

An Analysis of Rape Incidents in Metro Manila

**FILOMIN A. CANDALIZA
RICARDO M. ZARCO**

Ang pananaliksik na ito ay nagsuri sa krimeng panggagahasa at ang kontekstong panlipunan nito. Ang katangian ng mga biktima at ng mga mang-aabuso at ang kanilang relasyon o ugnayan sa isa't-isa ay pinag-aralan sa pamamagitan ng *victimological approach*.

Napag-alaman na ang karamihan ng mga biktima ay bata habang ang mga mang-aabuso naman ay higit na nakakatanda. Ang karamihan sa mga biktima at mang-aabuso ay mula sa nakabababang uri; karamihan sa mga biktima ay kilala ng kanilang mang-aabuso. Malaking porsiyento ang may malapit na ugnayan sa isa't-isa bilang magkapamilya, magkasambahay o miyembro ng iisang komunidad. Ang ugnayan ng biktima at mang-aabuso ay may kinalaman sa ilang aspeto ng panggagahasa tulad ng edad ng biktima, pagkakaulit ng insidente, at katagalan ng pagsuplong ng krimen. Ang paggamit ng dahas ay kaugnay sa di-paglaban ng biktima.

Ang panggagahasa ay isang pang-aabuso ng kapangyarihan. Ipinahihiwatig ng mga datos na ang panggagahasa ay bunga ng plano kung saan pinipili ang biktimang tiyak ang kahinaan: mura ang edad, mahirap at may mababang katayuan sa pamilya o pamamahay.

While rape is a much discussed topic nowadays, documentation and research on it lag behind. This study attempts to provide answers which transcend common speculation and conjecture as well as to answer fundamental questions on rape: who gets raped; who rapes; what are social characteristics of the victim and offender; what social backgrounds do they come from; in what social context do persons become victims or perpetrators; is rape a crime of power?

It adopted a **victimological approach** wherein characteristics of victim and offender and their relationship are the key variables studied. Victimology, as initially systematized by Hans Von Hentig¹, is a framework which examines the victim-offender relationship in understanding the dynamics of the crime. This perspective converges with Marvin Wolfgang's approach which outlines crime patterns by determining the characteristics of the victim and offender, their backgrounds, the relationship between them and the circumstances surrounding the crime.²

Menachem Amir did a pioneer study on rape in 1971³ where the victimology framework proved useful in analyzing police-gathered data. While consequent studies on rape proceeded to tap other data sources for depth, the analysis of victim-offender relationship remained central in their studies.

Emerging discussions on rape focus on the power relations between males and females in rape incidents (Brownmiller, 1975; Renner, et al., 1989; Yurchesyn, 1991). As the victimological approach looks into the characteristics of the victim and the offender, their relationship and the circumstances surrounding the crime, an examination of the power relations between victim and offender in a stratified society is realized. This approach can also inquire into elements of Filipino culture which may significantly explain rape.

¹see, for example, Hans Von Hentig, *The Criminal and His Victim*, (New Haven, Conn.: Yale University Press, 1948).

²see Marvin Wolfgang, "Victim Precipitated Criminal Homicide", *Classics of Criminology*, ed. J. Jacoby, (Illinois: Moore Publishing Company, 1979).

³Menachem, Amir, *Patterns of Forcible Rape*. (Chicago: University of Chicago Press, 1971).

More specifically, the approach (1)compares the ages and socioeconomic statuses of victims and offenders (2)ascertains their degree of familiarity with or control over the place of the incident and (3)verifies the association between or among variables such as victim-offender relationship, reporting interval, the number of times the victim was raped, type of rape, mode of intimidation by the offender and victim's reaction.

Data Source

A total of 178 rape cases from two sets of files of two of the largest police stations in Metro Manila were examined. One set of 80 cases from the Central Police District in Quezon City covered the period of August 1986 to February 1991. Another set of 98 cases from the Western Police District in Manila covered the period of January 1989 to August 1991.

The police records contained investigation reports by the attending officer. Often, it was accompanied by a sworn statement by the victim herself, her parents or guardian. A report included the name, address, other personal data on the victim and the offender (if known or under police custody), the place and the time of the occurrence. A sworn statement had a record of the interview of the victim by a police officer concerning the event, how the rape was carried out and how she reacted to the assault. Occasionally, a medico-legal report was appended to the complaint. Some reports also included an Affidavit of Desistance.

Research Limitations

The very nature of rape as a private crime makes it a difficult subject to investigate. Unless reported to the police or to crisis centers, it may never be publicly known. Thus, several limitations have to be taken into account.

