surrendering the night!

the seduction of victim blaming in drug and alcohol facilitated sexual assault prevention strategies

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Mr Smith [victim of robbery]: ‘Yes – look Officer, what exactly are you getting at?’

Police officer: ‘Well, let’s put it this way. You have given money away in the past. In fact, you have quite a reputation for being free with your money. How can we be sure that you were not contriving to have your money taken by force, and then cry ‘robbery’?

(Adapted from Sexual Violence – The Reality for Women, London Rape Crisis Centre, 1984, Claire Vernon, King George V Sexual Assault Service)

Many of you reading may be familiar with the above metaphorical device developed by the London Rape Crisis Centre as a means of illustrating the disparity in the legal system’s treatment of sexual assault victims as compared to victims of other crimes. In the scenario, a successful businessman is held at gunpoint and robbed while he is out walking at night. Upon reporting the robbery the police ask him if he has ever been held up before, if he has ever given money away before, why was he walking the streets at night, did he scream or cry out, and why was he wearing an expensive suit that ‘practically advertised’ the fact he might be a good target for easy money. In short, he is treated as a co-conspirator who sought to be robbed by acting recklessly and setting himself up for just such an occurrence. The police officer suggests to him: ‘I mean, if we didn’t know you better Mr Smith, we might even think that you were asking for this to happen, mightn’t we?’ (Vernon, 1984). Of course the scenario is preposterous, fanciful, and unrepresentative of the treatment of victims of theft within our society.

So what does all this have to do with Drug and Alcohol Facilitated Sexual Assault? The relevance of The Robbery tool for victim/survivors of sexual assault and sexual assault services lies in its congruence with women’s experiences. Unfortunately, many victim/survivors of sexual assault often find the systemic response to the violence perpetrated against them accusatory, doubting and blaming. But this is not a revelation. Many of us are now all too familiar with the means by which women are held responsible for male sexual violence. We’re even accustomed to being judged on our appearances, skirt lengths, dance styles, actions, and apparent inactions. Nevertheless, it would appear the recent focus on ‘drink spiking’ and drug facilitated sexual assault within Australia and internationally, has paved the way for a new legitimacy of ‘blame the victim’, even within the women’s movement and sexual assault services. Putting it simply, ‘Watch your drink’ is in fact a contemporary euphemism for ‘Don’t wear a short skirt’.

The purpose of this article is four-fold. Firstly, I wish to explore within the Australian context, the background of what is in fact a very old crime, a crime of sexual violence but performed using a different weapon, now known as the phenomenon of drink spiking. Then I shall
examine the systemic responses to the crime of drug and alcohol facilitated sexual assault, with particular reference to a number of community education poster or information campaigns designed to highlight the crime of drink spiking and/or drug and alcohol facilitated sexual assault. I consider possible implications of such campaigns on victim/survivors of drug and alcohol facilitated sexual assault, and, finally I shall draw inferences about the state of women’s social action, and sexual assault services *vis a vis* these drink spiking prevention strategies.

**background**

*Drugs, including spiking drinks are everywhere – I feel quite ignorant about it but I know it’s happening* (Young woman in Watson, 2000:29).

Most of what we know about drink spiking or drug rape has emerged from the US and England and for some time now we have been alerted by the media and other research about the incidence and prevalence of drug and alcohol facilitated sexual assault. It is not my intention to rehash this emergent literature save to say that we are not dealing with a new crime. Instead, what we are dealing with is a new language with which to define it and new tools with which to problematise it. Terms such as drink spiking, drug rape, date rape, drug assisted rape and CASA House’s preferred term, *drug and alcohol facilitated sexual assault*, have all been used to describe the phenomena of coercive tactics which are used to impair women’s decisionmaking abilities, or to incapacitate the victims of sexual assault.

In Australia these assaults are usually referred to within the context of licensed venues, but they are not exclusive to this context.

