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# Narrative Construction of Sexual Violence and Rape Online

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### Abstract

The increased active participation of individuals in the creation of sexual violence narratives online, as opposed to the previously passive consumption of news stories offline, could prove problematic in ensuring justice is served. Social media allows for circumvention of the criminal justice system in response to its perceived inadequacies. With the 24-hour news cycle, the ease with which media consumers can interact with the story as it breaks online, and the manner in which social media has been used by laypersons and secondary bystanders to target victims or perpetrators before a case ever makes it to court, raises questions about how narrative construction online possibly influences people's beliefs and understandings about sexual violence and the effect this may have for the justice system.

### Keywords

Sexual violence; social media; twitter; Steubenville; *Rolling Stone*.

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## Introduction

Sexual assaults as reported in the mainstream media tend to focus on the sensational and have a tendency to reproduce common narratives about sexual violence (O'Hara 2012; Sela-Shayovitz 2015). Prior to widespread public access to the Internet individuals could receive news via sources such as newspapers, magazines, radio and television. This provided traditional 'old' media with an ability to influence public perceptions about a wide variety of issues, including sexual violence victimisation and perpetration. It has been suggested that this form of news reporting has had negative effects on juries' attitudes towards victims of sexual violence (Fraser 2015; Kitzinger 2013). Previous research has considered how sex crimes are reported by traditional media (Greer 2003; Kirtley 2011; Smolkin 2011); however, the rise of social media and bloggers as information sources means that the popular consumption of, and interaction with, news is changing (McFarland and Ployhart 2015; Salter 2013). Whereas traditionally the media required the public to be passive consumers of news after events had unfolded, real-time online interaction has turned the public into active participants in narrative construction, either through commenting and collaboration or through contributing images and videos as eyewitnesses.

In this article I examine how sexual violence narratives have been constructed online specifically through two recent cases: the rape of a 16-year-old girl in Steubenville, Ohio; and the rape story of Jackie, a college woman in the United States, published in *Rolling Stone*. The article focuses on how the increased active participation of individuals in the creation of sexual violence narratives online, as opposed to the previously passive consumption of news stories offline, could prove problematic in ensuring justice is served. Social media and, more broadly, the Internet allows for circumvention of the corporate media outlets and the criminal justice system in response to their perceived inadequacies. With the 24-hour news cycle, the ease with which media consumers can interact with the story as it breaks online, and the manner in which social media and online news platforms have been used by laypersons and 'digital bystanders'—eyewitnesses using digital media tools— to target victims or perpetrators before a case makes it to court, raises questions about how narrative construction online possibly influences people's beliefs and understandings about sexual violence and the effect this may have for the justice system. Although the sexual assault cases examined here are from the United States, sexual assault media coverage in the Anglo-Western world tends to recreate similar if not the same narratives about sexual violence victimisation and perpetration (Greer 2003; Kitzinger 2013).

This article begins by reviewing what rape myths are and how these public understandings of rape have been influenced by the media before moving on to discuss online discourses and sexual violence narratives on the Internet. The first case study will explore the Steubenville rape case that was brought to the attention of traditional media and the authorities by a blogger, Alexandria Goddard, in 2012. Goddard's use of social media (via her blog [www.prinniefied.com](http://www.prinniefied.com)) to escalate the case when a response from the authorities was not forthcoming moved influence out of the hands of criminal justice system and traditional media to the online community.<sup>1</sup> This online community included the hacking collective Anonymous the members of which are known for digital attacks against individuals or corporations that they perceive to be working against the public interest. The Steubenville case was also different to other sexual assaults because of the broadcasting of the rape itself over various social media channels with input from digital bystanders. This article then considers the report in *Rolling Stone* about the alleged gang rape of 'Jackie' at the University of Virginia (Erdely 2014). Online backlash to the story of Jackie's rape was almost instantaneous, with criticisms of the article focusing on how the rape did not appear to happen the 'right' way. The retraction of the article, after it was discovered that Jackie had fabricated the story, resulted in social media users expressing a mistrust of all women alleging rape victimisation.

This paper draws upon material created on social media and other online platforms by individuals responding to the Steubenville rape case and the *Rolling Stone* article. Material that was collected included not only mainstream media reports about the cases for context (such as by CNN and in *The New York Times*) but blog posts (which are opinion pieces similar to journal entries), responses to these blog posts, comments to articles published online by media outlets, and comments on social media networks such as Twitter and Facebook. This material was collected through both Internet searches using keywords from each case (for example 'Steubenville', 'UVA [University of Virginia] + rape') and searching multiple social media networks with similar keywords (for example, regarding the Steubenville case, searching Twitter with '#Steubenvillerape' and '#bigredrape', among other hashtags). This form of research has been referred to as social media sentiment analysis (SMSA); however, my research has not utilised any computer or information technology program to evaluate opinions across the multiple contexts which is generally a component of SMSA. While SMSA is established in health, product safety, crisis management, economic development, education and government sectors, it has not been highly utilised by criminologists (Prichard et al. 2015). Using opinions gained via social media texts can 'have particular advantages in capturing honest but extreme views on contentious criminal justice issues that would not be expressed in other forums' (Prichard et al. 2015: 227).

I chose material for analysis in two ways. Firstly, blog posts and articles that generated a substantial number of responses were primarily focused upon as this provided a wider variety of reader comments. Secondly, I also accessed blog posts that were used as reference by other bloggers or reporters, or where people were directed to in comments, indicating that a particular piece perhaps resonated with a wide readership. This paper draws upon these user-generated interactions with the cases to undertake a qualitative analysis of the narratives and examine the narratives for how individuals are using online platforms to discuss rape cases prior to, during and following an investigation and trial, and the possible ramifications this may have on the criminal justice system.

