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THEORIZING FEMINIST ANTI-RAPE PRAXIS AND THE PROBLEM OF RESISTANCE

Yvette Russell

ABSTRACT

Writing in *Signs* in 2002, Carine Mardorossian argued that sexual violence had become a taboo subject in feminist theory. She lamented the lack of engagement of “postmodern” feminists with the issue of rape, leading to a turning away from “antirape politics” or its reduction to a “psychic dimension” in which “subjectivity” had become central. In this article, I revisit Mardorossian’s key claims testing their veracity against some current critical and theoretical rape scholarship. Ultimately, I agree with Mardorossian’s conclusion about the inadequacy of contemporary feminist theoretical work for grounding feminist anti-rape praxis, albeit for different reasons. In my argument the failure of such scholarship effectively to theorize sexual difference as critical not only to understanding rape culture but to what is required to oppose it leads to a circular logic that stymies a critical feminist praxis of resistance to rape. The prevention of and resistance to rape is not just about prohibitive laws that fix the iteration of the sex act and of sexed bodies, nor is it about the reconstitution of women’s bodies as ready to fight off rape. Drawing on the work of Māori feminist scholars I argue that feminist anti-rape scholarship must look beyond the act of rape as its point of departure for resisting praxis and instead orientate itself around radical ontologies of sexuate being that offer an alternative to those through which rape culture currently proliferates.

INTRODUCTION

Thinking creatively in a theoretical mode about the rape of women and sexual violence in general is a task fraught with difficulty, not least because of the strident criticism theorists tend to face when attempting to convert their thinking into something resembling praxis. Writing in this journal in 2002, Carine Mardorossian argued that sexual violence had become a taboo subject in feminist theory. She lamented the lack of engagement of “postmodern” feminists with the issue of rape and suggested that this lacuna could only be explained by their renewed focus on “interiority”, which had led to a turning away from antirape politics to a concentration on “a psychic dimension”. This was viewed as symptomatic of the move towards postmodernism in feminist theory and may have “heralded the theoretical limit of postmodernism as a tool for analysis of rape” (Mardorossian 2002, 747). Mardorossian’s reflections on what she perceived to be a failure in feminist theories of rape came fast on the heels of several incendiary exchanges concerning the increasing influence of postmodernism on feminist writing generally, and on writing about sexual violence specifically. At issue in these debates was a perception about a growing, and increasingly problematic chasm between feminists who claimed to prioritize activism and politics, and those who were perceived to engage in purely theoretical work often far removed from the grounded reality of the women’s movement. As these positions became more polarized with the increased visibility of continental and postmodern philosophy in US gender studies departments, the account of what was at stake became more urgent. On one side were those scholars and activists who positioned themselves as concerned with the “real lives” of women and the urgent political, economic and social issues that they faced, and on the other, those whose focus was on thinking philosophically about gender and politics, and its relationship to the play of discourse and semiotics. One consequence of this (broadly) philosophical orientation was to call into question the authenticity of “women’s” voices, with feminists who were disorientated and frustrated by this theoretical turn attesting to feelings of

being stuck in a continuous loop of claim and counter-claim in which coy language games and the play of parodic subversion appeared the only hope of resistance.¹

Mardorossian distils a number of these concerns in her essay as they intersect with feminist work on rape and in what follows, I revisit some of her objections to this particular strain of feminist theoretical scholarship, testing their veracity against current scholarship in the area. I assert that we need to be bold in our theorizations of rape in a way that avoids the pitfalls that Mardorossian identified in individualizing resistance to rape, while maintaining a critical approach to power and knowledge. Her call for a recalibration of critical rape scholarship in which a theoretical framework is capable of grounding a politically engaged anti-rape praxis remains one with which feminist rape theorists must engage.

The paper begins by revisiting some of Mardorossian's key claims. Mardorossian trained her critique primarily on scholarship informed by the postmodern turn (which at that time dominated feminist scholarship) and focused particularly on feminist epistemology, exemplified for her in the work of Wendy Brown (1996) and Joan Scott (1992). It is not my intention to intervene directly in the discussion to which Mardorossian sought to contribute,² but to focus on the implications of her analysis for the way resistance to rape and rape culture may be theorized as feminist strategy. In other words, I am concerned, like Mardorossian, with the question of where our theoretical commitments lead us, and the relationship in critical feminist rape scholarship between diagnosis and construction.

The paper moves on to interrogate current paradigms of feminist critical rape scholarship, considering in particular the work of Nicola Gavey, Ann Cahill and the recent work of Linda Alcoff. These authors share a commitment to thinking creatively about the phenomenon of rape and to carefully examining the discursive frameworks that support rape culture. They all also ground their theoretical interventions within the tradition of Foucauldian-influenced analyses, like Brown and Scott's, which look critically at the intersection of power and knowledge in social discourse. Ultimately, I will agree with Mardorossian's conclusion about the inadequacy of this work for grounding feminist anti-rape praxis, albeit for different reasons. In my argument the failure of this scholarship effectively to theorize sexual difference as pivotal, not only to understanding rape culture but to what is required to oppose it, leads to a circular logic that stymies a critical feminist praxis of resistance to rape.

