

Marital Rape: Is the Crime Taken Seriously Without Co-occurring Physical Abuse?

Jennifer Langhinrichsen-Rohling^{1,2} and Candice M. Monson¹

This vignette study was conducted to determine how observers' beliefs about marital rape are altered by the knowledge of a prior history of husband-to-wife physical violence. Participants (n = 50 college students) read three different marital rape situations; in one situation the husband had been physically violent in the past; in another he had not. In the third situation, participants were not given any information about the physical abuse history between the spouses. As expected, participants blamed the victim most for the marital rape and minimized the seriousness of the rape when they had been told that there was not a prior history of husband-to-wife physical abuse. These findings suggest that observers use a physical violence history to establish the coercion needed to determine that marital rape had occurred. The legal implications of these findings are discussed.

KEY WORDS: marital rape; spouse abuse.

INTRODUCTION

For most of recorded history, marital rape has been a rarely studied, yet surprisingly prevalent social phenomena. This may be a function of the fact that rape has traditionally been defined as nonconsensual oral, anal, or vaginal penetration that has been obtained by force or threat, or when the victim is incapable of giving consent (Searles and Berger, 1987). Because consent for sexual relations has historically been assumed upon the

¹Psychology Department, 238 Burnett Hall, University of Nebraska, Lincoln, Nebraska 68588-0308.

²To whom correspondence should be addressed at Psychology Department, 320 Life Sciences Building, University of South Alabama, Mobile, Alabama 36688-0002.

advent of marriage, rape within marriage has been considered a legal impossibility until recently (Augustine, 1991). However, in all 50 states, laws have now been enacted to allow the prosecution of husband rapists (Sitton, 1993). Correspondingly, researchers have also increasingly focused their attention on the crime of marital rape. Prevalence studies indicate that between 10% and 14% of all married women in the United States have been raped by their husbands (e.g., Finkelhor and Yllo, 1985; Russell, 1990).

In spite of the research documenting the relatively common occurrence of these unwanted sexual experiences and their devastating psychological impact (e.g., Campbell and Alford, 1989), marital rape victims have often failed to receive societal support for prosecuting this crime. For example, many prosecutors choose not to prosecute these cases even if the victim is willing (Jeffords, 1984). Furthermore, when and if these cases are chosen to be prosecuted, it has been hypothesized that jurors would require greater proof that there was force and coercion applied during a marital rape than during a stranger rape in order to find the husband guilty.

Cultural beliefs about rape may also effect the victims' own perceptions of the forced sexual experience. For example, a hesitancy to view the husband as a potentially dangerous perpetrator may result in a reduced likelihood that the victim is willing to understand her nonconsensual sexual experience as a rape (Koss et al., 1988). Furthermore, degree of resistance offered by the victim may vary as a function of her relationship with the perpetrator. Women who are being raped by their husbands may not offer the same types of resistance as women who are being raped by strangers. Consequently, there may be a number of reasons why it is difficult to identify, substantiate, and successfully prosecute marital rapists.

In particular, force and/or the presence of coercion has been identified as an essential component of the rape determination process. Victims, friends, and potential jurors are all in the position of considering whether there is reason to believe that the sexual experience was truly nonconsensual. It is the hypothesis of the current study that these observers would be more likely to view a sexual experience as marital rape when they were explicitly informed that there was a pre-existing history of husband-to-wife physical abuse. This history would serve to substantiate the presence of husband-to-wife force or the likelihood of a threat of bodily harm, without anyone having to rely solely on the victim's verbal account of the sexual event in question to determine its coercive nature. Therefore, prior physical violence in marriage is likely to function as a powerful context in which to evaluate the occurrence of marital rape.