### **Rape myths and their acceptance**

Throughout the Anglo-Western world sexual assaults have one of the lowest prosecution rates (Krahé and Temkin 2013; Parkinson 2010). Although the majority of rapes are committed against women by a current or former male partner (Australian Institute of Family Studies 2012) rape myths and their acceptance persist, in part driven by news media reporting practices, depictions of rape in film, and the belief that only women 'deserving' of rape are victimised (Fraser 2015; O'Hara 2012). Rape myths are 'prejudicial, stereotyped or false beliefs, prejudices or stereotypes about rape, rapists, and rape victims' (Burt 1980: 217). Myths about rape persist among both men and women, although rape myth acceptance tends to be higher amongst men than women. It is suggested that women's acceptance and endorsement of rape myths is due to a belief in the control of victimisation; that is, if they do the 'right' thing and behave in a 'good' way, then they will not be sexually victimised (Bohner et al. 2002; Franiuk, Seefeldt and Vandello 2008). Men's endorsement of rape myths, it has been argued, may also occur not for misogynist reasons but because it allows men to distance themselves from rapists who are deemed 'monsters' or 'beasts' (Franiuk et al. 2008: 791).

Popular rape myths about the victim include the beliefs that rape victims can only be women (Duncanson 2013); that the victim was promiscuous in dress or demeanour before the attack (Sela-Shayovitz 2015); that she had been drinking too much (Wall and Quadara 2014); or that it is a false allegation because she either regrets the sexual encounter or has a partner and is attempting to cover an indiscretion (Wall and Tarczon 2013). Rape myths about the perpetrator include the views that it is a male unknown to the woman (Krahé and Temkin 2013); that he is somehow a 'monster' or 'beast' (O'Hara 2012); or he acted in a fit of uncontrolled passion (Sela-Shayovitz 2015). In sum, rape myths attempt to shift blame for the crime from the perpetrator to the victim. While these rape myths may appear in public discussions of rape, there are three

popular ones that reappear across multiple discourses and research: that there is ‘real rape’ (rape committed by a stranger in a public place and with a weapon) and it is rare and harmful; there are ‘real victims’ or victims who are deserving of sympathy; and that most allegations of rape are false (Leahy 2014). These prejudicial attitudes have been noted with mock juries as well and have an effect on jury decisions of finding a defendant innocent or guilty (Ellison and Munro 2009; Finch and Munro 2005, 2006; Krahe and Temkin 2013; O’Hara 2012), often resulting in a defendant being acquitted because the victim was not seen as being a ‘real victim’ for any number of reasons (Finch and Munro 2006; Fraser 2015). As Leahy (2014: 19) notes, ‘any evidence which indicates that the complainant has deviated from the standard of the ideal victim may be seen by jurors as signalling that the sexual activity was consensual’.

The commonly reoccurring myth that false allegations of rape are high or that allegations of rape should be suspect is not surprising given the history of this myth. The criminal justice system has had a large role to play in the continued recurrence and spread in this false conception. Suspicion of rape complainants within the criminal justice system is well documented (Gray 2006; Page 2010) and has often come from high within the system, from judges who have warned jurors about accepting the victim’s allegation without witness corroboration (Leahy 2014: 20). While the directions from judges to jurors can influence disbelief of rape victims, research indicates that media narratives about sexual violence have a profound effect on how individuals respond to victims’ allegations and how they employ rape myths when tasked with deciding a defendant’s guilt or innocence. Researchers have noted that rape and other forms of sexual violence are the only criminal acts where the actions of the victim are under scrutiny, with the victim placed in a position of having to prove their victimisation (Fraser 2015; Wall and Tarczon 2013). Research from Australia, United Kingdom, United States and Canada indicates that all these jurisdictions face similar issues when prosecuting sexual assaults, most notably having to counter the same rape myths when presenting cases in court (Fraser 2015; Krahe and Temkin 2013; Wall and Tarczon 2013).

Narratives about sexual violence in the media were often limiting in the past due to the control exerted by private enterprise on public opinion formation, especially with regard to the owners of news corporations who were, and often still are, conservative, white men (Salter 2013). Therefore, discourses about sexual violence in the media tend to enact rather than counter traditional rape myths about the role of the victim and perpetrator in the criminal act (Greer 2003; O’Hara 2012; Sela-Shayovitz 2015). Research indicates that print, radio and television media are more inclined to blame victims for their sexual assaults (Franiuk et al. 2008), and sexual violence is the only crime where pre-trial publicity tends to bias jurors against the victim, not the defendant (Mullin, Imrich and Linz 1996). As with the criminal justice system the most commonly endorsed myth is that the victim is lying (Franiuk et al. 2008). This may not be intentional as Franiuk et al. (2008: 799) suggest that journalists may believe that they are providing balanced journalism by highlighting doubt in the victim’s story; however, this doubt tends to be expressed more clearly about the victim than when doubts are raised about the defendant. These reporting practices coupled together with misleading or overly sensationalist headlines can lead to ‘teach[ing] rape myths to those who do not already hold them, strengthen rape myths in those who already do, and trigger rape myths in those who are ready to use them’ (Franiuk et al. 2008: 798). The effects of rape myth acceptance have been found to include victims refusing to disclose their victimisation to not only those closest to them but also to the authorities (Grubb and Turner 2012). Should victims choose to report their crime members of the police or other local authorities may be disinclined to believe victims (Grubb and Turner 2012; Page 2010; Ullman 1996), with the result that only a small number of sexual assaults are investigated and a smaller number of perpetrators are charged and tried for their offences (Grubb and Turner 2012). If members of the public not only receive their information about sexual assaults and violence from old media but are now also readily able to interact with their news sources via social media, it raises questions about how individuals are employing rape myths in their narratives about sexual crimes and how this may influence the criminal justice system in the long-term.

### Online discourses: Active engagement and sexual violence narratives

Social media is defined as a set of tools available online that have social interaction as their central focus in order to facilitate a two-way dialogue between users (Blackham and Williams 2013: 170) through the publication and sharing of stories, pictures, videos or ideas in networks and communities. Among the hundreds of social media communities and networks available to users, some of the most popular around the world are Facebook, YouTube, LinkedIn and Twitter. Research indicates that in the US 74 per cent of adults use the Internet, with 74 per cent of women and 62 per cent of men using social media, and 90 per cent of 18-29 year-olds, and 78 per cent of 30-39 year-olds using social media regularly (Pew Research Center 2013). The ubiquitous nature of the Internet and social media in contemporary lives means that *not* using social media in the 2010s for someone under the age of 40 years is more out of the ordinary than using. This means that 'social interactions are not only just mediated by technology but increasingly dependent on it' (Henry and Powell 2015: 765). The advent of social media, microblogging sites and Internet communication has, to a certain extent, decentralised communication from the centralised system that Habermas (1989) argued resulted from private ownership and control of media outlets. Costs associated with the operation of radio, television and newspaper enterprises created a system where members of the general public were consuming news, rather than engaging in the formation of or responding to it (Habermas 1989; Salter 2013).

