and Jefferson (2007) and Bonnycastle (2012) take the claims of convicted rapists as revelations of an inner vulnerable self, thus disputing the radical feminist analysis of dominance. If we instead consider the role of rationalisations in rape and the discredited identity of being a rapist, I suggest these do not expose the vulnerable subject within, but demonstrate the rapists' performance of identity

Beauvoir (1949) and Sartre (1943) reject Freud's (1915) account of the unconscious as it fails to grasp existence in the moment, by regressing to the past. For existentialism, the determinism implied through an 'unconscious defence', is precisely the fallacy used by man himself to deny his ultimate responsibility in self-creation. The anguish of freedom and choice can be relieved through seeing oneself as determined, as this allows man to cast "off the responsibility of existence" (Beauvoir [1949] 1997: 624). Gadd and Jefferson's (2007) reliance on the past of early nurturing experiences coheres with the rapist's desire to read his past in a way that can absolve his present, thus failing to accept responsibility for his choice to rape. Yalom (1980) provides an existential humanist position that incorporates the unconscious, challenging the "content of the "Freudian" mind, rather than on its structure" (Shahar 2022: 6). In Yalom's existential interpretation of the unconscious, it is "neither a conflict with suppressed instinctual strivings nor one with internalised significant adults, but *instead a conflict that flows from the individual's confrontation with the givens of existence*" (Yalom 1980: 8). The anguish of the freedom in defining oneself in relation to others is the 'conflict of the givens of existence', this anguish/conflict can be alleviated through seeing oneself as determined.

Scully applied a symbolic interactionist framework in her study of convicted rapists, finding that from the perspective of the rapist "almost no act was rape and no man was a rapist" through the utilisation of linguistic devices (1990: 97). Pryor (1996) also applied this understanding of the narrative work involved in maintaining a positive sense of self in his study of convicted child molesters. Pryor found that the men in his study construct exceptions to the rules and boundaries that would forbid the behaviour they commit. This is possible because the rules and boundaries

are definitions that can be modified. Hudson's (2005) study of convicted rapists applies Goffman's dramaturgical concept of self to consider the negotiation of identity in men labelled as rapists. Hudson finds that various 'distancing techniques' were used "to preserve a more acceptable identity both in the eyes of others and to enhance their own sense of self-worth" (2005: 66). Rationalisations provide an explicit connection between the individual and the structure, because to provide a reason for an action, the reason must be expected to be accepted by the social group. Although prior to the act he only has to justify his action to himself, this justification is taking the perspective of another on himself; providing a justification is anticipating the response of another and presenting a reason that would be accepted by another. What would be an accepted reason for an action is embedded within the culture (Scott and Lyman 1968; Scully 1990). It is not the case that anything can be used as a reason, therefore reasons for action gain meaning/are comprehensible within the parameters of the social group. Defining her as a sexual object justifies his sexual violation because the social construction of gender under patriarchy affirms this definition of her. This allows him to evade responsibility for his dominant self-construction.

An existential radical feminist account of Donnellan

The second case study used in the psychosocial theory of rape is the case of Donnellan. The case of Donnellan was a trial of a university student accused of raping a friend who was a fellow student (Gadd and Jefferson 2007: 77 – 80). The alleged rape occurred after a Christmas party in which he helped her to her room because she was so drunk. According to her, he then raped her. According to him, they had consensual sex. The trial was extensively covered by the media. Donnellan was acquitted of rape. The media presented the case as a false rape allegation: presenting a sympathetic portrayal of the defendant that believes his innocence thus representing him as the real victim. Lees (1996) uses this case to demonstrate the patriarchal narrative of the media, in terms of which cases they choose to report and the way that they emphasise men's risk of false rape accusations, while ignoring the pervasive existence of rape and the inadequacy of the criminal justice system's response to rape. According to Gadd and Jefferson (2007), Lees' (1996) analysis – that the media representation provided a patriarchal distortion that silences women – repeats the radical feminist mistake of denying women's agency by providing an account of women as only victims in relation to sex. Gadd and Jefferson's attempt to locate the woman's agency in this case centres around the role of discursive positions of sexuality. I will consider the psychosocial analysis of this case, focusing on their account of the victim, to argue for the advantage of a radical feminist analysis of structure in opposition to a Foucauldian post-structural analysis of discourses when theorising the act of rape.