While it makes intuitive sense that a history of nonsexual physical assault in marriage would effect societal perceptions about marital rape, this assumption has not been tested empirically. In fact, researchers have only

begun to establish the degree of co-occurrence between sexual and non-sexual physical violence in marriage. In samples drawn from battered womens' shelters (e.g., $N = 439$; Hanneke *et al.*, 1986), 33% to 59% of the women report both sexual and nonsexual violence experiences (Bowker, 1983; Campbell, 1989; Frieze, 1983; Hanneke *et al.*, 1986; Pagelow, 1984; Walker, 1984). In large community studies (e.g., $N = 644$ married women; Russell, 1990), 1% to 10% of women in nonbattering relationships have been found to report incidents of marital rape (e.g., Finkelhor and Yllo, 1985; Russell, 1990). A recent theoretical review of the available empirical literature suggests that there may be physical and psychological sequelae for victims of physical abuse and marital rape that are specific to their marital rape experiences. Specifically, women who experience sexual assault within a physically violent marriage have been shown to have more negative feelings toward men, greater negative feelings about sex, more negative feelings about marriage, lower self-esteem, more paranoid ideation and anxiety, and more disruptions in body image than women who experience physical violence only (Monson and Langhinrichsen-Rohling, *in press*). The Monson and Langhinrichsen-Rohling (*in press*) review paper further concludes that there are likely to be differing psychological characteristics and motivations for perpetrators who commit sexual violence only, physical violence only, or both sexual and physical violence in their marriages.

Empirical research which depicts attitudes about marital rapes that occur in or out of the context of a physically abusive marriage is lacking. For example, to what degree do observers automatically assume that there has been prior battering in cases of marital rape? These assumptions are important because they provide information that prosecutors and judges can use to determine advisability of introducing information about a prior history of domestic violence between the perpetrator and the victim into a sexual assault trial.

Consequently, the current study was designed to determine how beliefs about marital rape are altered by varying the information that the observers are given about the history of physical violence in the marriage. Specifically, a vignette study was conducted that utilized three marital rape conditions (no history of physical violence, history of physical violence, no mention of physical violence history). The following specific hypotheses were tested: First, observers would make the fewest rape-supportive attributions when they were explicitly told that there was a history of domestic violence in conjunction with the marital rape.

Rape-supportive beliefs are beliefs that minimize the seriousness of sexual assault (Bridges, 1991; Burt, 1980). Rape-supportive attributions have typically included beliefs that the victim of marital rape will not be psychologically damaged by the unwanted sexual experience and that it is

not really a violation of her rights. Individuals holding rape-supportive beliefs also have increased uncertainty that the event in question would be considered rape. Therefore, it was hypothesized that participants who were told about the co-occurrence of marital violence would be more likely to consider the sexual event a rape. This group of participants was also expected to ascribe a greater degree of psychological damage to the victim as a result of her experience than participants who were not told about the couples' violence history or who were told that the perpetrator had not been physically violent in the past.

Participants in the known history of husband-to-wife violence condition were also expected to make the fewest gender-role stereotypical assumptions about the victim's level of blame. Specifically, they were expected to report that the victim had less control, less enjoyment of the sexual experience, less interest in sexual relations, and less obligation to have sexual relations with her husband when it was known that he had been physically violent towards her in the past.

Second, it was hypothesized that observers who were not given information about pre-existing marital physical violence would tend to assume it. Individuals in the no information about husband-to-wife violence condition were expected to make similar attributions to the history of violence condition. Finally, the most rape-supportive and gender-role stereotypical victim blame attributions would be made when observers were explicitly told that there was no history of physical violence in the marriage prior to the unwanted sexual encounter. In other words, these observers would be least likely to construe the encounter as a marital rape because of the lack of substantiated physical force and coercion from husband-to-wife.

METHOD

Participants

The present study consisted of a sample of 50 undergraduates, 25 females and 25 males, from a large, public university. This data were collected as part of a larger study investigating situational and individual difference variables related to acquaintance rape attributions (Monson *et al.*, 1997). The participants received partial course credit for their participation. Approximately 90% of the participants were 18-21 years of age, and 97% of the sample were single (42% in monogamous relationship, 24% dating multiple partners, 23.5% not dating, 10.5% other). The sample was primarily Caucasian (92.5%) and heterosexual (98.5%).