First, the study is limited to the analysis of secondary data obtained from police records. Second, the study does not look at the psychological background of the victims and offenders; third, it excludes rape-murders, attempted rape and forms of sexual harassment; fourth, it includes female victims only since the legal definition of rape⁴ is exclusive to females and cases of sexual abuse of males were not inquired into; fifth, it is victim-oriented with the side of the offender left unexplored as a consequence. The primary limitation is that of possible selection bias due to underreporting. Selection bias is also probably reflected in the lack of reported rape cases among higher income groups. Another limitation is that the study could not look into the psychological aspects of the situation such as the mind-set of the offender or how the victim interpreted and coped with the painful experience.

Findings

Characteristics of the victim

Age. Rape victims are generally young, with more than half children below 18 years of age. The mean age was 16 with a standard deviation of 5.13 years; the youngest victim was 2 years old and the oldest was 32 years old. The age of victims is normally distributed within this range with a concentration at ages 11 to 21 years

⁴Article 335 of The Revised Penal Code of the Philippines defines rape as a crime against chastity distinct from other forms of sexual abuse such as attempted rape, acts of lasciviousness, and qualified and simple seduction. When and how rape is committed involves the following elements: (a) Offender had carnal knowledge of a woman; (b) Such act was committed under any of the following circumstances: (1) By using force or intimidation; or (2) When the woman is deprived of reason or otherwise unconscious; or (3) When the woman is under 12 years of age. The optimum penalty for rape was amended from reclusion perpetua to death by the 1993 Death Penalty Law.

Socioeconomic Status. Most of the victims came from the lower class (80%) with 13% from the upper-lower class. Only a few came from the middle class (7%), and none from the upper class. All in all, some 93% were from the lower classes.

Characteristics of the Offender

Age. Offenders are much older than their victims. The data show a mean age of 30 years and a relatively high standard deviation of 11.41 years. The age range of offenders is wider than that of the victims, (14 years to 77 years).

Socioeconomic Status. About four in ten (42%) offenders were from the lower class and three in ten (32%) from the upper-lower class. Together, these offenders comprised 74% of the cases. Offenders from the middle class represented 24% of the sample with a mere 2% identified as upper class.

Relation between the victim and the offender

The majority of rape incidents involved persons with previous social interaction, were related or knew each other well. 88% of the offenders were known to the victim while 12% were strangers. Table 1 presents a list of the specific relationships between victim and offender.

Most of the time, victim and offender had a previous close interaction as members of the same family, household, neighborhood, or community. Table 1.A summarizes the specific relationships into cumulative relationship categories.

Socioeconomic Statuses of Victims and Offenders

When matched against each other, victims and offenders were of the same socioeconomic status in 49% of total cases. Victims and offenders differed in their socio-economic standing in 51% of all cases. A majority had offenders of higher socioeconomic status than their victims (46%) while 4% involved victims of higher status than their offenders. A one-

Table 1. Relation of offender to victim

VICTIM- OFFENDER RELATION	f	%
1. FATHER /STEPFATHER Biological father (11) Stepfather (6) Adoptive father (1)	18	10.40%
2. RELATIVE uncle (7) cousin (6) cousin-in-law (1) brother-in-law (1) half-brother (2) brother by adoptive parents (1) distant relative (2)	21	12.14%
3. EMPLOYER (with housemaid as victim) Victim's direct employer (12) Brother of employer (3) Son of Employer (3) Relative of Employer (2)	20	11.56%
4. MEMBER OF SAME HOUSEHOLD (not kin nor employer)	13	7.51%
5. FAMILY HOUSEBOY/EMPLOYEE	3	1.73%
6. NEIGHBOR	24	13.87%
7. BOYFRIEND /SUITOR / EX-BOYFRIEND	12	6.94%
8. CO-EMPLOYEE/WORKER	6	3.47%
9. FRIEND	3	1.73%
10. ACQUAINTANCE (25) Brief Acquaintance (8)	33	19.08%
11. STRANGER	20	11.56%
TOTAL	173	100.00%

Table 1.A. Relation of victim and offender

VICTIM-OFFENDER RELATION		f	%
0	NON-INTERACTORS (stranger)	20	11.56%
1	OCCASIONAL INTERACTORS (neighbor, co-worker, acquaintance)	62	36.42%
2	CLOSE INTERACTORS (co-household member, employer, family employee, friend, boyfriend, suitor, ex-boyfriend)	51	29.48%
3	KIN (father, stepfather, uncle, relative)	39	22.54%
TOTAL		172	100.00%

* with 3 degrees of freedom, $\chi^2 = 22.58$, significant at 0.01

way chi-square test yielded a significant difference between the socioeconomic status of victim and offender ($\chi^2 = 22.56$, $p = 0.01$, 2 *df*). Thus, offenders come from the various socioeconomic classes, with the majority from the lower class. Victims, on the other hand, clustered within the lower class.