A key distinction between theorising a post-structural account of discourses in comparison to a radical feminist account of structure is distinct conceptualisations of power². Whereas radical feminism sees sexual objectification as key to women's disempowerment, a post-structural account denies the singularity of this: crucial to the theoretical shift is the proposal of a multiplicity of discourses. It is within this claimed multiplicity of discourses that the victim of this case is theorised as having agency. This mirrors the shift in feminist theory towards embracing the sex industry as empowerment, and thereby reclaiming the position of sexual objectification as agency. Foucault's account of power is provided within the wider frame of anti-humanism, as power relations are "nonsubjective" and do not "result from the choice or decision of an

² Gavey (2005) provides a radical feminist post-structural account, although recognising that this combination necessarily modifies both perspectives. Munro (2003) proposes that seeing the similarities between the positions of radical feminism and post-structural Foucauldian analysis helps respond to criticisms of both. However, I will consider radical feminism as providing a structural account of oppression that can be contrasted with a post-structural account.

individual subject" ([1976] 1998: 94 – 95). Power is everywhere *because* subjects are nowhere. The rise of anti-humanism can be seen as an attempt to reject the existential subject (Soper 1986; Kruks 1990). In Sartre's 1945 lecture 'Existentialism Is a Humanism', he states "what we are considering is an ethic of action and self-commitment...Our point of departure is, indeed, the subjectivity of the individual" ([1946] 2013: 51). From the 1960s onwards, Foucault was replacing Sartre as the dominant theorist (Cohen-Solal 1985). The critique of theorising a subject meant that "existentialist concerns of freedom, choice, and responsibility were increasingly seen to be *pas*se" (Hardie-Bick and Lippens 2011: 11). Butler's (1999) exposition of queer theory (representative of the shift from second-wave feminism to third-wave feminism) relies heavily on Foucault's (1976) anti-humanism.

Gadd and Jefferson's (2007) aim to theorise the subject (achieved through proposing that the psychoanalytic subject invests in discursive positions), demonstrates that their use of post-structuralism is not anti-humanist. However, as the splintering of power and the denial of the subject both arise from the move to discursive constructions, I propose that there is a denial of subjectivity implied in the adoption of a post-structural account of power. To complicate the analysis of power is to insert vulnerability into dominance and agency into sexual objectification, the result of this is the denial of agency. As I will demonstrate in this section, the psychosocial aim to reinsert women's agency into the theorisation of rape, results in a denial of the victim's experience, as she is recast as the perpetrator of a false rape accusation. This denial of the victim's experience results from collapsing experience into discourse; the experience of the victim is denied and replaced by the discursive representation in which she is denied subjectivity. The role of phenomenology in existential theorising centres the experience of the subject, and radical feminism centres women's experience. This reinterpretation of Gadd and Jefferson's data centres the reality of the experience of women and situates discursive representations within the structure of patriarchy, centred on the sexual objectification of women.

The three discourses on sexuality identified by Hollway (1984) are the male sexual drive discourse, the have/hold discourse and the permissive sexuality discourse. The male sexual drive discourse naturalises male sexual aggression and 'constructs women as objects' (Hollway 2011: 274); the have/hold discourse involves monogamous relationships; while the permissive sexuality discourse challenges monogamy, but in contrast to the male sexual drive discourse it "applies the same assumptions to women as to men. In other words, it was, in principle at least, gender-blind" (ibid: 275). In the first, sex is seen as a male entitlement; in the second, sex is seen within monogamous relationships; in the third, sex is seen for the pursuit of pleasure and thus not restricted to monogamy. It is only within the male sexual drive discourse that women are not able to access a subject position through this discourse: women are positioned as objects and hence this subject position is only open to men. Theoretically, women can access a subject position through the have/hold discourse or the permissive sexuality discourse. However, the male sexual drive discourse is given a primacy such that it 'acts as a brake on the other discourses' (Gadd and Jefferson 2007: 48), meaning that men's infidelity is more socially accepted within the have/hold discourse and the permissive sexuality discourse is more easily accessible to men as "for single women even in post-feminist times active sexuality still only has limited discursive warrant" (ibid: 82). The caveat provided through giving a primacy to the male sexual drive discourse in fact brings the position much closer to the structural analysis that the objectification of women is central to the cultural construction of sexuality. This is seemingly overlooked in the subsequent locating of agency through the claimed investment in the post-feminist permissive sexuality discourse. Gadd and Jefferson's rejection of radical feminism and identification of a *post-feminist* discourse is aligned with the more general move to embracing (rather than critiquing) sexual objectification in feminist theory.