Finally, I contend that we must be more attentive to the necessity of cultivating sexuate subjectivity if we are to find our way out of the current morass in which feminist theory and praxis concerning sexual violence appear sharply opposed. By "sexuate" here I am referring to Luce Irigaray's understanding of a mode of being or ontology, which is neither reducible to biology nor merely culturally inscribed on inert matter (Irigaray and Worton 2008, 142-143). Rather what is sexuate designates that which allows us to become in our own singularity whether it be corporeal, social, discursive, aesthetic, political or erotic; it articulates that "irreducible difference which inflects every aspect of our being" (Jones 2011, 4). In Drucilla Cornell's formulation, the cultivation of sexuate being is so central to our capacity to imagine ourselves as whole that laws should be in place to protect it (Cornell 1995). Cornell's notion of the imaginary domain captures the importance of the provision of psychic (as well as literal) space in which we can "come to terms with who we are and who we wish to be as sexuate beings" (Cornell 1995, 8). I argue that the work of indigenous feminist scholars reckoning with the denigration of the feminine in their communities as a consequence of colonization is instructive here. Drawing on the work of New Zealand Māori feminist scholars I contend that critical anti-rape scholarship must look beyond the act of rape as its

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¹ See, in particular, Martha Nussbaum's (1999) response to Judith Butler's early work (1990; 1993; 1996). See also MacKinnon (1999) making similar claims.

² See Alcoff (2018) and Serisier (2018) for recent thorough analyses of epistemology and the politics of experience in rape scholarship. See also Andersson et al. (2019).

point of departure for resisting praxis and orientate itself instead around radical ontologies of sexuate being that offer an alternative to those through which rape culture currently proliferates.

TOWARDS A NEW FEMINIST THEORY OF RAPE?

Writing in 2002 and while sympathetic to postmodern interrogations of power and systems of representation, Carine Mardorossian expressed discomfort with the apparent disconnect between theory and politics in feminist theorizing on rape. Mardorossian took issue first in her article with Wendy Brown and Joan Scott and their wariness about the role of narratives of women's experiences as the basis for foundational truth claims to support feminist epistemology. Drawing on Brown's discussion of the political consequences of the "speak-out" as a strategy, Mardorossian contested Brown's claim that exposing rape through speak-outs may obscure the ideological system that maintains the conditions for rape's existence (Mardorossian 2002, 764). In Brown's argument, the speak-out suffers from the same problems detailed by Foucault in his discussion of confessional revelations (Foucault 1980, 58-63, cited in Brown 1996, 42): in its desire to deliver the "truth" about women it enshrines and reifies their subordinated subject position as victim.³ Strategies like the speak-out

..[require] suspending recognition that women's "experience" is thoroughly constructed, historically and culturally varied, and interpreted without end. Within feminist standpoint theory as well as much other modernist feminist theory, consciousness-raising thus operates as feminism's epistemologically positivist movement. The material excavated there...is valued as the hidden truth of women's existence... (Brown 1996, 41).

Challenging this analysis, Mardorossian maintained that the empowerment fostered by feminist forums like the speak-out is not achieved by providing access to a "true" inner self, but is intrinsic to the act of voicing the experience. What ultimately empowers survivors of sexual assault at speak-outs, she argued, is "the production of narrative itself..." and not because it is understood as a process of reclaiming a unified self (Mardorossian 2002, 765). Indeed, the forums for making rape visible "often [entail] precisely the kind of denaturalizing postmodernists advocate, namely, that of the equivalence of sex and identity or correlatively of sexual violence and self-loss" (764).

On Mardorossian's reading of the effects of the work of Brown, Scott and others, any discussion of the victimization of complainants of sexual violence is suspect because it is said to entrench powerlessness. Victimhood thus becomes a site of passivity, suffering and interiority (766). The implications, therefore, of a theoretical intervention like Brown's, which seeks to question the equation of individual claims of women to knowledge with general claims to truth, is to reproduce many of the politically problematic consequences of the dominant patriarchal climate in which the rape of women is viewed as an unfortunate, but tolerated, side effect. Because we can no longer trust the voices of victims to speak the "truth" of their experience, they are, in effect, relegated to the "backdrop of the [feminist] movement, cast as a uniform group of individuals driven by an emotionally incapacitating response to their own experience" (770).

This political ambivalence is present also, Mardorossian argued, in scholarship that sought to use postmodern method to interrogate the use of language on and around rape. In a widely read piece published in 1992, Sharon Marcus proposed an understanding of rape as linguistic fact that instantiates a narrative or script of rape (Marcus 1992, 390). She urged a shift from analysis of the rape and its aftermath to preventative measures. Marcus foreshadowed Brown's concerns when she noted that rape is often represented as a material fact of life. The treatment of rape as a mere reality of women's lives, one to which their physical bodies condemn them, is problematic because it

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³ See also Renee Heberle (1996), who draws on Elaine Scarry's analysis of pain and torture (1985) to highlight the risks involved with the "exposure" of speaking out.

endows sexual violence “with an invulnerable and terrifying facticity which stymies our ability to challenge and demystify [it].” (387).

The “grammar of violence” called into being by rape as a scripted interaction creates a gendered polarization in which the male body is weaponized and the female body is universalized as weak, vulnerable and lacking (395). However, because rape is seen here as enabled by narratives, it can also be changed through narratives. Marcus urged the consideration of rape as a “scripted interaction in which one person auditions for the role of rapist and strives to manoeuvre another person into the role of victim.” In this way, rape is seen as a “process of sexist gendering which we can attempt to disrupt” (391). Marcus suggested that, to prevent rape, women must resist the culturally scripted force of rape, but also engage in physical strategies of self-defense in order to challenge their weak morphology (397). In so doing, women position themselves as subjects in their own right, resisting and responsive to acts of aggression. Rewriting the script will involve a myriad of strategies which may also include a “refus[al] to take it seriously and treating it as a farce...” (392).

To Mardorossian, Marcus’s recommendation is just another example of the postmodern focus on interiority gone awry:

Arguing that the dynamics of sexual violence can simply be reversed through a more self-reflexive attitude assumes that women have a linear and simplified relationship to the social codes that constitute them. A model like Marcus’s therefore downplays that “materiality of gender” and ignores that social inscriptions – that is, our physical situatedness in time and space, in history and culture – do not simply evaporate because we are made aware of them (Mardorossian 2002, 755).