More recently, the ability to publicly comment on not only friends' social media posts but also media articles online has resulted in the creation of a social environment for users interested in the reporting of news. Media outlets have embraced below-the-line commenting<sup>2</sup> from readers who often login to the discussion via their Facebook profiles, thereby putting a face, profile or identity to the comment. Bloggers and other online commentators who do not work as journalists have also entered the arena as writers who can influence the perceptions of their readers and present local events to a broader, potentially more global audience. Online identities are arguably as much in a state of flux as offline identities, with possibly 'a gap between the online and offline narratorial identities projected by the storyteller' (Page 2013: 163). However, research is now increasingly sceptical of the idea that online personas are all masks that are separate to the offline identity of the user. As more people rely on technology for their work as well as personal entertainment, and online access increasingly expands irrespective of geographic location, there is an overlap between the online and the offline identity with neither being considered more authentic than the other (Page 2013: 166).

The Internet has arguably created a truly democratic society, where equality exists between the sexes, races and creeds, and allowed for true freedom of speech (Margolis and Moreno-Riano 2009). Researchers note, however, that patterns from the offline world are being reproduced online: girls and women are warned about the dangers of reputational damage should they act in an immodest manner (Albury and Crawford 2012; Henry and Powell 2015; Saco 2002; Salter 2013, 2016). This has led to an increased public, political and media focus on 'sexting' (the sending of sexually explicit digital images or texts) and the harms this may have on young women, with a resulting moral panic about young women, sexuality and the Internet (Henry and Powell 2015). While the consensual exchange of sexually explicit material between youth of the same age has produced its own legal dilemmas (see for example Shariff 2015 for a discussion about US and Canadian legislation), online media can, and has been, used to socially shame women above and beyond the original sexual violation. As Henry and Powell (2015: 767) explain, the original harm 'is exacerbated by the unbounded nature of what can potentially be perpetual public shame and humiliation'. In the case of the Steubenville rape victim the circulation of images and video by the perpetrators of their sexual assault was used to inflict ongoing shame and humiliation, resulting in what is now being termed Technologically Facilitated Sexual Violence (TFSV). Criminologists are, however, still often viewing criminal actions as belonging to the either the 'real' world or the 'cyber' world rather than understanding they are part of a social world that is a human/technical hybrid (Henry and Powell 2015: 771). McFarland and Ployhard (2015: 1655)

argue that social media's uniqueness may be a challenge to traditional theories and frameworks about cognition, affect and behaviour, and result in 'scholars ... neglect[ing] many of the features that make social media contexts different in the first place'. One of these differences is how multiple contexts can exist at once in social media which is not possible with face-to-face or real world contexts. While it is difficult to suggest that online comments from individuals (whether anonymised or linked to their 'offline' identities) can be ascribed to the greater population, social media narratives about sexual assault in the cases of Steubenville and the *Rolling Stone* incidents demonstrate that rape myths are being legitimised and reproduced by the public in a manner that may be detrimental to the effective delivery of justice. Social media interaction and use as a tool to communicate about criminal cases is relatively unexamined although beginning to gain traction in criminological research (Prichard et al. 2015). The extra-legal factors that mock juries are turning to when deciding the guilt or innocence of a perpetrator, such as gender stereotypes, beliefs about what rape consists of, and what consent and dissent look like (Finch and Munro 2005), are being used by social media commentators in a similar fashion to decide the veracity of high-profile rape cases prior to the charging of any individual with the crime or the case being tried in court.

### **The Steubenville sexual assault**

The news of two popular high-school footballers, Trent Mays and Ma'lik Richmond, raping a 16-year-old girl at a party broke on a blog written not by a journalist but by Alexandria Goddard, a writer who enjoys following crime news stories. Images, video and messages about the party were circulating on social media via publicly viewable accounts (that is, unlocked accounts for any Internet user to view), but Steubenville authorities were slow in responding to the crime. The victim herself learnt of the assault through social media, as she had no recollection of the events. This is what made this case fundamentally different from the thousands of rape cases that have historically occurred: social media had a central role in documenting the evidence of the rape; being used to sexually harass the victim; breaking the story to traditional media outlets; and responding to traditional media reports about the trial. As Baker (2012b) wrote 'without the social media angle, it would just be another story about a young woman raped by athletes while she was blacked out from drinking too much alcohol in a hard-core football town.' Individuals who responded to the events of Steubenville online could be seen employing either one of two rape myths: that the victim was not the victim of 'real rape' as she had been drunk at the time; or that there had been an over-reaction to the sexual assault as this was normal behaviour for young men and these allegations would ruin their lives. The unfolding of the rape on social media indicated that many individuals were responding to the sexual assault in real time, with there being few negative comments generated by digital bystanders calling for the assault to stop. These digital bystanders also did not make any calls to the local authorities to alert them to the sexual assault.