Victim-offender Relationship and Age of Victim

The victim's average age varied according to the different relation categories. Very young victims were mainly found in incest rape cases while victims tended to be older in other categories.

Victim-offender Relation by Number of Times Victim was Raped

It seems that the relationship between victim-offender affected the number of times the victim was raped. Victimization was likely to be repeated by the same offender in cases of closer victim-offender relation.

Among incest cases, 71% were repeated abuses—the highest incidence of repeated abuse among all relation categories. This figure drops to only 24% of repeated cases when both were acquaintances. No prolonged or repeated abuses were indicated in stranger rape cases. Rather, situations

of repeated assault or penetration by stranger offenders were carried out by offenders who abducted, detained and abused the victim over a relatively shorter time interval. Thus, stranger rape is typically a single attack that is rarely repeated unless the victim is held captive for a period of time.

More prolonged victimization and abuse takes place in the incest and close interactor group. An observation that complements this finding is that the time interval between the dates of the incident and its report also varied along different relation categories.

Victim-offender Relation by Reporting Interval

The interval between the rape and the filing of a police report increased, the closer the relation between victim and offender. The highest number of delayed reports was found in incest cases. A closer examination of police reports revealed that some incest abuses were reported after a year or even up to 5 years from the date of the first abuse. In contrast, cases involving strangers as offenders were the earliest reported with all incidents reported within a week.

The closer the victim-offender relationship, the greater the tendency to delay the reportage. Incest rape is reported very much later; stranger rape which is often a single occurrence is reported without delay. This finding complements the earlier observation that the closer the relationship, the more frequent the abuse.

Place of the Incident

Most of the incidents took place in an environment familiar to either victim, offender, or to both. The highest proportion of incidents (29%) took place within the offender's territory where he had control over the circumstances; the second highest proportion of incidents (21%) took place within

both victim and offender's territory. The latter figure consisted of incest and co-household member abuses. The smallest figure (9%) consisted of episodes that took place within the victim's territory where control over the circumstances or environment was held by the victim. Cases which occurred in "neutral" surroundings comprised 40% of the 178 cases. These cases involved hotels/motels, a third party residence that belonged neither to the victim nor to the offender and isolated places.

Mode of Intimidation or Use of Weapon

Of the 179 cases examined, only 140 report files mentioned the mode of intimidation used by the offender.

There is a tendency for offenders to be armed with a weapon or device to intimidate the victim.

More than half of the attackers employed weapons or other devices in intimidating the victim (54%). The most common weapons used included: bladed weapon (33%), gun (10%), drug (8%), rope, etc. for tying/gagging (3%), and blunt object (less than 1%). In the remaining 46%, the offender intimidated the victim by way of physical strength but without the use of a weapon.

An offender may use more than one mode of intimidation such as, a gun and drugs. In such instances, the more powerful device was given priority in the tabulation. Unarmed assailants intimidated their victims with fist blows and kicks, physical force which they used to pin down the victim and rip off her clothes, and threats of harm and death.

Victim-offender Relation and Mode of Intimidation

Of the relation categories, stranger offenders are the most likely to be armed. Kin and close interactors to the victim also tended to be armed.

Compared to all other types of offenders, strangers were the most likely to be armed (15 of 17 cases). It seems that a weapon was the primary strategy of offenders in coercing their victims. It must be noted that some stranger rapes were committed along with robbery, a felony often executed with a weapon.

Though unexpected, it appears that kin and close interaction offenders tended to be armed as well. On the other hand, those who tended to intimidate the victim by sheer physical force but without the use of a weapon were her suitors/boyfriends/ex-boyfriends, acquaintances, co-household members, and neighbors.

Thus, the use of a weapon was associated with either end of the relation spectrum, with non-interactors as well as with kin and close interactors.

Victim's Reaction

Most victims (59%) did not fight back when confronted with a rape attack. The remaining 41% claimed to have resisted their attackers.

Victim's reaction and Mode of Intimidation

A victim is least likely to fight back when the offender is armed.

More than two thirds (68%) of victims of armed offenders did not fight back with only one third (32%) claiming to have resisted or screamed. On the other hand, unarmed offenders appeared to elicit retaliation from their victims in the form of slaps, kicks, bites, shoves or screams for help. More than half (55%) of the victims who encountered unarmed attackers fought back.