On Mardorossian’s reading, Marcus is hamstrung by her own intellectual gymnastics, at the expense of concrete contexts and a thoroughgoing analysis of the materiality of the body (755). Mardorossian called instead for an alternative approach to theorizing rape, which eschews a hyper-focus on subjectivity and the individual psyche, while maintaining a critical approach to the category of “experience”. This involves retaining access to narrative accounts of rape in order to explode the dichotomy between victimhood and agency, and in so doing, reconceptualizing the term “victimization”. Mardorossian envisaged spaces in which women were invested with the agency necessary to represent their experience as “truth”, and where that experience is heard in a manner informed by a critical understanding of the variable ways in which individuals are attentive to and make sense of the discursive context in which their experience is given meaning (769).⁴ A victim is no longer simply passive, but an agent whose story is told within a particular context that affects its telling and hearing. The methodology Mardorossian advocated requires postmodern feminists to engage with “systemic practices of power” and to resist the “hegemonic discourse on victimization [which] reduces the political to the personal” (772).

Mardorossian’s critique, then, speaks to a long-debated issue in feminist scholarship: that of how to navigate the tension between personal identity and political action, and indeed how to reconcile the implications of new theoretical insights into the nature of rape, and its consequences, with an agenda for action. This tension is particularly evident in feminist legal scholarship in which the recurring tension with law as a liberatory tool that is also oppressive looms large over all our attempts to deconstruct its various machinations (see further: Bottomley and Conaghan 1993; Connolly and Cavanagh 2007; Graycar and Morgan 2005; Hunter 2008; Jhappan 2002). A feminist theory of rape must reckon with these difficult questions, while always maintaining a critical eye on the structural forces of inequality and practice that affect the day-to-day lives of women who call on them for justice. There is a need for a robust theoretical framework able to rethink feminist strategy

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⁴ See also Winifred Woodhull (1988) in an often-overlooked chapter making similar points from a Marxist-Foucauldian position.

in rape prevention and its place alongside institutional critique. It is thus timely to revisit Mardorossian's thesis, particularly in light of the increased concern of feminist rape scholars with the political costs involved in engaging with the carceral state as the key means of dealing with rape (Alcoff 2018; Bumiller 2008; 2013; 2014; Gotell 2015; Larcombe 2014). This occurs too at a time when there is a renewed focus in more liberal feminist circles on lobbying the state to keep up with and, in some cases, criminalize "new" sexual offences arising due to the instance and availability of changing technologies (see: McGlynn et al. 2017; McGlynn and Rackley 2018; Powell and Henry 2017; Vera-Gray 2017).

In what follows, I pursue Mardorossian's enquiry further by considering some recent critical feminist scholarship on rape, arguing that this work reproduces many of the problems Mardorossian identified in 2002, but not because it retreats to "interiority" at the expense of feminist anti-rape politics. Rather, it is because the theoretical ground upon which a lot of this work rests is insufficiently attentive to the importance of sexual difference as central to a feminist understanding of rape, and therefore, central to bridging the gap between theory and anti-rape praxis.

RAPE, POWER AND THE PROBLEM OF RESISTANCE

Since 2002, critical feminist theoretical work on rape has continued, much of it in the same vein as that which preceded it. Nicola's Gavey's book *Just Sex*, first published in 2005, remains one of the most important texts in the canon and one with which critical feminist rape scholars remain in frequent dialogue. In that work, Gavey traces the ways in which various discourses of heterosex are produced and how they set up the boundaries of "women's passive, acquiescing (a)sexuality, and men's forthright, urgent pursuit of sexual release", which in turn provide the frame or scaffolding for a rape culture (Gavey 2019, 3). Part of Gavey's project is to expose the ways in which different professional and medical discourses have established and maintained the cultural scripts through which (hetero)sex is negotiated. The nuances of heterosexual cultural norms bind both women and men within a framework in which rape is often indistinguishable from "just sex".

Gavey is reliant, like many of her contemporaries, on a Foucauldian understanding of power relations to make her claim for the continuing dominance of rigidly policed scripts of heterosex and the social production of sexuality and subjectivity (81-92). She uses this framework to interpret women's accounts of unwanted sex and to illustrate how "the cultural conditions of possibility in which heterosexual sex is practised set[s] up a dynamic that can be seen to clearly support rape" (92).

Gavey's analysis is sophisticated and path-breaking, and her exploration of the various discursive mechanisms by which rape culture morphs imperceptibly into the public imaginary allows us to understand rape as a social and cultural phenomenon in more complex ways. However, in my argument, Gavey is eventually hamstrung by her framework because it leaves her ill-equipped to imagine a discourse of (hetero)sex *outside* the logic that supports a rape culture. My key claim here, and I make it in respect also of the work of Ann Cahill and Linda Alcoff below, is that this is primarily due to the inattention within their theoretical frameworks to sexual difference as central to thinking resistance to rape.

To fathom the meaning of rape, and thus what conceptual tools are required to fight it, rape must be understood as a gendered harm, and one that is exacerbated within the current monosexual symbolic order in which all difference is reduced to a derivative, complement or aberration of the Same (Du Toit 2009). Luce Irigaray's work in revealing the paradoxical erasure and invocation of woman throughout history in Western philosophy and psychoanalysis illustrates how this monosexual symbolic order comes into being. In this order, the masculine subject is substituted for the neutral universal subject, under which women are subsumed, and in which the

social scene is constituted as isomorphic with masculine Being. This isomorphism is present also in knowledge, language and systems of signification, which come to privilege the masculine morphology. In this order of the Same, women, erased in their sexuate singularity, paradoxically serve as the material substratum or dwelling upon and in which men construct their world. Women can only be materialized insofar as they serve the masculine projection of wife and mother, out of which man creates and reproduces himself. Irigaray, therefore, characterizes masculine desire as essentially hom(m)osexual in that woman functions as the specular object or mirror that simply reflects man back to himself (Irigaray 1985b, 171).