Though it is certainly the case that CASA House has been working with victim/survivors of this crime since CASA’s inception in 1987, and indeed that women have been sexually assaulted in this way throughout time, it is only relatively recently that the discourse has developed with which to frame this occurrence, or that it has been separately identified. We now have at our disposal a sizeable amount of statistical data from which to draw conclusions and apportion funding to respond to this crime. Over the four months from February to October 2002 CASA House and the Sexual Assault Crisis Line (after hours) has had contact from 152 women and four men reporting drug and alcohol facilitated sexual assaults. In New South Wales over a 12 month period from June 2000 to May 2001, 22 per cent of acute presentations at Eastern & Central Sexual Assault Service indicated they were drugged as part of the assault (Griffiths, 2001:1). A survey conducted for the Queensland Government found that 58 per cent of 325 patrons at 12 venues believed it was possible that their drinks could be spiked in future. Almost one quarter (23.7%) said they thought their drinks had been spiked in the past and approximately half (53.8%) said they knew of someone who thought they had their drink spiked in the past (Edmond, 2002). There is clearly a social problem requiring a response. But are statistics necessary to establish that an issue which requires a response exists?

A colleague of mine once relayed an anecdote where she was in the midst of discussions concerning drug facilitated sexual assault with the Liquor Licensing Accord of a regional city. One of the members asked that she supply empirical evidence (read official statistics of women reporting this crime to the police) to support the claims that drug and alcohol facilitated sexual assault was occurring within their district and thus warranted a response. She replied *How many would be enough?* The message of this anecdote as I see it, is the completely arbitrary nature of scientific or empirical data and the ways in which data is used to justify the existence of social problems. Putting it another way: how many women does it have to happen to in order for it to be taken seriously? If we don’t have the statistics, does this mean the phenomenon doesn’t exist? On the one hand, the statistics give us a tool to attract media attention and desperately-needed funding. However, it would seem we also have the means with which to problematise a group of people, in this instance, victim/survivors of a particular form of sexual assault.
an age old altruistic formula – drink spiking community education campaigns

If women are not capable of being able to deal with the situation then they shouldn’t be there in the first place’ (Young woman in Watson, 2000:28).

Awareness of the social problem of drug and alcohol facilitated sexual assault is now quite widespread, and consequently services, governments, police and other agencies or groups have developed a broad range of responses. I would like to explore a number of these responses by focusing on the material such as brochures and posters of several community education campaigns and prevention programs co-ordinated by sexual assault services, in conjunction with other bodies, from around Australia.

The following slogans are taken from a sample of 10 campaigns: Don’t Get Spiked, Drink Spiking Happens, Drug Rape: Watch Yourself – Watch Your Friends, No Always Means No1, Drugged and Assaulted, Keep an Eye Open, Drink Spiking can Lead to a Five Year Relationship with a Cell Mate, Right to Party Safety2, Warning: Spiked Drinks, A Safe Night Out is a Good Night Out1, Do You Know What You are Drinking? – Spiked Drinks, and Spiking Happens: Watch Your Drink It’s Your Best Defence.

While these slogans are apparently concerned to address drug or alcohol facilitated sexual assault, the messages conveyed warrant careful scrutiny. For instance, given that only one of these main slogans mentions assault, we could assume that drink spiking is not correlated to sexual assault at all. In fact we could suggest that the only crime being committed is the administration of a substance, despite our growing awareness of the links between drink spiking and sexual assault. We might also infer that the drugs or spiked drinks themselves are the perpetrators to the exclusion of any human action, after all Spiking [just] Happens. A further deduction which could be made from these slogans is that watching yourself, or keeping an eye out, will prevent drug and alcohol facilitated sexual assault, and moreover, that the failure to be vigilant is in fact the cause of drink spiking. Four of the catchphrases made sole reference to the behaviour of potential victims with a notable absence of perpetrators. Moreover only one of the titles is directed solely at perpetrators rather than victims and only three of the poster and brochure campaigns appear to have a message aimed at offenders, conveying the overall impression that victims, not perpetrators, are the problem. Another point we might draw is that people do have the right to be safe when they party. At least three of the slogans make reference to the rights of potential victims, including the right to say ‘no’ yet this right does not extend to drinking alcohol without fear of harassment or assault.