STIMULI AND PROCEDURE

The larger study utilized an unbalanced mixed factorial design to determine whether a history of consensual intercourse between the victim and the perpetrator would affect judgments about an interaction that included nonconsensual intercourse across varying levels of relationship between the victim and the perpetrator. The degree of relationship between the victim and the perpetrator was manipulated as a between subject factor as participants were randomly assigned to one of four relationship conditions (i.e., stranger, early dating, late dating, marriage). The history of consensual intercourse was presented to participants as a within-condition variable in the dating and stranger rape conditions.

Only data obtained from participants randomly assigned to the marriage condition were analyzed for the present study. Because it was impossible to realistically manipulate the degree to which the husbands and wives in the vignette had engaged in prior consensual intercourse (participants automatically assumed this when told that the victim and perpetrator were married), the marital condition had a different within-group variable than the other three conditions. Relevant to this study, the within group variable in the marital condition was the presence, absence, or lack of information about the history of husband-to-wife physical violence. It was data for this manipulation that was used to test the degree to which a history of co-occurring physical violence would affect participants' perceptions of marital rape.

Therefore, pertinent to the present study, three different vignettes that all described an incident of marital rape were used to manipulate the married couple's history of co-occurring physical violence. These vignettes were specifically designed for the present study; however, they are consistent with vignettes that have been employed by other a number of other researchers studying perceptions of rape (Monson *et al.*, 1996; Tetreault and Barnett, 1987). In all vignettes, the female was described as "persistently resisting the sexual interaction" to indicate that the sexual experience was nonconsensual in nature. Furthermore, all vignettes concluded with the husband continuing with his sexual advances until intercourse had occurred. The word "rape" was never used in order to avoid biasing the participant's perceptions of the unwanted sexual interaction.

The three vignettes varied slightly in circumstance (e.g., the victim was coming home overloaded with groceries; the victim was returning from the laundry mat) to enhance readability and to reduce the demand characteristics associated with the study. Different names were also given to each victim-perpetrator pair in order to decrease the likelihood that participants would readily identify the manipulation.

The history of husband-to-wife physical violence was manipulated in the following way. In the *No Mention* vignette, no information was provided regarding the husbands' history of physical violence toward the wife. In the *Physical Violence* vignette the couple's co-occurring husband-to-wife physical violence history was manipulated with the additional sentence, "Prior to this incident, Kevin had been physically aggressive with Jenny (i.e., kicking and punching), but not sexually aggressive with Jenny". In the *No Physical Violence* vignette, the additional sentence, "Prior to this incident, Bob had never used any type of physical aggression with Stacey (i.e., kicking or punching)", was included in the vignette to lead the participants to believe that there was no co-occurring husband-to-wife physical violence in the marital relationship.

Pilot testing conducted with twenty independent observers indicated that participants judged the three situations to be comparable along the seven dimensions assessed. The situations were rated as nonsignificantly different in terms of their readability, $\chi^2(2) < 1$, believability, $\chi^2(2) < 1$, victim likeableness, $\chi^2(2) < 1$, perpetrator likeableness, $\chi^2(2) = 2.19$, $p > .10$, perceived riskiness of the victim's actions, $\chi^2(2) = 4.01$, $p > .10$, and the likelihood of the event occurring in the "real world", $\chi^2(2) = 2.10$, $p > .10$.

All participants completed a self-report packet that contained a demographic information sheet and some additional paper and pencil instruments. The vignettes were presented in a balanced order across participants. The potential for order effects was tested by conducting a 3 (Order of Vignette Presentation) by 3 (History of Co-occurring Physical Violence) MANOVA with the Rape-Support and Victim Blame scales as the dependent variables. The main effect for order was nonsignificant, *Wilks' Λ* (8, 88) = .99, $p = .96$, and there was no order by history of violence interaction effect revealed, *Wilks' Λ* (16, 80) = .90, $p = .18$.