Because the feminine subject has not been thought in Western culture, the principal feminist task, as Irigaray has so convincingly argued, is to undertake that work. The project of sexual difference then, as Elizabeth Grosz explains (2005, 173), requires the acknowledgment of two things:

[F]irst, the failure of the past to provide a space and time for women as women, with the consequence that all forms of prevailing practices and of knowledge, including the more objective of the sciences and the most abstract forms of mathematics and cosmology, represent the interests and perspectives of only one sex. ... Second... is the necessity... of providing other ways of knowing, other ontologies and epistemologies that enable the subject's relation to the world, to space and time, to be conceptualized in different terms.

To imagine ourselves outside the current framework of sexual *indifference* that supports rape culture, it is necessary to think through what an independent sexuate subjectivity for both women *and* men would mean if it was not derived from only one model masquerading as universal and predicated on the erasure of woman's singular morphology. This project does not involve discerning some essential characteristics of femininity or masculinity in which one defines the other; it is about looking for the conditions, or other ways of knowing, under which those subject positions might emerge in their own singularity. Indeed, how sexuate subjectivity would reveal itself, outside its current dimorphic phallographic confines in which sexual difference is limited to genital and reproductive difference, is unknown. Irigaray's work, therefore, necessarily implies that sexuate subjectivity would be *at least* two (see: Grosz 2005, 176; 2012), this is also why a central concern of hers has been to think heterosexuality as truly heteros. Cornell and Seely (2016, 43) explain the radical implications of her work in this area:

For [Irigaray], if there is to be true hetero-sexual love, then the body of the sexually differentiated other would have to manifest itself beyond fantasy and in freedom. As is often unrecognized in many readings of Irigaray, however, there would necessarily entail a radical shift in "homosexual" or "queer" relations as well. For in the world of bodies freed from limited gender restrictions and into sexual difference, how could anything like heterosexism or the patriarchal family survive?

In my argument, undertaking the work of both exposing the contingency of the monosexual symbolic order and attempting the difficult process of thinking outside it is crucial for feminist anti-rape politics. This is because that enquiry implicates the heart of the feminist diagnosis of rape culture: the dominant hegemonic dictates of sexuate being and identity, and the calibration of desire.

In the penultimate chapter of *Just Sex?* entitled "Turning the Tables, Women Raping Men?" Gavey follows through with her Foucauldian reading of sexual negotiation with an analysis of a scene in the film, *White Palace* (181-201). This analysis is used by Gavey to illustrate the allegedly radically disruptive potential of counter-discourses, or resisting praxis, to challenge existing scripts of heterosex that confine women and men within certain pre-defined roles. In the scene with which Gavey is concerned, a woman performs oral sex on a sleeping man after he has made it clear that he does not consent to sexual activity. In Gavey's analysis this scene provides an important point of

departure from the dominant narratives of woman's sexuality "that cast women as passive and men as active; and which... work to support the material conditions of women as victims and men as agents of sexual coercion and sexual violence" (182). She continues:

In this way listening to the possibility that women could be sexual aggressors or that men could be victims of women's coercion has radical potential for a feminist analysis of rape and sexual coercion (of women, by men)... From a poststructuralist point of view that holds that discourse contains the cultural possibilities for acting and being, then the value of such modification of our gendered stereotypes is *not* that it somehow frees up women to assault men, but that it opens up the possibilities for a complete rewriting of the dominant discourses of sexuality, in ways that unhinge sex/gender from the rigidly specified forms of identity, experience and practice (182).

Gavey is careful to note that her analysis is not meant to be a "glib celebration of women's sexual 'aggression'...". In her argument, the very possibility of woman's sexual aggression is nonetheless important because it "shores up the possibilities of women's nonpassivity and men's vulnerability – essential possibilities for a revised form of heterosexuality in which it would be less possible to confuse rape and sex" (184). Gavey argues that her research has the potential to "[disrupt] the familiar mapping of male/female difference onto an active/passive binary..." but can only be truly radical when freed from the "operation of gender reversal and the assumptions of a gender-neutral subject..." (198).

In the final chapter of *Just Sex?* Gavey considers various feminist anti-rape political strategies in light of her critique (206-215). One of them includes what she labels tactics of "representational deconstruction" (212) and is illustrated with a discussion of a famous Levi's mid-1980s advertising campaign in which a young man walks into a launderette and strips to his underwear and the women in the launderette admire his body. Gavey argues that this image represents an "ambiguity [which creates] a legitimate public space and encouragement for women to step into the position of active, desiring heterosexual subjects" (212).

I think it is important to recognize the potential within such representations to provide new forms of understanding gender and sexuality. In theoretical terms, culture jamming of this kind... contributes to the power-knowledge nexus that makes new ways of being possible (212).

Anticipating criticism of her analysis for its "objectification of the male body", Gavey responds by arguing that the objectification of women's bodies that feminist analyses highlights is not necessarily applicable to the male body:

Where this does occur [the objectification of the male body] it still does so within a context of discursive and structural power relations in which meanings of women's and men's bodies and desires are not interchangeable. From a feminist point of view such images can be appreciated for their transgressive queering potential to expand normative constructions of feminine and masculine sexualities (212).