The evidence provided for locating the victim within the post-feminist permissive sexuality discourse is her claim that "a kiss is just a kiss", her promiscuity (she has had several one-night

stands), and her openness about her sexual activity (Gadd and Jefferson 2007: 81). According to Gadd and Jefferson, recognising this discursive investment recognises her agency in relation to sex. Gadd and Jefferson thereby contest Lees (1996) attempt to redefine her as a traditional victim as they suggest that the case was newsworthy because the “role reversal was itself embedded within a larger, (post)feminist meta-narrative about contemporary changes in gender relations: she, not he, was the sexually active one; she, not he, was into causal sex” (Gadd and Jefferson 2007: 79). Lees (1996) discusses the case of Donnellan alongside other trials that were covered in the press, to illustrate that the media and the judiciary provide male perspectives that remove the perspective of women. Lees considers the backlash against feminism in the media reporting of rape, choosing cases that make men appear to be the victim of false rape allegations. Through this, women are “stereotyped as sexually provocative and blamed by the judiciary and the press” (Lees 1996: xi). What Lees sees as a backlash against feminism in the distorted media reporting of rape, Gadd and Jefferson see as a post-feminist reality in which women’s active sexuality undermines the credibility of the rape charge. Lees’ belief in the victim is seen to deny women agency, whilst Gadd and Jefferson’s incredulity of the victim is claimed to reinstate women’s agency.

My contention is that this *post-feminist* discursive positioning of women suggests that women can hold power over men through their sexuality. This relates directly to the distinct conceptualisation of power in the rejection of structure for discourses. In the last section, I argued that the men’s expressions of vulnerability was in relation to the alleged sexual power of women, which can in fact be seen as constitutive of the sexual objectification of women. The terminology used by Gadd and Jefferson to describe the victim in the case of Donnellan, and their overall perspective that this case was not a case of rape, once again reveals that Gadd and Jefferson mistake the power imputed to women as part of their sexual objectification as genuine power and hence agency. This is to argue that the radical feminist account of structure centred on the sexual objectification of women should be reinstated, as it is through the dispersed account of power provided by an analysis of discourses in which women’s power is located as sexual power over men; confusing the linchpin of patriarchy for women’s agency.

Challenging Lees’ (1996) analysis of the case, Gadd and Jefferson state that this case was “not predatory rapist and virginal victim but Mr Nice Guy and Ms Voracious Vamp” (2007: 79).³ A ‘vamp’ is defined as “a seductive woman who uses her sexual attractiveness to exploit men” (OUP 2020). In being a term that singularly denotes women, it is a gendered pejorative that can be held alongside ‘slut’, ‘slag’, ‘whore’ and the litany of other words used to discredit and degrade women. To depict her as a *voracious* vamp further implies the excessive sexual desires of the ‘nympho’. Whilst the evidence presented for placing her in the discursive position of permissive sexuality does indicate an active sexuality, there is nothing to suggest that she uses her sexuality to *exploit* men. What Gadd and Jefferson inadvertently prove by depicting her as a ‘voracious vamp’ is that women cannot be situated as sexual subjects under the constraint of the structure of patriarchy. Despite the shifting social mores on one level allowing her to have a promiscuous sexuality, she will be *interpreted* as a sexual object. The attempt to re-theorise women’s agency in discussions of rape through claiming that the victim is not a virgin, but a vamp misses the unity of sexual objectification in the virgin/whore dichotomy. This directly impacts on theorising the rapist. Lees discusses Benedict’s (1992) distinction between the vamp version of rape and the virgin version: ‘in the vamp version, the woman has loose morals and sexual excess such that *she* compels the man to rape her. In the virgin version, the rapist is a

³ Hollway and Jefferson previously provided an analysis of this case, in which they used this phrasing in reference to the defendant and victim (1998: 409). The account Gadd and Jefferson (2007) provide is predominantly a repetition of the account provided by Hollway and Jefferson.

depraved monster who has sullied an innocent' (Lees 1996: 67). Gadd and Jefferson's description of the victim as a vamp is thereby completely consistent with cultural narratives that blame victims of rape.