The mode of intimidation employed by the offender is likely to affect the victim's response. An offender who increased his power by wielding a weapon received decreased resistance from his victim compared to an unarmed offender who tended to meet a more retaliatory response.

Victim-offender Relation and Victim's Reaction

The victim's reaction to the assault appears to be influenced by her relation to the offender.

All victims of stranger rape did not fight back against their attacker. The next group of victims who also appeared to have been too intimidated to fight back were those who belonged to the categories of kin and close interactor. Those who fought back belonged to the occasional interactor category.

Fighting back is more common in instances where the victim knew her assailant as neighbor, co-worker, friend, suitor, boyfriend or ex-boyfriend, and acquaintance.

Type of Rape

More than fourth-fifths (84%) of the incidents involved single-offender assaults. Two other types of rape are possible, multiple or gang rape, and aided rape.

Victim-Offender Relation and Type of Rape

Type of rape is strongly linked to victim-offender relation. Multiple or gang rape and aided rape appeared to be strongly associated with stranger rape. Some gang and aided rape cases were also associated with offenders who were acquaintances or neighbors. Few cases of aided rape were found to be perpetrated by a co-worker, suitor/boyfriend/ex-boyfriend, or friend. Kin and close interactor offenders tended to operate singly.

Analysis of Rape Patterns and Trends

Based on the data findings, three predominant patterns can be observed. The patterns are exemplified by the actual cases presented below.

Pattern A: Rape most often happens between persons who know each other, where the offender holds the superior status as someone older, economically independent, and has control over the environment where the rape takes place. The assault is often carried out by a single offender who is armed with a weapon. The victim on the other hand, occupies a subordinate social position as someone younger, economically dependent and lacking in physical strength and psychological readiness to fight back against her armed offender. Victimization is often repeated, and reported late.

Case no. 1. Marisa's ordeal started when she was sexually abused by her father at the age of 15. Her father, then 38 years old, was a cigarette vendor while her mother worked outside their house as a dressmaker. Her family lived with her grandparents in Tondo, Manila. Marisa recounted the last rape incident to the police to have occurred in the afternoon of March 30, 1991. She was sleeping with her siblings in a room at their home when her father woke them up and ordered her younger siblings to go out of the house and buy refreshments for themselves. When the victim was alone, he started removing his clothes and, at knifepoint, forced his daughter to have sexual intercourse with him. Due to her father's threats of harm, she made no attempt to fight back. He then ordered the girl to put on her clothes, and just as the victim was to leave the room, her younger sister went in and caught their father still naked. It was only then that the abuse of Marisa was discovered by the family. Marisa reported that she had been repeatedly assaulted by her father and that she kept her silence due to her father's threats of killing her, should she report to the police. In April 1991, the victim was accompanied by her mother to the police to report the abuse which started more than two years ago.

Pattern B. The rape offender is one who may be considered a victim's "colleague" (such as a neighbor, co-worker, co-household member, friend, boyfriend, suitor, and acquaintance), tends to occupy a similar status and possess social characteristics similar to those of his victim. His age and socioeconomic status are not significantly different from the

victim's; he is least likely to be armed; and his victim tends to fight back.

Case no. 2. Diana, 18 years old, filed charges of rape against her boyfriend, Mario (age not specified). She narrated that after watching a movie in a Quezon City mall, she asked her boyfriend to bring her home. The latter insisted that they go to his sister's house because he wanted to introduce Diana to his sister. After much hesitation, he was able to convince her to go with him. Once there and after the introductions, the offender's sister served them dinner. After eating, the victim again asked her boyfriend to bring her home. He refused by saying it was already too late. The victim narrated that they fought about the situation and that she had no choice but to stay because she was too scared to go home alone. The victim acceded to sleep there after having checked that there were two separate beds in one of the rooms. She had briefly drifted off to sleep when she felt her boyfriend caressing and kissing her. The offender told her she could not do anything but submit to him because everyone else in the house was asleep and no one would help her. She related that she pushed him away and fought hard against him but he was too strong. She said she experienced bleeding after the rape, that she never had sex with him before and what happened was against her will. The victim complained to the police the following day.

Pattern C. In stranger rape cases, the offender is relatively younger, has a lower socioeconomic status, is armed with a weapon, and tends to operate with a gang or an accomplice. The victim on the other hand, tends to be passive and reports the assault immediately.