Gavey's readings of the Levi's ad and the scene in *White Palace* are problematic in my reading because of her insistence on the radical potential of these images for re-writing the dominant heterosexual paradigm. Gavey occupies in these analyses two contradictory and ultimately untenable positions. On the one hand, she is at pains to stress the radical potential of women occupying the (masculine) position of sexual aggressor or objectifier; on the other, she suggests that it is impossible to "interchange" masculine and feminine subject positions. This contradiction arises, in my view, from Gavey's failure to sufficiently theorize sexual difference. At the end point of her critique and in her attempt to think resistance, she has simply nowhere to go in terms of

reconstituting feminine sexuality, except to the existing images and tools of the dominant masculine symbolic. Within this symbolic, women must resist rape and in so doing, they must constitute their bodies as strong, resisting machines. The problem with her examples of so-called resisting praxis is that the logic of rape culture remains untroubled; the subject positions are unmoved. The scene in *White Palace* is only radical because a woman becomes active and a man passive, and similarly in the Levi's ad. There are only two subject positions here to which we can refer in imagining a different morphology. And as Luce Irigaray's work illustrates, these are derived from the same; that there is a fantasy of two positions is masculine subjectivity reflected back upon itself (Irigaray 1985a; 1985b).

The women in the launderette whose eyes linger on the semi-naked male body simply reiterate the logic of the male gaze. Gavey asserts that this scene portrays feminine desire, but she, at this point, remains trapped within a logic of sexual *indifference*. Because feminine desire is yet to be thought in Western history or philosophy, Gavey's scenario conforms to a logic in which there is only one desiring subject. She calls for a radical potentiality but her framework is not radical enough, being chained, as it is, to the existing masculine symbolic order.

Remarkably similar themes and conclusions are canvassed by Ann Cahill in her book *Rethinking Rape*.⁵ In that book Cahill situates her analysis within feminist literature on the body in order to consider rape as an "embodied experience" marked by sexual difference (Cahill 2001, 8).⁶ In approaching rape from this perspective Cahill seeks to uncover the "unique wrongness of rape" as an attack on the integrity of the person (14). Cahill mirrors Gavey's critique of sex neutrality in rape law, noting that the embodied experience of rape for women and men is incapable of being interchanged and serves to obfuscate the realities of sexual politics (35). The emphasis that Cahill places on approaching rape first as an embodied experience necessitates, she says,

...a consideration of the embodied effects of the discourses and environments that have surrounded the always-becoming subject. ... Because all victims of rape are embodied, rape always has bodily significance; because embodiment is always marked by difference, that significance varies widely among victims (114-115).

Analyzing rape as embodied experience, says Cahill, "by assuming difference rather than trying to eradicate it, allows us to consider the particular conditions of a case of rape without subjecting that particular experience to a universal standard of harm" (118). In Cahill's reading, an understanding of sexual difference and its role in thinking about bodily comportment and feminine (and masculine) selves becomes centrally important in acknowledging the "threat of rape... [as] a constitutive and sustained moment in the production of the distinctly feminine body" (161).

Cahill's call for consideration of the importance of sexual difference to an understanding of rape is one with which I wholly agree. However, in my view she falls into the same trap as Gavey when she comes to consider resistance in the final chapter of *Rethinking Rape* (198-207). This is primarily because her understanding of sexual difference is stuck within what Irigaray would call "vertical transcendence" (Anderson 2009; Hirsh et al. 1995). By this I mean that her framework, while enabling her to critique certain elements of feminist theorizing of rape and rape law, leaves her little room to manoeuvre when it comes to her constructive project. She fails to think sexual difference more radically along a plane of *horizontal transcendence*, that is, to think feminine sexual subjectivity outside its current status as beholden to the masculine specular gaze, rather

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⁵ Cahill's book was published prior to Mardorossian's critique in 2002. However, I consider it here because of its importance to the canon and because Mardorossian did not cite it.

⁶ Cahill develops this insight in later work in which she explicitly engages with Irigaray and her sexual difference framework arguing that sexual ethics must be rethought outside a context in which the dominant culture can only fathom women as "derivatized" from men, rather than transcendent in their own right (Cahill 2011).

than transcendent in its own right (Irigaray 1996, 103-108; 2000, 85-93; 2013, 113-137; Irigaray and Stone 2008, 40-42).⁷

While acknowledging the importance of work on legal reform, Cahill argues for a broader approach to resistance that counters the construction of women's bodies as distinctly feminine and thus particularly vulnerable to sexual attack (Cahill 2001, 200). She returns at this point to consider women and self-defense training, as does Gavey in later work (Gavey 2009; 2019, 207-210). Cahill argues that women's bodies can be re-cultivated with self-defense training to embody a new and more radical motility (Cahill 2001, 201-202). Reorganizing women's bodies into self-defending beings constitutes "an embodied solution to an embodied problem" (205). This is not a mere response to women's victimization but "a profound challenge to the political structure that shapes women in the form of victims" (202). It meets this challenge first by undermining the assumption of women as victims, by situating the origin of resistance in women themselves (203). Second, it takes seriously and responds to the threats that women face in society (204). Finally, it acts as a potential deterrent, giving would-be rapists reason to fear women (204-205).⁸

In my argument, Cahill backs herself into a corner from which she is forced to return to the tools of the masculine symbolic to reimagine woman's motility through self-defense as a form of resistance to rape. This sits uncomfortably with her critique of gender-neutrality in rape and her assertion throughout that women and men's experience of their embodiment is simply incapable of reversal. She attempts to respond to this problem thus:

I would argue that the increased physical ability of women and their capability to defend themselves from sexual attacks would not constitute an "equalization" of the sexes in the sense of making them essentially similar. Rather, women's bodies would adopt habits and practices that would utilize their own potential for power. ... Because the recodification of the female body would involve not an emulation of the male body, but rather the development of particularly feminine kinds of strength and power, the embodied subjects who undertake such recodification will be no less marked by sexual difference than previously. *Femininity* itself will be redefined... (206).