As Lees argues, making women "responsible for tempting men" is a component part of viewing men's sexuality as natural and hence uncontrollable (1996: xix). Gadd and Jefferson's (2007) concession that the male sexual drive discourse acts as a brake on the other discourses is to admit the dominance of this conceptualisation in which men are seen as sexual subjects and women are seen as sexual objects. But seeing it just as a brake on the other discourses fractures the structure into discourses, dispersing power between subjects and hence locating women's agency in one of the other discursive positions. Rather than seeing the male sexual drive discourse as a brake on the other discourses, I propose it is most accurate to theorise the structure of patriarchy as the sexual objectification of women. This means that despite material shifts in terms of women being 'permitted' to have many sexual partners, there is not a corresponding shift in how women are viewed, exemplified by Gadd and Jefferson's description of her as a vamp. Sexual objectification is a constraint on women's agency, which means that she will always be interpreted through a reduction to her sexuality: frigid, virgin, spinster, whore, vamp – but never a sexual subject. The attribution of the power of women's sexuality is central to the objectification of women. When women are seen to have this power, it does not in fact attribute agency to them, it reduces them to a sexuality that is defined in relation to men. By describing the victim as a vamp, Gadd and Jefferson reveal sexual objectification as a constraint on women's agency, as opposed to a multitude of discourses that can allow women to occupy a subject position within them.

The reading of the victim as a vamp is drawn through the entirety of Gadd and Jefferson's (2007) analysis of the case. According to the defendant, it was the victim who initiated sex with him twice during the night: she fell asleep during the second round of intercourse, he then stopped, she then falsely accuses him of rape (Gadd and Jefferson 2007: 80). Gadd and Jefferson's psychosocial account of the victim takes the defendant's depiction of the events as true. Gadd and Jefferson suggest that "perhaps both getting extra drunk and the subsequent sexual advance were, unconsciously, a way of keeping Donnellan's apparently waned sexual interest alive" (ibid: 82). This analysis is more proof of a sexually objectifying interpretation of women. She is seen to covet the sexual attention of men to the extent that all her actions can be interpreted as relating back to seeking sexual attention. Getting very drunk could have been an accident, or there may have been many factors in her life that could lead to the desire for intoxication, and yet Gadd and Jefferson interpret her actions only in relation to Donnellan's sexual interest in her. As a vamp, it is evident that she made a sexual advance and hence was not raped. And as a vamp, her state of inebriation is just another factor in her exploitation of men. Gadd and Jefferson's analysis is a case in point for the overarching structure of patriarchy as the sexual objectification of women: in seeing her as a vamp her viewpoint is not credible and all her actions can be seen to relate to her desired sexual attention from men.

The analysis provided by Gadd and Jefferson (2007) can be used to demonstrate that when she is interpreted as a sexual object she is interpreted not as a credible subject; her testimony is disbelieved and she is reframed as the perpetrator (of a false accusation of rape). Instead of being a position of agency, this is a constraint on her agency. This is not to deny her choice in her active, promiscuous sexuality, but it draws attention to how she cannot choose how she is interpreted. Under the structure of patriarchy, her sexual activity will mean she is interpreted as a vamp, which frames her as compelling men to violate her. The advantage of a structural analysis is that we can understand why she will be called a vamp whilst her male counterpart will be called nothing: as a sexual subject he is free to be promiscuous and this will positively advance his reputation; as a sexual object her promiscuity will place her as a whore, a vamp, a slag. The post-structural analysis of multiple discourses and circulating power is used in this case to

situate women's agency in sexual power over men. Gadd and Jefferson's deployment of the post-structural shift to discourse, with its concomitant shift in the conceptualisation of power, retheorises women's agency to deny the case of rape. This parallels the repackaging of sexually objectifying practices as women's empowerment. The feminist theorisation of women's agency has largely focused on the sex industry, Gadd and Jefferson offer a defence of women's agency in the context of rape. The resulting account is to deny that rape occurred. This precisely demonstrates why we should *not* theorise sexual objectification as a position of agency.