While the young woman's unresponsiveness to the attack was being joked about online with comments like 'You don't sleep through a wang in the butthole', 'There is a dead body in the ville and people don't care #livethelife', and 'Some people deserve to be peed on #whoareyou' (all by Michael Nodianos (2012) tweeting under @nodidamus), at the trial witnesses said it was not their place to determine if what was happening was sexual assault. One witness, Mark Cole, noted that 'he didn't intervene because he didn't at any time see the conduct by the defendants as "forceful"' (Law 2012). Social perceptions and media representations of what 'real' or 'legitimate' rape looks like did not align with the actions that social media users were commenting upon in this scenario. Ohio law with regard to rape states that, if a person's ability to consent is severely impaired by alcohol and the offender knows that the person's ability to resist or consent is substantially impaired, then the accused is guilty of rape. There is no need for the victim to prove that they physically resisted (*Ohio Revised Code 2006 s 2907.02 (A-C)*). From the witness testimonies, the events in Steubenville did not adhere to accepted notions of rape, at least to party attendees and digital bystanders, because it was not seen as violent. Rather, they commented, 'So you got drunk

at a party and two people take advantage of you, that's not rape, you're just a loose drunk slut' (@romano\_santino, 2013). Boux and Daum (2015: 171, 151-152) argue that cases such as Steubenville, where high levels of digital evidence exist of a crime, there is a 'frank recognition that the females are in fact the victims of unwanted sexual acts' and that social media evidence can allow for the dismantling of rape myths inside and outside of the courtroom. However, while the social media evidence in this case indicated that the victim was not a consenting participant to the events, the comments demonstrate digital bystanders did not appear to be troubled by the fact that what they were witnessing was rape. The photographic evidence did not prevent either the bystanders or members of the public questioning the actuality of the victim's traumatisation due to the deployment of the rape myth that female drunkenness invalidates victimisation.

In response to increased comments from Steubenville residents that Mays and Richmond were not acting out of character for teen boys, KnightSec (a subset of the hacking collective Anonymous) released a dox<sup>3</sup> outing those who the hackers claimed were involved in the assault of the teen. They claimed that they were releasing this information because 'we will not sit idly [sic] by and watch a group of young men who turn to rape as a game or sport get the pass because of athletic ability and small town luck. You now have the world looking at you' (Baker 2012a). Goddard's comments about the rape included that Mays and Richmond were 'students by day ... gang rape participants by night' and 'no you are not stars. You are criminals who are walking around right now on borrowed time' (www.prinnefied.com, 24 August 2012).<sup>4</sup> These comments came prior to any trial. This also challenged the traditional notions of reputational damage by intending to humiliate the perpetrators and their supporters rather than bringing attention to the victim. However, this attempt at reputational damage by shaming Mays and Richmond for their actions may not have long-term effects. Nurka (2013) has argued that sport stars who are accused of rape can be dishonoured by their actions but their reputations will not be as damaged nor will they be shamed by the public in a manner or level equal with the damage of shame to the victim. The rape of women by men belonging to a sports team can, and often is, utilised by the perpetrators to enact male bonding (Flood 2008), and it is socially accepted that certain sports are homosocial and areas from which women are excluded. The presence of a woman amongst these men can be perceived as consent to any sexual encounter (Nurka 2013: 46), thereby shaming the victim but not the perpetrators.

The behaviour of the perpetrators was being rationalised. Commentators during the attack and after the trial, on news media and blogging sites, attempted to find a midpoint between describing the events as rape and as consensual sexual relations. As user Talicia wrote:

That's ashamed [sic], they should have just let them try them as adults and got a jury trial. I certainly wouldn't have convicted them. They should have just use the 'I was drunk defense' the way she did. If alcohol impaired her faculties, then it impaired their's [sic] too. So they have to spend five years incarcerated, and she'll be drunk and rolling around on the floor at another party in a few months. Being too drunk to remember what you did the night before is not a 'legitimate rape' in my opinion (cited below-the-line in Simpson 2013).

Even those who condemned the actions of the perpetrators claimed that part of the blame lay with the victim. Commentators stated that 'young women should be taught to stay away from alcohol' (Guero cited in Simpson 2013), 'the behaviour of the youngers is appalling ... the young gentlemen especially but including the young lady' (jondaly cited in Simpson 2013) and another 'dang, 16 and a history of drinking. The parents should be put up on charges next' (Michael C Marr cited in Simpson 2013). These comments mirror findings by researchers that research participants would hold the victim partially accountable for the rape if she was considered to be drunk of her own accord (Finch and Munro 2005). Of survey respondents in one poll, 41 per cent thought a victim was partially responsible for their victimisation if they had been drinking (Leahy 2014: 24). Likewise, the online community may exonerate the perpetrators as the digital evidence

provides 'proof' that the victim was deserving of their rape due to her intoxication (Boux and Daum 2015: 182).

Although KnightSec had initially focused on wanting to shame the perpetrators, many of the tweets coming from their Twitter account @Op\_RollRedRoll was about corruption in Steubenville. As Rentschler (2014: 66) notes, Anonymous is defined by 'male, geek-identif[y]ing cultures of coding and hacking' rather than 'feminist activism'. While some claimed that Anonymous and KnightSec were involved in 'feminist h/ac(k)tivism' (Woods 2014), looking through the Twitter feed of @Op\_RollRedRoll, indicates a focus on seeking resignations from the police force, mayoral office, school board and the football team, with the voice of the victim and other victims of sexual assault missing. Although the four adults that KnightSec targeted on allegations of corruption were investigated, charges against them were dismissed.<sup>5</sup> As Woods (2014: 1097) articulates, an issue with hacktivism in a rape case like the one in Steubenville is that the hackers and their followers very quickly redirect their attention to other causes; challenging rape culture is not their focus.

Rather than receiving a trial by traditional media, Mays, Richmond, the victim and Steubenville were tried by social media. Social media activists were highlighting how central and important reputation was considered to be by the sport teams, communities and the male perpetrators. Those supporting Steubenville's football team, and Mays and Richmond, were similarly conscious of the effects that allegations would have on their reputations and framed their responses around how young these men were to have their lives ruined by a criminal trial when they were being unfairly prosecuted. The traditional media in this case also employed the same rape myths as social media responses, especially around how this was normal behaviour for young men. *ABC News* chose to focus on how the events were 'every parent's worst nightmare', for the perpetrators' parents, and *NBC News* was also interested in the 'promising careers' that would be ruined by the court case (Strasser and Culp-Ressler 2013). The Associated Press and *USA Today* framed the story of the young men as happening within an 'all-night party' where the victim was an underage drinker (Strasser and Culp-Ressler 2013). Comments such as these recreated the myth that 'boys will be boys' acting in a moment of youthful passion while the victim was inviting the rape by drinking alcohol.