A final conclusion we may make from the campaign catchphrases is that alcohol, unless subsumed under the umbrella of drugs, is not relevant to campaigns regarding drink spiking despite research indicating this is, in fact, the most commonly used weapon (see for example Slaughter, 2000:125, where alcohol was detected in 63 per cent of 2003 ‘specimens’ analysed, and Sturman, 2000:29 indicating 51 per cent of drug and alcohol facilitated sexual assaults were facilitated via alcohol). This point is depicted by illustrations of tablets being administered to drinks in three of the items considered. It is reinforced in one pamphlet with a definition of drink spiking provided as ‘when a drug has been added to your drink’.

Moving on from the campaign slogans, other significant themes are evident from the posters, brochures and information devices. Many of the points outlined below are consistently stated across the campaigns, while some of them appear to be unique. I have paraphrased the phrases and statements into sub-themes.

Statements directed at potential victims (read women) imploring them to be vigilant, monitor their behaviour or adopt avoidance strategies include: Buy your own drink, see it poured; watch out for your friends; keep your drink with you at all times, watch it; watch bar staff as they make your drink; watch out for your friends and stay together; monitor drinks constantly; watch out, look after your friends; be aware, take care; and watch yourself; don’t let strangers buy you a drink; never leave your drink unattended; refuse drinks
from open containers; don’t taste share or exchange drinks with others; only accept a drink from someone you know well and trust; know what you are drinking; go out, have fun, but watch yourself and watch your friends; throw away an unattended drink; realise alcohol/drugs can distort your judgement and make you more vulnerable; educate yourself about drink spiking safety; and, drinking too much alcohol, and/or combining it with other drugs, can expose you to dangerous situations.

**Statements directed at potential offenders (read men) imploring them to consider their own behaviour include:** if you take away her freedom, you could loose yours; drink spikers could target your friend, girlfriend, sister or partner; It’s never OK to make a woman do something against her will – no matter how much she’s had to drink; Will you take ‘No’ for an answer? and, It’s a crime to spike someone’s drink – the penalty is a prison term and a criminal conviction.

**Statements making reference to sexual assault include:** drink spiking is a crime that can lead to sexual assault; silence does not equal consent – sex without consent is rape; rapists have a new weapon to overpower their victims; if you’re not into it – you’re not into it – sex without consent is a crime; what are the dangers? assault, robbery, rape, unsafe sex; and, be aware that rapists are using this new strategy.

**Statements highlighting the criminal nature of drink spiking include:** there are laws to protect you from drink spiking; it’s a crime to spike someone’s drink – the penalty is a prison term and a criminal conviction; and, drink spiking is a crime.

**Statements directed at victims of drug and alcohol facilitated sexual assault which remove the responsibility of the crime from them include:** don’t blame yourself; a person who has been drugged and assaulted has been the victim of a carefully premeditated crime; and, don’t blame yourself, I it was not your fault.

**Statements directed at potential victims of drug and alcohol facilitated sexual assault which highlight their rights include:** only you should decide when your pants come down.