There are two important facts that are included in Lees' (1996) analysis and conspicuously absent in Gadd and Jefferson's (2007) construction. Lees states: "the reason why she reported it was that Donnellan had continued to harass her at lectures...she had gone to her tutor and asked to be excused from lectures.... the tutor said this could be arranged only if she made a formal complaint.... Donnellan on the apparent advice of Lord Russell, contacted the police himself and demanded that he stand trial, instead of going to the college disciplinary hearing" (Lees 1996: 81 – 82). If he is Mr. Nice Guy who did not rape her, then why did he continue to harass her? And if she is a vamp that was out to get him through a false rape allegation, why did she only report it to the university when this was presented to her as the only way she could be excused from lectures? Gadd and Jefferson's analysis fully believes the defendant's account of the event and entirely discredits the victim's account. It must also be noted that in discussing the ethical implication of the psychosocial method in its interpretation of this case, Hollway and Jefferson (2013) state that they contacted both the victim and the defendant for their consent. The defendant responded and requested changes to the account, which the researchers accepted. The victim did not respond, and hence had no control over the resulting narrative. The silencing of the victim through the interpretation provided indicates that the psychosocial analysis repeats the narrative of the defendant. Lees states that the "rape trial represents in stark form the way a woman is denied the opportunity to describe her experience, and the male perspective predominates" (1996: xx). Gadd and Jefferson's psychosocial account provides another instance of the dominance of the male perspective; the victim is interpreted through an objectifying lens that casts her as a vamp, thus not credible and thus not raped.

To theorise the rapist through a case that is not taken by the theorists to be a case of rape seems to reduce all rape to competing testimony, such that the rapist slips from theoretical grasp under the constant question of 'was this act actually rape?' It would seem absurd to theorise any other crime through a case that is taken to be a false allegation. We would not theorise the burglar through media depictions of a court case in which the complainant was presented as fabricating the allegation after lending her possessions to the defendant. Theorising rape through such competing testimony is only seen as acceptable because of the constant questioning of women's credibility in relation to rape allegations (Gavey 2019). Gadd and Jefferson (2007) fail to consider how the adversarial system and the patriarchal social context provide narratives that discredit women's accounts of being raped. Smith observed rape trials, finding that lawyers used gendered trial narratives "rooted in a master narrative that women lie because they are emotional while men are honest because they are rational" (2019: 78). The function of these narratives in the courtroom is to dismiss the rape complainant as a 'non-credible storyteller'. Ironically, Gadd and Jefferson's shift to discourses fails to account for how discourses are implicated in the system of oppression; differential access to subject positions is in a large part because of the different stories that are told about men and women. To take media descriptions as reflective of what happened, rather than reflective of gendered discursive constructions, overlooks the power of discourses in creating the structure of oppression.

Like Gadd and Jefferson, I do not know if this case was a case of rape. With only the information given by the trial and the media coverage it is not possible to definitively discern what happened on the night in question. However, to dislodge Gadd and Jefferson's certainty that this was not a

case of rape and their highly problematic reconstruction that fully repeats the defendant's narrative, I have provided a reconstruction from the information provided (Gadd and Jefferson 2007: 79 – 80) that suggests this was a case of rape. The defendant and the victim are friends, but the defendant is sexually interested in the victim and is interested in a romantic/sexual relationship with her. The victim does not share this sexual interest as 'she did not fancy him'. To explain the incident itself, we could focus on the overlap in the accounts of her being asleep and thus unconscious during the interaction. She claims to wake to him having sex with her and he claims she fell asleep during consensual intercourse. This is a consistent depiction of her being in a semi-conscious state. There is no suggestion that the defendant was in a similar state of intoxication; although it is claimed that he was drunk, there is no claim of him losing consciousness. The very fact that he assisted her home from the party because of her level of intoxication suggests he was less drunk than her. We therefore have a very intoxicated woman slipping in and out of consciousness and who has little memory of the event, and we have a man who claims to remember everything that happened and who at no point seems to be inebriated to the point of losing consciousness. This could easily therefore be interpreted as a man who exploits the woman's position of vulnerability: he uses the way in which the alcohol has made her into an object through losing consciousness to finally get the sexual use of her body that he has always desired. Choosing the moment that she is most drunk ensures she cannot defend herself in the moment, and nor can she defend herself in court. In the knowledge of her semi-conscious state, he knows that he can be the sole author of the event after it has occurred. The credibility that Gadd and Jefferson provide to the defendant's claims, and the categorisation of the victim as a vamp, indicate that their interpretation allows the defendant to continue defining this event.