The use of online attacks like KnightSec's against perceived guilty individuals before a trial began has been shown to have profound effects against other individuals or members of the community in the offline world (Awan 2014). This unrivalled social media attention on criminal cases also results in the public learning details about a case before it ever gets to trial (whether true or unsubstantiated) that can exacerbate the issues associated with investigating and having a sexual assault case tried in court. That the situation in Steubenville unfolded online was a challenge to the traditionally accepted notions that rape happens secretly, between one perpetrator and one victim, with little evidence other than DNA. While social media was used to challenge the secrecy associated with sexual assault disclosure, the narratives created by individuals engaging with this story in the online space often reproduced popular rape myths regarding the blameworthiness of the victim and rationalisation of the perpetrators' actions.

### ***Rolling Stone* and sexual assaults at UVa**

A story describing the 'brutal' gang rape of a young college woman only identified as Jackie was published on *Rolling Stone* (*RS*) magazines website on 19 November 2014 (and later in print). 'A Rape on Campus' was written by Sabrina Rubin Erdely (2014), a journalist who had written and published in *RS* since 2008. The article outlined events that allegedly occurred one night in September 2012 at the University of Virginia (UVa) when Jackie went to a *Phi Kappa Psi* fraternity party with a third-year *Phi Kappa Psi* brother identified as Drew. Jackie claimed that she had been gang-raped by seven men while two others, including Drew, gave instructions and encouraged the assault to continue. Negative social media and critical commentary led *RS* to commission the



*Columbia Journalism Review* (Coronel, Coll and Kravitz 2015) to investigate Erdely's (2014) and *RS*'s reporting practices in the lead up to the story's publication. In conjunction with a police investigation, it was soon discovered that Jackie's allegations of a gang rape were false, although police investigators did note that they were of the opinion that Jackie was the victim of a serious sexual assault but she was unwilling to disclose more information to them. The story was consequently retracted by the magazine. The outcome of the investigations and *RS*'s retraction could be used to establish the truth in the rape myth that the majority of rape allegations are false which was the most prevalent rape myth circulating on social media prior to the article being pulled. Erdely's reporting of Jackie's story was troubling in itself, as it had chosen to focus on an alleged multi-perpetrator rape as a means of drawing attention to sexual assaults on college campuses. Erdely's (2014) report for a print magazine that also has an online presence re-enacted the issue that 'old' media outlets have a preference for sexual assaults that are sensational and out of the ordinary, in turn skewing the reading audience's understanding of sexual assaults (Franiuk et al. 2008).

Within a few weeks of the *RS* story, an online article by T Rees Shapiro (2014) for the *Washington Post*, and a blog post from a journalist Richard Bradley (2014) disputed the *RS* story. Shapiro and Bradley were critical of the events as presented by Erdely (2014) because they required a suspension of disbelief. Their disbelief stemmed from how they imagined a rape would be perpetrated. Jackie's story did not follow the traditionally accepted narrative of who rape happens to, who perpetrates it, where and how.

Shapiro's article (2014), focused on Jackie's inconsistent storytelling about previous dates and potential boyfriends, and Jackie's friends who questioned the veracity of the claims. That Jackie's friends did not support her version of events led to the article questioning her truthfulness. Although Erdely's (2014) article was about the broader culture of rape and violence against women at UVa (and other college campuses around the US), Shapiro's focus on Jackie alone served to legitimise the belief that women's disclosures of sexual assault cannot be believed. The use of friends to disprove an allegation of rape has been suggested to have a negative effect on the reader. Anderson and Lyon (2005) argue that the public will blame a victim who lacks peer or social support more than a supported victim. Likewise, negative social reactions toward rape victims reduce perpetrator blame and reduce the willingness of individuals to support rape victims more broadly (Brown and Testa 2008: 496). The spread within networks of attitudes, emotions or ideas until they are seen as collective behaviour (known as social contagion theory) is, according to (McFarland and Ployhart 2015), enhanced by social media. Further, the spread of negative responses to sexual assault in an online environment could prevent victim supportive attitudes from being communicated in online spaces, effectively silencing individuals who do not adhere to rape myths.

As opposed to Shapiro (2014), Bradley (2014) notes that he was looking at the *RS* article with a 'different set of eyes—not the eyes of a man or a woman, but those of a magazine editor who has seen fakes [false allegations of rape] before'. The four imprecisions with Erdely's reporting, according to Bradley (2014), were: Jackie was never identified; the three friends who Jackie approached for help were not named or interviewed; the accused Drew was never interviewed and Erdely did not learn of his identity till after the article was published; and, finally, the story of a pre-meditated gang-rape was such a 'terrible story—so terrible that, if it weren't for the power of our pre-existing biases, we would be hard-pressed to believe it'. These identified points are more subtle in their employment of the false allegations myth but may indicate that Bradley's perceptions of the story were coloured by rape myth acceptance.

Bradley's readers created 471 responses, with the majority of commentators who gave details of their identity identifying as male. The commentators (according to their comments) generally believed: the rape was so completely unbelievable that it was surprising the story was ever published; the article was rushed out in order to benefit from the recent media attention being

paid to celebrity sexual assault such as the allegations against Bill Cosby; or all allegations of rape are false. For Bradley's readers, Jackie (and by extension, all but 'legitimate' sexual assault survivors) served to legitimise the myth of women's unreliability and disclosures of sexual assault for those who held beliefs consistent with this myth.

There was a recurring implication in the responses to Bradley's post which was similar to those circulating in Steubenville that the real victims of rape are the men who are accused. However, other users asked questions about the events as reported by Erdely (2014) such as 'it was pitch dark, yes? So how did the other frat brothers see that she bit her date's hand? And how did she know it was a beer bottle [that was used to penetrate her]?' (Felix M). Some were willing to believe the victim but not the telling of the events; for example, one user asked: 'did the author exaggerate in her telling? Perhaps'. Additional comments were similar to Martin J's: 'I speculate that this story has some truth to it heavily embellished by the author's sources and not by the author herself'. These appeared to be the ones who tried to investigate Jackie's (and Erdely's) narrative for inconsistencies to discover the 'truth' through sleuthing. Trying to find inconsistencies with a victim's story is often used as evidence of a false allegation even though it is well established that narratives of crime victimisation (not just of sexual assault) do not always follow an accepted narrative structure or logical consistency (Quadara 2008).