The problem here is that the "strength and power" referred to are taken from within an existing paradigm that has been constructed without reference to women's morphology, sexuality or desire. Cahill understands the need to rethink femininity, but her insufficient attention to sexual difference in this phase of her work means that she is left with too few resources to think through what a recodification of feminine embodiment might mean. The problem of the rape of women is not tied to woman's designation as passive victim and man as aggressive and virile. It is tied to the very logic upon which these designations come into being; that which decrees that women can only be thought as double, defective or opposite man (Russell 2013). Reversing the paradigm does not change, fix or disrupt the logic of rape; it does not challenge the norms of heterosexual desire in any meaningful way. Both Gavey and Cahill insist on the need for an alternative framework or system of reference to think through resistance to rape. However, it is not clear in their analyses where this framework might come from, except from within that which already exists.

Similar problems arise, I argue, in Linda Alcoff's recent book *Rape and Resistance* (2018). Alcoff's work is, in many ways, of a different time to that of Gavey's and Cahill's, most noticeably because it reflects on the #MeToo era and sets itself the task of maximizing the current moment of

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⁷ In later work, Cahill engages with a broader body of feminist theoretical scholarship on sexuality and embodiment in a discussion of carnal ethics and objectification. This work, in my view, shows much more creativity in thinking the potential of sexual difference as a productive ontological force rather than simply a diagnostic tool for explaining the harm of rape (see especially: 2011, 146-154).

⁸ See also Cahill (2009), responding directly to Mardorossian (2003) on this point in a book review critical of her work.

visibility of sexual violence to engender social change (Alcoff 2018, 23-55). Alcoff claims that increasing the circulation and importance of survivor speech is the most effective tactic of resistance to rape and rape culture (45). Investing survivor speech with the authority and epistemic respect it deserves has the potential, she says, to foster a community of meta-lucid subjects, who “are aware of the effects of oppression in our cognitive structures and of the limitations in the epistemic practices grounded in relations of oppression.” (32). Such a community, better informed about the dynamics of sexual violence and its structural embeddedness, is also better equipped to resist rape. Alcoff concludes with a call for a thoroughly intersectional feminist anti-rape agenda, in which privileged women no longer function as the paradigmatic victim (229), and there is a shared commitment to developing our understanding of how all forms of oppression exacerbate the problems of sexual violence (233).

While gender haunts the pages of Alcoff’s book, it is never addressed as a central category for theoretical attention. Women are the “hermeneutically weaker” party, upon whom the burden of consent falls (130), consent as a concept is ill-equipped to protect women (138), women and girls are disproportionately targeted for sexual violence with little historical or geographical variance (153), and we cannot assume that women have yet attained the status of free and equal members of society (154). This lacuna in the analysis is most stark in Alcoff’s attempt to think sexual subjectivity. Our central concern with sexual violations, she says, “should be their inhibiting and transformative effects on sexual subjectivity or self-making capacities” (111). Alcoff turns to Foucault’s care of the self to ground this understanding of sexual subjectivity as central to the process of self-making. Through attentiveness to one’s self and one’s own sexual imaginary, “human beings across historical and cultural difference” can craft a reflexive self, capable of developing a sexual subjectivity (113). Alcoff notes both that the “...problem of sexual violation cannot be treated as distinct from the problematic of sexuality itself” (113) and “the empirical findings also make clear that ideologies about gender and sexual differences have an impact on what things we do sexually, and who does them” (114). However, critical attention to the particularities of sexual difference are still not addressed. Instead we need a “more open-ended conception of sexuality” (120-121), à la Foucault, which has the capacity to understand a “model of causation that is plausibly holistic and multi-dimensional, incorporating material and social elements as well as the vagaries of individual interpretation, all in mediated relations with one another...” (137). This will involve rethinking key concepts like desire and pleasure, and problematizing the hermeneutic hegemony of consent.

Alcoff attests the importance of creating the conditions in which women can “speak for themselves” when they speak of sexual violation to the feminist project (226). However, she asserts this having paid no attention to what a specific feminine sexual subjectivity would entail. Alcoff insists on sexual subjectivity as central to her agenda for theory and resistance, but her attempt to do this without any reference to sexual subjectivity *as sexed* means that while hers is an admirable agenda for feminist social change, its theoretical underpinnings are unstable.

To return briefly once more to Carine Mardorossian, while I agree with her criticism of the inadequacy of some feminist theorizing on rape, it is not only because, in some cases, this work eschews a broader political critique in favor of re-thinking the meaning of rape for victims and for society. As I have tried to indicate, the problem is that *the way in which it does* this rethinking that is flawed. In what follows and drawing on the work of Māori feminist scholars, I highlight the importance and potential of thinking sexual difference for bridging the gap between theory and praxis in critical feminist rape scholarship.

SEXUAL DIFFERENCE AS A PATH TO FEMINIST ANTI-RAPE PRAXIS

While much critical feminist work in the last 20 years argues that rape is a fundamentally gendered crime, much less scholarship maintains that insight as central to understanding how we think about resistance to rape. As critical scholars come to appreciate the centrality of erotic transformation not

only to areas that touch sex and sexuality, but to revolutionary politics more generally (Cornell and Seely 2016; Seely 2017), the necessity of doing the difficult work of thinking sexual difference to the feminist project becomes more apparent. More apparent also is that the work of sexual difference is and must necessarily be decolonial work. As Coetzee and Du Toit note, “a crucial dimension of coloniality is that its logic continues to shape and structure subjective sexualities and often unconscious drives and desires” (2018, 3). Those drives and desires constitute the scaffolding that support the rape culture in which we live. The work of indigenous feminist scholars writing on the decolonization of gender and sexuality in their own communities is invaluable therefore to feminist anti-rape praxis more broadly because it situates sexual and other violence against women in the broader history in which it proliferates and links that history to an agenda for resistance.