An existential radical feminist analysis of this case posits that Donnellan enacts a dominant self-construction through rape. There is an intersubjective moment in which he chooses to rape; through rape he defines himself as the dominant subject in relation to the objectified victim. Rationalisations precede action, as in order to act we must see this as justified and hence consistent with our sense of self. Donnellan's narrative self-construction defines women as sexual objects, when the victim starts losing consciousness, he perceives an opportunity to enact his definition of women as sexual objects, through rape. The narrative construction of self derives meaning from the context of the social construction of gender. The structure of patriarchy provides the facilitating context through defining women as sexual objects in relation to men as sexual subjects. This provides a narrative that allows acts of sexual violence to be justified, and in being justified, no act is rape. This is an account of the subject as more than the structure because there is choice in the narrative construction of self. When Donnellan stands accused, he can rely on his rationalisations that facilitated the action in the first place, he can once again define her as sexual object and thereby deny that his action was rape. Gadd and Jefferson's (2007) interpretation of this case, defining the victim as a vamp and denying the act was rape, is reflective of and contributes to sexual objectification. A radical feminist structural account of dominance based on the sexual objectification of women can be reinstated through the theorisation of the intersubjective narrative construction of identity found in the existential subject. An existential radical feminist account of rape disputes the claimed vulnerability of the rapist seen to underlie the position of dominance, and it rejects the reframing of sexual objectification as a position of agency for women. The post-structural turn to the vulnerable rapist and the presentation of sexual objectification as a position of agency, relies on placing women's power in the sexuality of their bodies.

Conclusion:

The widespread rejection of radical feminism leads to a rejection of theorising dominance and sexual objectification as the central concepts in theorising men's violence against women. The rise of post-structuralism complicates the analysis of power dynamics through inserting vulnerability into the theorisation of the rapist and inserting women's agency into sexual objectification. This reversal of the position found in the act of rape – the rapist exerting dominance through the denial of the agency of the victim – results directly from the distinct conceptualisation of power that is used to reject the radical feminist structural account. This article has suggested that the anti-humanism that underlies Foucauldian post-structuralism seeps into post-structural accounts of power. 'Complicating' the account of power undermines the theorisation of subjectivity by inverting the power dynamic found in rape: the agency of the rapist is seen as compromised through his vulnerability, whilst the denial of subjectivity is claimed to be her position of agency. Constraint is seen in the situation of the rapist, whilst choice is seen in the situation of the rape victim.

It is crucial to an understanding of sexual objectification that this is not conceptualised as an absence of power through the attribution of a position of passivity, as in fact a key functioning of sexual objectification is to attribute a sexual power to women's bodies. This complexity of sexual objectification is lost in the shift to discourses, as in attempting to theorise circulating power this sexual objectification becomes reassigned as women's power. This is central to an analysis of the rapist as vulnerable; men's vulnerability is seen in relation to this alleged sexual power of women. This allows the convicted rapists to be presented as vulnerable defended subjects, and it allows the trial of the rapist to be presented as a false accusation – a vulnerable man who suffers under the manipulative power of the vamp. The radical feminist account of structure needs to be reinstated in order to capture the complexity of sexual objectification. The attempt to make the account of power more nuanced and not unidirectional in fact rebrands women's oppression – sexual objectification – as their power.

Radical feminism can be combined with the subject of existentialism (and the overlapping subject of symbolic interactionism), theorising rape as involving the narrative construction of a dominant self in relation to the objectified victim. There is choice in his construction of a dominant sense of self, but this possibility is provided by the structural context in which women are *socially* defined as sexual objects. Rationalisations connect the subject to the structure as the action is justified through considering another's perspective on oneself, hence the reason must be comprehensible in the context of the social group. The definition of women as sexual objects allows him to evade responsibility for self-creation, thus avoiding the anguish of freedom. A number of studies of convicted rapists have evidenced the role of linguistic devices that are used to justify rape and maintain a positive self-identity (Scully 1990; Pryor 1996; Hudson 2005). This article has proposed that sexual objectification provides rationalisations to rape. Positing that the rapist chooses to participate in the structures of oppression means that there is agency within the analysis. This sense of agency allows for the possibility of change, men's violence against women is not inevitable and individual men who commit sexual violence should not have their existence reified into an unchanging identity. The need to consider the choice to enact dominance is not in pursuit of escalating punitiveness towards the rapist, but a necessary step in Gadd and Jefferson's (2007) claimed aim to humanise the rapist.

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