The narrative about rape allegations throughout almost all online comments in response to Bradley's (2014) piece questioned the validity of women's reporting of sexual assault, and argued that women fantasised about multiple perpetrator sexual assault, often consented to sexual activities with multiple men but only began to view the actions as sexually violent after having spoken to feminists who would then convince them that they had been raped. Comments from users were similar to the following, which argued 'the universities are infested by feminist enthusiasts ... not only is there no "culture of rape" at the campuses, but there could not possible be such a thing. It only exist [sic] in the sick fantasy of the feminist maddogs foaming at their mouths looking for someone to bite' (jimbojones). Several commentators expressed beliefs akin to 'what no one wants to discuss is how the Rolling Stone narrative is indistinguishable from kink (dot) com and James Deen gangbang porn—and, crucially, how this kind of sexual fantasia drives such hysterical lies' (Anon.). The concern of service providers about the future effects this specific case would have on justice for rape survivors (Reese 2014) appears to be somewhat supported by research evidence into rape myth acceptance. The legal profession sees the jury as the problem with the way rape cases are tried, with juries being seen as a barrier to convictions (Krahé and Temkin 2013: 303), and rape myth acceptance and stereotypical beliefs about rape being especially problematic in juries (Bohner et al. 2013; Finch and Munro 2005; Krahé and Temkin 2013: 304). Individuals who score high on rape myth acceptance have been demonstrated to carry their prejudices with them into their deliberations about a rape case and 'are disinclined to judge these situations on the basis of facts alone' (Krahé and Temkin 2013: 304). Commentators to Bradley's post expressed beliefs consistent with rape myths acceptance about false allegations of rape. The outcome of Jackie's case in early 2014 would therefore have the effect outlined in the discussion of the Steubenville case: it would serve to legitimise rape myths for those who accepted them, teach them to those who did not have them and trigger them in people who were looking for a reason to use them (Franiuk et al. 2008:798).

## Conclusions

Social media narratives about high-profile sexual assault cases have been illustrated to legitimise or re-create rape myths when they are coming from commentators on social media, below-the-line comments to news articles or in blogs. Rape myth acceptance makes it difficult to gain convictions in sexual assault cases and, with people's continued active engagement in the construction of sexual violence narratives online, it may continue to be difficult to counter rape myth acceptance. Responding appropriately to rape myth acceptance requires society-wide education about rape. It is too late to attempt to counter public acceptance of rape myths once

people are serving on a jury. Previous exposure to and employment of rape myths corresponds to an increased likelihood that a jury member will be lenient with a perpetrator. Likewise, victims who perceive wide acceptance of rape myths will be unlikely to report their victimisation to the authorities. The changes in how individuals interact with their news and criminal cases via social media raises questions about the effect this will continue to have on the criminal justice system.

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<sup>1</sup> As Mays and Richmond were tried as juveniles their records are not accessible. Analysis in this article, and in other academic papers, has turned to media sources to gain insight into the trial proceedings. Blog posts from Goddard's site related to the Steubenville rape case are collected at <http://prinniefied.com/wp/category/steubenville-ohio-gang-rape-case/>. The first blog post dealing with the Steubenville case was posted on 23 August 2012 ('Big Red Players Accused of Rape and Kidnapping' <http://prinniefied.com/wp/2012/08/23/steubenville-high-school-gang-rape-case-firs/>) and has continued through to 2 March 2017 ('Lostutter Sentencing Memorandum & A Dose of Truth: Deric Lostutter LIED' <http://prinniefied.com/wp/2017/03/03/lostutter-sentencing-documents-a-dose-of-truth-deric-lostutter-lied/>)

<sup>2</sup> Below-the-line commenting refers to comments made by readers online below the end of the article.

<sup>3</sup> A public message including personal details such as names, addresses, and social security numbers.

<sup>4</sup> Unfortunately this has been removed from the site due to a court case and the resulting requirement that the article be removed but this was the date of the original post.

<sup>5</sup> Deric Lostutter (one of the hackers behind KnightSec) himself was arrested, tried and imprisoned for his hacking. Lostutter's (and KnightSec's) actions have been criticised for ignoring the victim of the case and focusing on building his notoriety.

## References

- Albury K and Crawford K (2012) Sexting, consent and young people's ethics: Beyond Megan's story. *Continuum* 26(3): 463-473. DOI 10.1080/10304312.2012.665840.
- Anderson I and Lyons A (2005) The effect of victims' social support on attributions of blame in female and male rape. *Journal of Applied Social Psychology* 35(7): 1400-1417. DOI 10.1111/j.1559-1816.2005.tb02176.x.
- Australian Institute of Family Studies (2012) *Reporting on Sexual Assault* Available at <https://aifs.gov.au/media-centre/reporting-sexual-assault/export> (accessed 1 April 2015).
- Awan I (2014) Islamophobia and Twitter: A typology of online hate against Muslims on social media. *Policy & Internet* 6 (2): 133-150. DOI: 10.1002/1944-2866.POI364.
- Baker KJM (2012a) Anonymous outs members of alleged Steubenville High School 'rape crew'. *Jezebel*, 24 December. Available at <http://jezebel.com/5970975/anonymous-outs-members-of-alleged-steubenville-high-school-rape-crew> (accessed 28 April 2015).
- Baker KJM (2012b) We wouldn't know about the Steubenville rape case if it wasn't for the blogger who 'complicated' things. *Jezebel*, 17 December. Available at <http://jezebel.com/5969076/we-wouldnt-know-about-the-steubenville-rape-case-if-it-wasnt-for-the-blogger-who-complicated-things> (accessed 28 April 2015).
- Blackham A and Williams G (2013) Australian courts and social media. *Alternative Law Journal* 38 (3): 170-175.
- Bohner G, Eyssel F, Pina A, Siebler F and Viki GT (2013) Rape myth acceptance: Cognitive, affective and behavioural effects of beliefs that blame the victim and exonerate the