A growing body of scholarship insists on the importance of understanding the denigration and erasure of indigenous women as central to the colonial project (Lugones 2007; Mendoza 2016; Murphy 2013; Oyěwùmí 1997). The genocidal logic of colonialism is almost always accompanied by the imposition of a sharp binary between men and women, the erasure of women’s singular sexual difference from men – as well as of non-binary gender expression – and the privileging of the masculine. The imposition of colonial logic occurs not only at the interpersonal and community level but extends itself as epistemic violence to a rewriting of indigenous cosmogony and ethnography, which often denigrates or erases the roles of women (Mikaere 2017; Murphy 2013). This epistemicide, as I go on to explore below in respect to the New Zealand Māori, had (and continues to have) a profound impact on the position of indigenous women in the colony/post-colony. The upsurge in sexual and other violence against indigenous women in colonial/post-colonial societies is often linked explicitly to the imposition of colonial sexual mores, the denigration of the feminine, and the destruction of balance within those societies as a result (Coetzee and Du Toit 2018; Mikaere 2017).

Much indigenous feminist scholarship, in acknowledging the profound epistemicidal violence inherent in the colonial project, prioritizes, therefore, the need to rehabilitate and reclaim lost knowledges and practices. In Māori scholarship this has meant the conscious development of a uniquely Māori theoretical framework, or kaupapa Māori, informed by the lived experience of Māori in Aotearoa (New Zealand) and by mātauranga Māori (Māori epistemology). As Leonie Pihama explains, there are fundamental differences between how relationships are conceived in kaupapa Māori, both phenomenologically and metaphysically, when compared with Western tradition. These differences importantly include the relationships between men and women, masculine and feminine (Pihama 2012, 5-6).

Māori feminist scholars have developed their own theoretical frameworks informed by mātauranga wahine (women’s knowledge) through which they seek to locate Māori women’s experiences and understandings of the world. Pihama describes the process of living as a Māori woman under colonialism as a constant search for oneself in the images created by colonizers (2001, 237). Māori women, she claims, must theorize “mana wahine” for themselves in order to decolonize their own lives. The word “mana” is incapable of direct translation into English but is said to convey spiritual and interpersonal influence, charisma, and vested or acquired authority. Mana also refers to a “generative power” connecting “every form of activity within Maori society,” and created through collective relationships between “people and all elements of cosmology, spiritual... and physical being” (Pihama 2001, 264-265). “Wahine” is translated into English to mean woman but, as Pihama notes, this omits its wider meaning in te ao Māori (the Māori world):

Wā relates to notions of time and space [and] hine relates to a [feminine] essence. The term wahine designates a certain time and space for Māori women but is by no means a universal term like the term woman in English. There are many times and spaces that Māori women move through in our lives, wahine is one of those. There are others. There are varying terms that relate to times in our lives and relationships. From birth we begin a journey through those many spaces. As such the term wahine should not be seen as a

dualism with the term *tāne* [man], as we see in the constructed binaries of female and male that exist in the West and which are defined in biological terms (Pihama 2001, 265).

An important aspect of *mana wahine* as *kaupapa* Māori has been to rehabilitate and recenter Māori cosmogony, much of which was revised by colonial ethnographers and anthropologists to erase the important role of the feminine in *mātauranga* Māori and *tikanga* Māori (custom, ethics and lore). As Ngāhuia Murphy points out, native spiritualities constitute a cornerstone of indigenous resistance struggles and “[n]ative spiritualities that strive to reclaim the divine feminine within a historical context of systematic repression are a very specific site of resistance” (Murphy 2013, 45).

In *tikanga*, all Māori are linked through *whakapapa* (genealogy) to one another and the spiritual forces through which the world was created. The Māori creation story begins with *Te Kore*, or the realm of potential being and primal or latent energy (Mikaere 2017, 25). *Te Pō* is said to have been born from the “infinite realms” of *Te Kore* and is a period of darkness likened in Māori cosmogony to the womb. It was in *Te Pō* that the primeval parents, *Papatūānuku* (a feminine being – the earth) and *Ranginui* (a masculine being – the sky), were constructed first as one deity in physical and spiritual union (Mikaere 2017, 26). *Papa* and *Rangi* were said to cling to one another in the darkness of *Te Pō* and to conceive many children, who remained between them. Growing tired of their confinement, the children conspired to separate *Papa* and *Rangi* and in so doing, the world passed into the next phase of light or *Te Ao Mārama*. These three phases come to represent in Māori cosmogony a continuous process of being and becoming: “[*Te Kore*] is the realm of potential being, *Te [Pō]* is the realm of becoming and *Te Ao [Mārama]* is the realm of being” (Marsden 1992, 135 cited in Mikaere 2017, 27).

In Māori cosmogony the first human is born of a woman shaped from the red clay or menstrual blood of *Papatūānuku* and named *Hineahuone*. *Hineahuone* is described as possessing a powerful sexual force and it is she who conceives and bears the first human life, a woman named *Hinetitama*. According to mythology, *Hinetitama* chooses to leave the earth and return to *Te Pō* where she became known as *Hinenuitepō*, the *kuia* (female elder) to whom all Māori return upon death (Mikaere 2017, 29-30).