Case no. 3. Lorna, a 12-year-old household helper was playing outside her employer's house in Tandang Sora, Quezon City one evening when three construction workers from the construction site behind their house dragged her to the site and took turns in raping her. She said she did not know any of the men. Before she was abused, she was forced to take a drug that made her feel dizzy and lose consciousness. She claimed that after the incident she was too confused, so she sought refuge in a neighbor's house where she was fetched by her employer the next day. Her employer accompanied her to the police to file a complaint that same day.

The Social Characteristics of Victims and Perpetrators

The study data suggest that rape is an act of power through the sexual exploitation of a powerless victim. It is the sexual expression of male dominance where the perpetrator selects a

victim he can intimidate and control. The phenomenon of rape demonstrates the inequality between the two genders which leads to the victimization of one by the other.

Victims occupy vulnerable social positions. Females who are young, poor and subordinate members of the social group are prone to victimization. The primary indication of their vulnerability is their youth. Females below 17 years old comprised 55% of the total number of victims while 15% consisted of children below 12 years old (statutory rape). In contrast, the offenders were much older, with an average age of 30 years old.

The findings on age and victim-offender relationship in this study approximates recent statistics in the United States. Data from the United States Justice Department report that girls younger than 18 years were victims in more than half of the rapes reported to the police and the younger the victim, the more likely that the attacker was a relative or acquaintance.⁵

Young victims are often victims of incest. "Children, mostly girls are sexually abused by those closest to them, such as family members and temporary care takers; rarely are children abused by strangers." (Yurchesyn, et al., 1991). The youngest are the least likely to fight back and often do not realize that they are being victimized. "They have the most to lose in parental care if they report the incident,"⁶ explains the US National Victim Center. Brownmiller also contends that "teen-age girls, just by being so, run the greatest risk (of being raped) than any age group."

⁵quoted in *Roanoke Times* and *World New*, 23 June 1994, p. A-1.

⁶*ibid.*

Poverty is another manifestation of the victim's vulnerability. Victims from the lower classes (lower and upper-lower) comprised 93% of the cases. Among offenders, 24% came from the middle class and 2% from the upper class. Reported cases generally involved victims and offenders from the lower classes. The offenders however tended to come from a relatively higher socioeconomic level. The economic factor found in reported rape patterns is further illustrated by the predominance of employer-housemaid rape (12% of the total cases). Given the specificity of the relation category, this figure is a substantial proportion.

It should be noted that the study does not reject the possibility that rape incidents take place in the middle and upper classes. It may be that the rich are protective of their privacy and preferred to evade a scandal which would destroy their reputation. Then too, victims from the upper classes have more alternatives to conceal the scandal, such as leaving the country or acquiring private psychotherapy services in coping with the experience.

Offenders possess power by being socially and economically more advantaged than their victims. They have a position of socioeconomic strength as males, as mature adults, and as economically independent persons. They possess the capability to coerce, abuse and threaten their victims as well as the means to evade culpability and punishment. Affidavits of desistance (documents signed by the victim stating her "loss of interest" in pursuing the complaint against the offender) demonstrate this capability. The finding on socioeconomic status of victims and offenders also indicates that most males tend to single out females whose socioeconomic status is lower, if not equal, to theirs as partners in a sexual relationship.

Most victims were abused in environments owned and controlled by the offender. The lowest proportion of rapes took place in a setting controlled by victims (victim's territory, 9%). The two most common places where the incidents occurred

were the offender's territory (29%) and a territory shared by both victim and offender (21%).

The nature of a rape act requires privacy or the seclusion of victim and offender from other parties. Thus, a place familiar to offenders or shared by victim and offender is the most plausible venue for rape. Amir (1971) contends that rape is a crime of opportunity and opportunity knocks most in a familiar milieu. In such venues, the victim's vulnerability is further heightened. Even in locales shared by both victim and offender, the offender is the dominant resident of the place who exercises control over the circumstances, the victim and other members of the household.

The emergence of a hotel/motel as one of the frequent places of rape incidents could raise doubts regarding the validity of the rape since some amount of consent was necessary for a victim to be brought there. However, victims were often pressured or forced to become intoxicated with drugs or alcohol. Some victims were duped into going with the offender on the pretext of going someplace else other than a motel or hotel. Furthermore, the appearance of most inexpensive motels in the Manila area resembles urban residential homes and apartments. In a few instances, the victim would report to the police that she was forcibly brought to a house by an acquaintance located along the streets in Manila. Police investigation later proved that the place was actually a motel. The fact that it is the offender who brings his victim to a motel or hotel then puts the setting under his control.