- perpetrator. In Horvath MAH and Brown J (eds) *Rape: Challenging Contemporary Thinking*: 17-45. Hoboken, New Jersey: Taylor and Francis.
- Bohner G, Danner UN, Siebler F and Samson GB (2002) Rape myth acceptance and judgements of vulnerability to sexual assault: An Internet experiment. *Experimental Psychology* 49 (4): 257-269. DOI: 10.1026//1618-3169.49.4.257.
- Boux HJ and Daum CW (2015) At the intersection of social media and rape culture: How Facebook postings, texting and other personal communications challenge the 'real' rape myth in the criminal justice system. *Journal of Law, Technology and Policy* 2015 (1): 149-198. Available at [http://illinoisjlt.com/journal/wp-content/uploads/2015/02/Daum&Boux\\_AuthorRevisions\\_10-23-14.pdf](http://illinoisjlt.com/journal/wp-content/uploads/2015/02/Daum&Boux_AuthorRevisions_10-23-14.pdf) (accessed 28 April 2017).
- Bradley R (2014) Is the *Rolling Stone* story true? *Shots in the Dark*, 24 November. Available at <http://www.richardbradley.net/shotsinthedark/2014/11/24/is-the-rolling-stone-story-true/> (accessed 28 April 2015)
- Brown AL and Testa M (2008) Social influences on judgements of rape victims: The role of negative and positive social reactions of others. *Sex Roles* 58: 490-500. DOI: 10.1007/s11199-007-9353-7
- Burt M (1980) Cultural myths and supports for rape. *Journal of Personality and Social Psychology* 38 (2): 217-230. DOI: 10.1037/0022-3514.38.2.217.
- Coronel S, Coll S and Kravitz D (2015) *Rolling Stone's* investigation: 'A failure that was avoidable'. *Columbia Journalism Review*, 5 April. Available at [http://www.cjr.org/investigation/columbia\\_journalism\\_school\\_rolling\\_stone.php](http://www.cjr.org/investigation/columbia_journalism_school_rolling_stone.php) (accessed 6 April 2015)
- Duncanson K (2013) Community beliefs and misconceptions about male sexual assault. *ACSSA Resource Sheet* No. 7. Melbourne: Australian Institute of Family Studies. Available at <https://aifs.gov.au/publications/community-beliefs-and-misconceptions-about-male-sexual-assault> (accessed 28 April 2017).
- Ellison L and Munro VE (2009) Reacting to rape: Exploring mock jurors' assessments of complainant credibility. *British Journal of Criminology* 49: 202-219. DOI:10.1093/bjc/azn077.
- Erdely S (2014) A rape on campus: A brutal assault and struggle for justice at UVA. *Rolling Stone*, 19 November. Available at <http://genius.com/Sabrina-rubin-erdely-a-rape-on-campus-a-brutal-assault-and-struggle-for-justice-at-uva-annotated> (accessed 15 June 2015).
- Finch E and Munro VE (2005) Juror stereotypes and blame attribution in rape cases involving intoxicants: The findings of a pilot study. *British Journal of Criminology* 45: 25-38. DOI: 10.1093/bjc/azh055.
- Finch E and Munro VE (2006) Breaking boundaries? Sexual consent in the jury room. *Legal Studies* 26 (3): 303-320. DOI: 10.0000/j.1748-121X.2006.00023.x.
- Flood M (2008) Men, sex, and homosociality: How bonds between men shape their sexual relations with women. *Men and Masculinities* 10(3): 339-359. DOI: 10.1177/1097184X06287761.
- Franiuk R, Seefeldt JL and Vandello JA (2008) Prevalence of rape myths in headlines and their effects on attitudes towards rape. *Sex Roles* 58: 790-801. DOI: 10.1007/s11199-007-9372-4.
- Fraser C (2015) From 'Ladies first' to 'Asking for it': Benevolent sexism in the maintenance of rape culture. *California Law Review* 103(1): 141-203. Available at <http://scholarship.law.berkeley.edu/californialawreview/vol103/iss1/4> (accessed 30 April 2015).
- Goddard A (2012) Steubenville Ohio Rape Case. *Prinnified.com*. Available at [www.prinnified.com/wp/](http://www.prinnified.com/wp/) (accessed 18 April 2017).