Ani Mikaere characterizes the feminine presence at the beginning of the world as “all-encompassing”, “potent” and “unassailable” (Mikaere 2017, 36). This unassailable importance of the feminine is apparent too in many aspects of *tikanga* Māori. The concepts of *tapu* and *noa* are important to the daily life and rituals of Māori people and their communities and are used to ensure balance between the various element of *te ao* Māori: the spiritual, environmental, familial, interpersonal. *Tapu* recognizes the inherent value of every person, though levels of *tapu* can vary among different people depending on their lineage and roles. *Tapu* also connotes spiritual prohibition and protection and can apply in many different contexts (Mikaere 2017, 36-37). *Tapu* functions as a key means of social control in Māori society and is complimented by *noa*, which is said to remove the restrictions imposed by *tapu*. Women play a central role in *tikanga* Māori as they are invested with the capacity to *whakanoa*, or to make *noa* or remove the restrictions of *tapu*. Mikaere gives the following example of such a process: “in former times, when warriors returned from the field of battle, it was customary for the *tapu* of blood to be lifted from them by their crawling between the legs of a *ruahine*, a woman elder selected for the task” (Mikaere 2017, 39). The capacity of women in *te ao* Māori to mediate the boundary of life and death, to open the passage or doorway between worlds, or mediate between *tapu* and *noa* is reflected clearly also in *te reo* Māori (Māori language). In *te reo*, the word “*whānau*” refers to the family but also to the act of giving birth or being born. “*Hapū*” means to be pregnant, and also refers to one’s sub-tribe, a key political, social and economic unit. “*Whenua*” refers to land or the earth and also to the placenta. “*Atua*” refers to a deity or supernatural being and is also used to name menstrual blood (Mikaere 2017, 42)

What then is the critical feminist anti-rape praxis that comes from the *mana wahine* scholarship I have highlighted here? If we are to understand rape as a gendered harm and one that

is contingent on the denigration and erasure of the feminine, and the imposition of phallogocentric colonial matrices of desire we must think epistemic resistance to rape that addresses these aspects. For these reasons, I argue that feminist anti-rape scholarship must look beyond the act of rape as its point of departure for resisting praxis and instead orientate itself around radical ontologies of sexuate being that offer an alternative to those through which rape culture currently proliferates. The account of the feminine in sexual difference that comes from the Māori feminist scholarship I have highlighted here is transcendent, while also being necessary in conjunction with masculine and other vitalities or elements to ensure balance. It is possessed of its own sexuate energy which draws on and is linked to all elements of Māori life and cosmogony. Seeing the feminine reemerge from mana wahine scholarship in this way makes it easier to see how rape could be understood in pre-colonial Māori society as a serious crime that was said to destroy the whole community (Mikaere 2017, 59; Murphy 2013, 91). Resisting the colonial construction of the feminine and engaging in the decolonial “activist praxis” of “re-threading the feminine strands in the spiritual fabric of our world” (Murphy 2013, 45) is necessarily anti-rape praxis.

The theoretical move I am advocating therefore maintains a critical continuity between diagnosis and construction in critical rape scholarship; if the harm of rape is to the sexuate identity of women, the route out will necessarily be by the same road. Māori mana wahine offers those other ways of knowing under which alternative subject positions might emerge, or reemerge, to challenge the ubiquity or inevitability of rape and rape culture. Resisting rape then does not start with prohibitive laws or self-defense training, neither of which challenge the status quo of monosexuate desire at its core but must consider first the point at which feminine sexuate being was erased from history and demand it be returned. Approaching rape in this way involves an attempt to think *through* sexual difference, and to displace the ruling symbolic order in which the masculine morphology dictates the boundaries of sexuate identity and of desire.

CONCLUSION

Writing in *Signs* in 2002, Carine Mardorossian lamented the lack of critical attention in much feminist scholarship to theorizing rape carefully and in a way that did not stymie anti-rape politics. I am in agreement with Mardorossian’s broad critique, albeit for difference reasons. There is a logic by which, and into which, the morphology of subjects comes to be constituted and this is not independent from a discourse on heterosexual desire, but part of it (Russell 2016). The coherence of this logic requires the systematic erasure of woman from culture and history. A critical analysis of rape, therefore, cannot start from a discourse that positions two subjects in a certain way with respect to each other, rather it is about a system of logic, thought and practice that erases even the *possibility* of two different subjects. Much theoretical feminist scholarship fails to think resistance to rape with sufficient rigour because it neglects the importance of sexual difference. As a result, critical theorists are often unable to think resistance to rape as feminist praxis as anything but subversive embodiment within the dominant paradigm.

In my view, a robust theoretical understanding of the harm of rape can be linked successfully to feminist anti-rape praxis through thinking feminine sexuate being and identity outside the masculine specular gaze. Imagining at least two separate and singular sexuate identities is the first step towards the erotic transformation necessary to destroy the scaffolding that supports and perpetuates rape culture. Māori feminist scholarship that seeks to decolonize and reclaim Māori women’s knowledges and practices provides an excellent illustration of how other ways of knowing and thinking about the world can challenge the inevitability or naturalness of rape culture. Mana wahine scholarship seeks the restoration of the feminine in Māori culture characterized by its own singularity, transcendence and centrality to all aspects of Māori life and spirituality. Such a vision of feminine sexuate being rips at the fabric that supports rape culture in which women are fundamentally denigrated, objectified, and erased. It is not my intention to suggest that feminist

anti-rape political work eschew all activities that are not focused on working towards an immediate and radical revolution in erotic relations. However, if critical feminist scholars working in a theoretical mode are serious about contributing to a project that seeks to end rape, to that end we must be courageous and bold in imagining how we want our lives to be.

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