MEASURES

After reading each vignette, participants were asked to answer a number of questions assessing their attributions about the sexual interaction they had just read on 10-point intensity rating scales, anchored by 1 = minimal and 10 = maximum.

Rape-Supportive Attributions Scale (RAPE-SUPPORT)

Rape-supportive attributions were assessed with the following four questions: (1) How violent do you feel this situation was?, (2) How psy-

chologically damaged do you feel "Jenny" will be from this experience?, (3) To what degree were "Kevin's" actions a violation of "Jenny's" rights?, (4) How certain are you that this incident would be considered rape?. The participant's responses to these four questions were reverse-scored and summed to create the RAPE-SUPPORT scale. Higher scores on this scale reflect the endorsement of greater rape-supportive attributions, or attributions that minimize the seriousness of rape. The alpha reliability coefficient for this scale was .82.

Sex-Role Stereotypical Victim Blame Attributions Scale (BLAME)

The participant's sex-role stereotypical attributions about the victim's blame were assessed with the following four questions: (1) How much control did "Jenny" have in this situation?, (2) How much did "Jenny" enjoy this situation?, (3) How obligated was "Jenny" to engage in sexual relations in this case?, (4) How interested was "Jenny" in having sexual relations?. The participant's responses to these four questions were summed to create the BLAME scale. Higher scores on this scale reflect the endorsement of greater sex-role stereotypical attributions about the victim's blame in the rape. The alpha reliability coefficient for this scale was .64.

RESULTS

As hypothesized, a 2 (Participant's Gender) \times 3 (History of Co-occurring Physical Violence) mixed factorial MANOVA, using the RAPE-SUPPORT and BLAME scales as the dependent variables, revealed a main effect for the couple's history of co-occurring physical violence, *Wilks' Λ* (4, 44) = .56, $p < .0001$. There was also a trend for a main effect for participant's gender, *Wilks' Λ* (2, 46) = .90, $p = .08$. A multivariate interaction effect was not found, *Wilks' Λ* (4, 44) = .97, $p = .83$.

Rape-Supportive Attributions (RAPE-SUPPORT)

Follow-up univariate analyses indicated that the History of Co-occurring Physical Violence main effect held for the RAPE-SUPPORT scale, $F(2, 94) = 20.89$, $p < .0001$. As predicted and shown in Table I, the participants made the least rape-supportive attributions when they read that there was a history of physical violence in the marriage, and made the most rape-supportive attributions when they read that there was no history of

Table I. Influence of the Couple's History of Co-occurring Physical Violence^a

| Attribution Scale | No Mention of History | Physical Violence History | No Physical Violence History |
|-------------------|---------------------------|---------------------------|------------------------------|
| RAPE-SUPPORT | 13.01 (6.47) ^a | 10.54 (5.92) ^b | 15.75 (8.39) ^c |
| VICTIM BLAME | 9.56 (5.28) ^a | 8.36 (4.93) ^a | 11.58 (6.56) ^b |

^aHigher scores on the RAPE-SUPPORT and BLAME scales represent greater endorsement of rape-supportive and sex-role stereotypical victim blame attributions. Within rows, means with different superscripts are significantly different from each other ($p < .05$).

physical violence in the marriage. Participants made intermediate levels of rape-supportive attributions on the RAPE-SUPPORT scale when not given information about pre-existing physical violence. The follow-up univariate analysis for the participant gender trend was not statistically significant for the RAPE-SUPPORT scale, $F(1, 47) = .74, p = .39$.