- Gray JM (2006) Rape myth beliefs and prejudiced instructions: Effects on decisions of guilt in case of date rape. *Legal and Criminological Psychology* 11: 75-80. DOI: 10.1348/135532505X68250.
- Greer C (2003) *Sex Crime and the Media: Sex Offending and the Press in a Divided Society*. Uffclume, England: Willan Publishing.
- Grubb A and Turner E (2012) Attribution of blame in rape cases: A review of the impact of rape myth acceptance, gender role conformity and substance use on victim blaming. *Aggression and Violent Behaviour* 17(5): 443-452. DOI: 10.1016/j.avb.2012.06.002.
- Habermas J (1989) *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*. Cambridge, England: Polity Press.
- Henry N and Powell A (2015) Embodied harms: Gender, shame and technologically facilitated sexual violence in cyberspace. *Violence Against Women* 21(6): 758-779. DOI:10.1177/1077801215576581.
- Kirtley JE (2011) Not just sloppy journalism, but a profound ethical failure: Media coverage of the Duke Lacrosse case. In Wasserman HM (ed.) *Institutional failures: Duke Lacrosse, Universities, the media and the legal system*: 147-165. Surrey, England: Ashgate.
- Kitzinger J (2013) Rape in the media. In Hovarth MAH and Brown J (eds) *Rape: Challenging Contemporary Thinking*: 74-97. Hoboken, New Jersey: Taylor and Francis.
- Krahé B and Temkin J (2013) Addressing the attitude problem in rape trials: Some proposals and methodological considerations. In Horvath, MAH and Brown J (eds) *Rape: Challenging Contemporary Thinking*: 301-321. Hoboken, New Jersey: Taylor and Francis.
- Law M (2012) Teen rape case moves forward. *Herald Star*, 13 October. Available at <http://www.heraldstaronline.com/page/content.detail/id/578936/Teen-rape-case-moves-forward.html?nav=5010> (accessed 29 April 2015).
- Leahy S (2014) Bad laws or bad attitudes? Assessing the impact of societal attitudes upon the conviction rate for rape in Ireland. *Irish Journal of Applied Social Sciences* 14(1): 18-29. Available at <http://arrow.dit.ie/ijass/vol14/iss1/3/> (accessed 28 April 2017).
- McFarland LA and Ployhart RE (2015) Social media: A contextual framework to guide research and practice. *Journal of Applied Psychology* 100(6): 1653-1677. DOI: 10.1037/a0039244.
- Margolis M and Moreno-Riano G (2009) *The Prospect of Internet democracy*. Farnham: Ashgate.
- Mullin C, Imrich DJ and Linz D (1996) The impact of acquaintance rape stories and case-specific pretrial publicity on juror decision making. *Communication Research* 100: 100-135. DOI: 10.1177/009365096023001004.
- Nurka C (2013) Shame and disgrace in Australian football culture: Rape claims and public affect. *Women's Studies International Forum* 38: 43-51. DOI: 10.1016/j.wsif.2013.02.003.
- O'Hara S (2012) Monsters, playboys, virgins and whores: Rape myths in the news media's coverage of sexual violence. *Language and Literature* 21(3): 247-259 DOI: 10.1177/0963947012444217.
- Page AD (2010) True colors: Police officers and rape myth acceptance. *Feminist Criminology* 5(4): 315-334. DOI: 10.1177/1557085110384108.
- Page RE (2013) *Stories and Social Media: Identities and Interaction*. Hoboken: Taylor and Francis.
- Parkinson D (2010) Supporting victims through the legal process: The role of sexual assault service providers. *ACSSA Wrap*, No. 8. Melbourne, Victoria: Australian Institute of Family Studies. Available at <https://aifs.gov.au/publications/supporting-victims-through-legal-process> (accessed 28 April 2017).
- Pew Research Center (2014) *Social Networking Fact Sheet*. Available at <http://www.pewinternet.org/fact-sheets/social-networking-fact-sheet/> (accessed 1 May 2015).

- Prichard J, Watters P, Krone T, Spiranovic C and Cockburn H (2015) Social media sentiment analysis: A new empirical tool for assessing public opinion on crime? *Current Issues in Criminal Justice* 27(2): 217-236.
- Quadara A (2008) Responding to young people disclosing sexual abuse: A resource for schools. *ACSSA Wrap*, No. 6. Melbourne, Victoria: Australian Institute of Family Studies. Available at <https://aifs.gov.au/publications/responding-young-people-disclosing-sexual-assault> (accessed 28 May 2017).
- Rentschler CA (2014) Rape culture and the feminist politics of social media. *Girlhood Studies* 7(1): 65-82. DOI: 10.3167/ghs.2014.070106.
- Saco D (2002) *Cybering Democracy: Public Space and the Internet*. Minneapolis, Minnesota: University of Minnesota Press.
- Salter M (2013) Justice and revenge in online counter-publics: Emerging responses to sexual violence in the age of social media. *Crime, Media, Culture* 9(3): 225-242. DOI: 10.1177/1741659013493918.
- Salter M (2016) Privates in the online public: Sex(ting) and reputation on social media. *New Media & Society* 8(11): 2723-2739. DOI: 10.1177/1461444815604133
- Sela-Shayovitz R (2015) They are all good boys. *Feminist Media Studies* 15(3): 411-428. DOI: 10.1080/14680777.2014.993675
- Shariff S (2015) *Sexting and Cyberbullying: Defining the Line for Digitally Empowered Kids*. New York: Cambridge University Press.
- Shapiro TR (2014) U-Va. students challenge *Rolling Stone* account of alleged sexual assault. *Washington Post*, 10 December. Available at [http://www.washingtonpost.com/local/education/u-va-students-challenge-rolling-stone-account-of-attack/2014/12/10/ef345e42-7fcb-11e4-81fd-8c4814dfa9d7\\_story.html](http://www.washingtonpost.com/local/education/u-va-students-challenge-rolling-stone-account-of-attack/2014/12/10/ef345e42-7fcb-11e4-81fd-8c4814dfa9d7_story.html) (accessed 29 April 2015).
- Simpson C (2013) The Steubenville victim tells her story *The Wire*, 16 March. Available at <http://www.thewire.com/national/2013/03/steubenville-victim-testimony/63192> (accessed 1 September 2015).
- Smolkin R (2011) Justice delayed. In Wasserman HM (ed.) *Institutional Failures: Duke Lacrosse, Universities, the Media and the Legal System*: 131-146. Surrey, England: Ashgate.
- Strasser AR and Culp-Ressler T (2013) How the media took sides in the Steubenville rape case. *ThinkProgress*, 18 March. Available at <http://thinkprogress.org/health/2013/03/18/1732701/media-steubenville/> (accessed 1 September 2015).
- Ullman SE (1996) Correlates and consequences of adult sexual assault disclosure. *Journal of Interpersonal Violence* 11(4): 554-572. DOI: 10.1177/088626096011004007.
- Wall L and Tarczon C (2013) True or false? The contested terrain of false allegations. *ACSSA Research Summary* No 4. Melbourne, Victoria: Australian Institute of Family Studies. Available at <https://aifs.gov.au/publications/true-or-false-contested-terrain-false-allegations> (accessed 28 April 2017).
- Wall L and Quadara A (2014) Under the influence? Considering the role of alcohol and sexual assault in social contexts. *ACSSA Issues* No. 18. Melbourne, Victoria: Australian Institute of Family Studies. Available at <https://aifs.gov.au/publications/under-influence> (accessed 28 April 2017).
- Woods HS (2014) Anonymous, Steubenville, and the politics of visibility: Questions of virality and exposure in the case of #OPRollRedRoll and #OccupySteubenville. *Feminist Media Studies* 14(6): 1096-1098. DOI: 10.1080/14680777.2014.975439.