Based on the disproportionate focus on the behaviour of potential victims and the distinct lack of attention to the criminality of drink spiking or to the behaviour of perpetrators, it takes no stretch of the imagination to conclude from these slogans, statements and themes, that in the main we have a formula for blaming the victim. In the article *The Art of Blaming the Victim* (Ryan, 1989:19), William Ryan outlined what occurs when we analyse social problems in terms of the deficiencies of the victim. The steps of the formula, he states are, firstly, identify a social problem (in this instance, drink spiking). Secondly, study those affected by the problem and discover the ways they differ from the rest of us (for instance, victim/survivors of drug and alcohol facilitated sexual assault are reckless of their own safety). Thirdly, define the differences as the cause of the social problem itself (in this case, through their own recklessness victims contrive or cause drink spiking and sexual assaults to occur). And finally, assign a bureaucrat to invent a humanitarian action program to correct the differences (in the case of drug and alcohol facilitated sexual assault for example we might end up with something like *Don’t Get Spiked or Watch Your Drinks – It’s Your Best Defence*). In the main it therefore appears that the visual displays of the Drink Spiking campaigns considered here have reverted to doing exactly what early feminists and Women’s Libbers fought against. We have been seduced and co-opted by the mainstream to uphold the status quo in essence by advocating to ‘change the victim’ (Ryan, 1989:19) rather than society or those committing the crime.

**Implications for victim/survivors**

*I never believed that sexual assault would happen to me*.

There is one major implication of blaming the victims in drug and alcohol facilitated sexual assault which I would like to consider here. Anna Salter illustrates this consequence:

For years I was puzzled as to why some rape victims clung so tenaciously to the notion that the rape was their fault for walking down the street, for wearing a skirt above their knees, for being out at night. But what would any of us want to
implications for the state of women’s social action

The intention of this article is not to deny that Sexual Assault Services, who have been responsible for many of the campaigns analysed above, wish to prevent sexual violence. Indeed part of the formula of victim blaming is genuine altruism and deep concern (Ryan, 1989:18). Nevertheless, appealing for women to modify their behaviour serves to perpetuate male sexual violence for it removes men’s responsibility for that violence and colludes with their claims to innocence. At the same time, this approach denies women the inalienable right to be safe, in this instance, despite being drug and/or alcohol affected and despite exercising their own freedom. Women are not responsible for male sexual violence, so why do we continue to focus on their behaviour rather than that of the perpetrators? And if we must concern ourselves with the behaviour of women, try and imagine a time when we as women have not been implementing our own personal safety strategies or devising precautionary tactics with friends. What the Right To Party Safely project showed us was that most women participating in the study actively engaged in strategies they believed would help keep them safe (Watson, 2000:25). The point is, perhaps since time immemorial women have tried to ensure their own safety and that of their children, and yet sexual assault still occurs. One might think that after all this time we would realise that women’s behaviour is in actual fact not the cause of the problem so why continue to target it?

At this time I expect some readers will question the wisdom of advocating for women to exercise their rights if they believe this could increase their vulnerability to sexual violence. However, I am not suggesting that women should throw caution to the wind, indeed I believe socialisation makes this an impossible task. Instead I am arguing that women’s entire lives are dictated by caution in our conduct, behaviour, actions and inactions, yet there is no evidence to suggest that sexual assault is on the decline. To these people I ask, what is the use of letting the perpetrators off the hook? Why uphold the myth that lists of dos and don’ts restricting women’s behaviour will cease to make them targets for rape (Vancouver Rape Relief and
Women’s Shelter? As feminists and advocates of women’s rights, do we really wish to support the individualising of the incidence of sexual assault? And finally, when did sexual assault stop being a gendered crime? So next time someone tells you to watch your drink, substitute it with the phrase don’t wear a short skirt and see how comfortable you feel with this age old formula for blaming women.

I would like to conclude with a new quote containing a fairly old message that I have found useful in assessing the prevention-style drink spiking campaigns included in this article:

“If, in our personal lives and in our social work practice, we assist in making oppression acceptable by helping people cope with it or adjust to it, we not only fail them, we fail ourselves and we become part of the problem” (Mullaly, 2002:211).

endnotes

1. These slogans are taken from two separate campaigns including drink coasters and stickers placed in toilets of licensed venues. Both these campaigns were focussed specifically on sexual assault rather than ‘drink spiking’ alone.

references