The vulnerability of victims is even enacted during the abuse itself. Most victims did not fight back (60%), suffering what Brownmiller (1975) calls "a paralysis of will". In this study, non-resistance is associated with the extreme ends of the relation spectrum, incest rape (79%) and stranger assaults (100%). Findings on victim behavior in incest cases in other studies differ from those of this study. The study of Atkeson et al. (1989) found that

note: The following lines (preceding first line of page 115) were inadvertently omitted during presswork.

victims who showed greater resistance were those abused by a friend or a relative. In this study, the victims who fought back the most were those who belonged to the occasional interactor category. Fighting back was common in instances, where the victim know the offender as neighbor, co-worker, friend, suitor, boyfriend

Our apologies to Prof. Candaliza and Prof. Zarco.

or ex-boyfriend, and acquaintance. These offenders could be considered the victim's "colleagues" or peers whose characteristics were quite similar to hers. Victims were least intimidated when confronted by an attacker whose social status was closer to her own since they did not have "control" or "power" over her.

The use of a weapon in the commission of the crime increased the offender's power over his victim. Compared to all other types of offenders, strangers were the most likely to be armed (15 of 17 cases) so that the weapon could be a stranger's means of effectively coercing the victim into submission. Some stranger rapes were committed along with robbery, a felony usually executed with a weapon.

Though unexpected, kin and close interaction offenders (fathers and stepfathers, employers, and relatives of the victim) tended to be armed as well. The close nature of these victim-offender relationships makes the notion of sexual relations between the two parties unlikely and objectionable (that is, incestuous or improper). The offender's use of a weapon then serves to intensify the intimidation of the victim into yielding to an offensive act forced by the unlikeliest of persons.

Non-retaliation of victims was observed to be high at both ends of the spectrum: kin and stranger rape. The prevalence of weapon use in the two categories served as a factor in the victim's intimidation. On the one hand, strangers appeared to be most violent and brutal since they were almost always armed or with others in a gang rape. On the other hand, incest offenders, though less likely to be physically violent than strangers, often held superior positions over their victims, a factor which increased the psychological intimidation of the victim.

Those who tended to intimidate the victim by sheer physical force without the use of a weapon were her suitors/boyfriends/ex-boyfriends, acquaintances, co-household members and neighbors. It is in these particular relationship types that the following are probable: the offender-victim relationship is

one where their social statuses are most likely similar (for example, co-household member, neighbors); their ages are closer; the offender is more of a "colleague" to the victim; and, the possibility of a sexual or romantic relationship between them may not necessarily be viewed as objectionable. A review of narrative reports discloses that verbal deception, pressure, threats and physical force were employed by these offenders in coercing their victims. It is also in this group that retaliation of victims increased.

The vulnerability of victims of incest and close-interactor rape is further indicated by their inability to report the abuse or to seek help immediately. Delay in reporting is an indication of the lack of social support for the victim, which seems to be the case in many incest and close interactor rapes. This study found that the closer the relationship, the longer it takes for the assault to be reported to the police. The average length of time for close interactor abuse to be reported is six weeks (one and a half months), and 48 weeks (almost 1 year) for incest assault. This group of victims suffer the most prolonged abuse. Throughout this period, abuse of victims of incest (71%) and close-interactor rape (39%) was repeated. The high rate of disclosure many years after the abuse indicates that victims suffer long in silence, causing them to "suffer long term psychological consequences from the social necessity of keeping the abuse a secret" (Yurchesyn, et al, 1991).

The reporting of abuse of young incest victims in particular appears to be further hindered by the victim's fear of the ever-present offender and her family's hesitance in reproaching the offender who is also a member of the family. The family's desire to protect the "family honor" by avoiding the shame attached to a rape scandal further prevents them from taking action. Incest and close relation sexual assaults are probably the most underreported and least exposed type of rape with actual incidence likely to be much higher than that reported to the police.

The least hesitation in reporting a rape is associated with victims of stranger offenders, with reporting, on the average, within

a week after the incident. Victims are readily able to blame the attacker unhampered by the psychological barriers and family intervention associated with incest and close-interactor rape.

Rape as a Premeditated Attack

The question of whether rape is premeditated or a compulsive action triggered by the momentary opportunity to molest the victim may be addressed by the findings. The suggestion by Amir that "rape is an opportunity crime" (1971) implies that the assault is likely to be spur-of-the-moment. Although offenders were presented with advantageous circumstances instrumental to the attack such as the presence of a vulnerable victim in the territory of the offenders, study findings did not sufficiently establish that rape is an impulsive or spontaneous attack.