Victim Blame Attributions (BLAME)

Follow-up univariate analyses indicated that the violence history effect held for the victim blame scale, $F(2, 94) = 18.40, p < .0001$. As predicted and shown in Table I, participants made the least sex-role stereotypical victim blame attributions when they read that there was a history of physical violence in the marriage, and made the most victim blaming attributions when they read that there was no history of physical violence in the marriage. Participants' ratings for the condition in which they received no information about pre-existing physical violence was significantly different from the condition in which they were informed that there was no history of physical violence in the marriage. However, their ratings on the BLAME scale for the condition in which they read that there was a history of physical violence in the marriage did not differ from the condition in which they received no information. Follow-up univariate analyses also revealed that overall, men made significantly more stereotypical victim blame attributions than did women, $F(1, 47) = 4.09, p < .05$.

DISCUSSION

These results support the hypothesis that observers consider a history of co-occurring physical violence to be an important context in which to evaluate marital rape. Specifically, when observers were led to believe that the husband had not engaged in previous physical violence against his wife, they made the most rape-supportive and victim blaming attributions about

the current unwanted sexual experience. Conversely, when participants read that there had been physical violence in the past, they correspondingly made less rape-supporting and fewer victim blaming attributions about the marital rape. Taken as a whole, these findings suggest that the physical violence history is used by observers to determine the likelihood that coercion and force was a part of the unwanted sexual experience and, in turn, that the experience was, in fact, rape.

There are several legal implications of these findings. It seems possible that jurors would hold these same assumptions and, therefore, they would also be most likely to believe that a marital rape had occurred when the husband had already been proven to be a batterer. Prosecutors charging marital rape who can substantiate a prior history of physical abuse from the husband to the wife should do so, arguing that it is relevant to establishing a context of force and coercion in which rape within marriage is likely.

What are the ramifications of these findings for victims of marital rape? It is possible that victims of marital rape also fall prey to these same beliefs. Consequently, they might be more likely to blame themselves and to minimize the seriousness of their rape experience if they had not been physically abused immediately prior to the rape. Future research should be conducted to test this assumption. According to a review of the prevalence studies, about 5% of marital rape victims have never experienced physical abuse from their husbands. Their husbands are sexual violence perpetrators only (Monson and Langhinrichsen-Rohling, in press). The findings obtained in this study suggest that these victims will have the hardest time substantiating their experience to themselves, their families, and the legal system. Societal beliefs about rape within marriage suggest that people may hold these women to be at least partially at fault for their rapes. Unwanted sexual intercourse that occurs without a history of husband-to-wife physical abuse may also be viewed as more a marital miscommunication than a rape. Future empirical studies will be needed to substantiate this supposition.

Although people hold beliefs that minimize the impact of a marital rape that occurs without a history of physical violence, marital rape victims have been shown to experience a variety of psychological consequences that are a direct result of their unwanted sexual experience within marriage. These negative consequences include reduced self-esteem, increased risk for post-traumatic stress disorder, and more negative feelings about sex (e.g., Campbell, 1989). Society may need education about the prevalence and consequences to victims of marital rape with and without co-occurring physical abuse.

Overall, there was only a trend for gender differences in attributions about marital rape. No gender differences in the rape-supportive attributions were obtained; however, there were significant differences in men's and

women's inclinations to blame the victim for the marital rape. In particular, men were more likely to engage in victim blaming attributions than were women across the three scenarios. This finding suggests that men, in particular, may need more education about marital rape and who is responsible.

Future research could expand these findings in a number of ways. First, replication with a between-subjects design would strengthen these conclusions. Second, a larger and more diverse sample would be useful to determine how these findings might apply to a potential jury pool. Additional research will be needed to determine if professionals also hold these biases. Third, further research that identifies the victim consequences that are a result of the sexual violence and those that are a result of the physical violence would be useful to educate people about the deleterious effects that can occur in marriages in which only sexual violence has occurred. This research would also delineate the specific consequences that accrue when both types of violence co-occur in a marriage.

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