



## Was he asking for it?

Harper's Magazine carried an item from the American Bar Association Journal declaring that few rapists are punished for their crime: approximately one in ten rapists is reported and only one out of eight reported rapes ends in conviction (*note: undated statistics*). In a dialogue to demonstrate why most rape victims prefer not to press charges, the article asks us to imagine a robbery victim undergoing the same sort of cross-examination that a rape victim does:

"Mr. Smith, you were held up at gunpoint on the corner of First and Main?"

"Yes."

"Did you struggle with the robber?"

"No."

"Why not?"

"He was armed."

"Then you made a conscious decision to comply with his demands rather than resist?"

"Yes."

"Did you scream? Cry out?"

"No. I was afraid."

"I see. Have you ever been held up before?"

"No."

"Have you ever *given* money away?"

"Yes, of course."

"And you did so willingly?"

Well, let's put it like this. You've given money away in the past. In fact you have quite a reputation for philanthropy. How can we be sure you weren't *contriving* to have your money taken by force?"

"Listen, if I wanted..."

"Never mind. What time did this holdup take place?"

"About 11p.m."

"You were out on the street at 11pm.? Doing what?"

"Just walking."

"Just walking? You know it's dangerous being out on the street that late at night. Weren't you aware that you could have been held up?"

"I hadn't thought about it."

"What were you wearing?"

"Let's see- a suit. Yes a suit."

"Was it expensive?"

"Well- yes. I'm a lawyer, you know."

"... So... if we didn't know you better, Mr. Smith, we might think that you were *asking* for this happen, mightn't we?"