Several factors indicate that rape is likely to be a planned attack. First, most incidents happen between persons who knew each other and had previous social interaction and contact. Familiarity with the victim, her activities, schedule and vulnerabilities provided the offender a good idea of his chances to molest the victim and to get away with the offense.

Most abuses took place within the offender's territory or in a place where the attacker had control of the environment. He often devised the occasion where the victim could be alone with him. For instance, a father sent his other children on errands so he could be alone with his older daughter to molest her.

Then too, incest and close-interactor cases are often repeated assaults. The repetition of the act did not fit into the classification of acting on impulse.

Most offenders, particularly strangers, were armed. The employment of a weapon indicated the offender's preparedness in carrying out the attack.

Finally, many victims claimed that offenders duped or trapped them into going with them to the place of the incident. They were fooled through deceitful tactics and false pretenses. Some tactics used to trap the victim were the lure of a job offer awaiting her at a certain place, an employer trapping a maid in his room as she was summoned for an errand, an invitation to go to a party after which it was too late for the victim to go home, an acquaintance who pretended to invite a victim for some refreshments.

The Social Background of Rape

Herman's assertion (1984) that rape "is not an isolated phenomenon but occurs within the context of normal social relations between the sexes and is condoned and supported by shared social values" reflects the findings in this study. The majority of rape assaults were committed by people known to the victim, and, in almost half of the cases, by those close to them. Rape was the betrayal of trust and confidence by an offender who was expected to be a protector, custodian or at the very least, a supportive member in the family, household or community.

The common misconception of rape as generally committed by a stranger in a secluded place must be challenged. This study along with previous researches attests that rape is committed in familiar settings by known attackers (Amir, 1971; Brownmiller, 1975; Koss, et al., 1988; Koss and Burkhardt, 1989; Kleck & Sayles, 1990; Herman, 1984; Renner & Wackett, 1987; Renner, et al. 1988; Yurchesyn, et al., 1991; and Renner & Yurchesyn, 1992). Moreover, the rate of known-offender rapes in this study (88%) far exceeds the statistics on known-offender cases found by the researches cited above. Given the tendency of Philippine media to focus on sensational rape-murders, rape suspects are generally perceived to be strangers. Recent rape reports flooding the Philippine daily newspapers feature the manhunt for a "rapist on the loose". Even in rapes of surviving victims, the stereotypical picture of a rapist is that of a stranger.

Stranger rape is a minority occurrence (12% of all cases). Though low in number, such cases are reported immediately. Most victims of stranger assaults file their complaints along with a medical examination certification within a week; none were reported later than a month. It can be speculated that the lack of hesitance of victims in reporting the assault may be due to their ability to label the event as rape because it fits into the social expectation of a rape assault. It is most likely that "victims felt that the stranger offender was more responsible for what happened" (Koss, et al., 1988).

Though the stranger rape rate is low, it appeared to be the most potentially violent type. Offenders (80%) were armed with weapons and operated as a gang or group (55%) so that all of the victims (100%) did not fight back. In the study of Koss, et al. (1988), stranger assailants were rated by victims as more aggressive, threatening the victims with bodily harm, hitting and slapping, and brandishing a weapon. Thus, it was not surprising that their victims did not put up a fight.

In summary, this research found rape to be a crime of power. Its perpetrator is socially superior, its victim socially vulnerable. Victims are most powerless in close relationship rapes and suffer the greater exploitation.

These findings challenge the way rape is viewed by many. Contrary to the common conjecture that rape is a violent act committed by a lunatic stranger, this study found that rape has a pattern and that these patterns can be located and explained within the social context.

It is the exploitation that happens within the confines of one's social group, within the family, the household or the neighborhood. Particularly disturbing is the notion that family members of incest victims and other persons prevent the victimization from becoming known by refusing to reproach the offender through legal means. A problematic issue to confront is the role of the family in aggravating the victimization by

putting pressure on the victim to withdraw her case against her own father, uncle, or relative. The source of oppression for these victims does not come from outsiders but from their own "protectors". Addressing the issue of rape therefore entails an evaluation of why social groups such as the family and the household, institutions meant to provide security and well-being for its members, become venues of victimization for its members.

Particular areas of rape patterns below have been identified as problematic and potential areas for policy intervention.

1) Incest and close-interactor rape victims delay their report of the crime. Victims of rape, particularly by kin and employers, experience difficulty in speaking up and in filing charges against their attacker. Filing suit against someone authoritative and economically well off is intimidating and entails formidable risks. A young incest victim may experience pressure from family members to withdraw her complaints. Moreover, the possibility of the incarceration of a family or kin member is a major consideration of the family. Convincing or coercing the victim to remain silent can be the convenient recourse.

2) Victims come predominantly from the lower classes. Given the poverty of the victims and their equally low educational status, they can be potentially deceived or coerced into abandoning their complaint against an economically well off offender through bribery or threats of harm.

An examination of the victims' narratives to the police found that some victims and their families were often discouraged from pursuing their cases. Filing rape cases requires money, the knowledge of and compliance with complex legal procedures such as the procurement of a medical certification for the police report and filing a complaint at a police station with the appropriate jurisdiction. The process also demands from the victim the emotional tenacity to divulge

what is generally regarded as a "shameful" misfortune and to submit oneself to a rigorous police and legal investigation. Victims often find themselves "on trial", struggling to prove beyond reasonable doubt that they were indeed raped.

The silence of the victim is often sealed by their signing of an affidavit of desistance which declares that the victim is no longer interested in pursuing the case and absolving the offender from further liability.

The research recommends that in the areas cited above, maximum state intervention be instituted. The policies of the state should conceive of means to encourage victims to come forward, to seek justice and to give them institutional support when they opt to do so. A support network which will assist the victims in processing their cases, beginning from the crime report level, is necessary. This network will ensure that the physical and psychological recuperation of the victim is attended to while the case against the attacker is being processed. Counseling for the victim's kin would prove to be helpful especially in incest cases. This network could include non-government organizations and government agencies such as the Department of Social Welfare and Development (DSWD) which is setting up a rape crisis center operated by personnel trained to handle sexual victimization and trauma cases. The network must be allowed to facilitate and coordinate the police and legal investigation procedures. It will then insure that the cases of victims are handled by qualified women police and medical personnel.

The victims in this study narrated the rape incident to a male police officer and submitted themselves to a medical examination by a male physician. The trauma experienced by the victims is worsened by the necessity of narrating the ordeal to males and having their bodies examined by males. The victim may feel her body intruded into again by another male through the medical examination process. Given the circumstances and processes that a rape victim faces if she decides to report her abuse to the police, it is not surprising that many choose to remain silent.

Continued employment and training of women police officers and medical personnel must therefore be supported.

It is suggested that venues other than police stations where rape victims can report and file complaints be instituted. The proposed network could serve as one such venue.

Suggestions for Further Research

Although the data of this study had the major limitation of including only reported cases, it identified trends and patterns which characterized reported incidents. Below are research paths that can be further pursued.

1) The extended delay in reportage of incest and close-interactor rapes indicate that more of such types of rape happen with a substantial number of victims opting to remain silent. A deeper inquiry into this particular type of victimization necessarily requires the tapping of data sources other than police records. Possible sources are government and non-government crisis centers for women and children, hospitals and health clinics, and self-report surveys covering a vast sample of women and children.

2) Stranger rape, which is always reported immediately, is well-represented in the police statistics. The observation that stranger attackers are often armed led to the hypothesis that this particular type of rape may be the most violent or dangerous where the victim's risk of being injured or killed are high. Researches attempting to study murder-rape may find a converging path in stranger rape.

3) To explore how some women were able to foil a rape attack, cases of attempted rape must be investigated. In this study, the relation category which can be investigated is the occasional-interactor category where an increased rate of victim retaliation was observed. "Colleague" victims and offenders or those pairs whose status and characteristics are not far removed from each other also exhibited increased victim retaliation.

Victim interview as a technique would provide depth to the study of the subject by making possible the documentation of the victim's perception of the event, the effects of the abuse on the victim and the factors that contribute to her physical and psychological recuperation.

The data source which is victim-oriented is not an exhaustive investigation of rape offenders. A study which is offender-oriented could provide a more balanced analysis. A possible data source for this kind of research is the interview of detained rape suspects at police stations. (A rape suspect under custody usually refrains from giving a sworn statement until he has consulted with and been represented by a legal counsel.) Another possible research technique is a survey of males of varied ages who will anonymously report on whether they have ever forced women into sexual intercourse. Possible data sources could be documents from the courts, jails and correctional institutions (for interviews of rape suspects/convicts) and interviews of police officers, medico-legal officers, rape crisis center counselors and psychologists and therapists who handle cases of sexual abuse.

Bibliography

- Amir, Menachem
1971 *Patterns of Forcible Rape*. Illinois: Chicago University Press.
- Atkeson, Beverly M.; Calhoun, Karen S.; and Morris, Kim T.
1989 "Victim Resistance to Rape: The Relationship of Previous Victimization, Demographics and Situational Factors." *Archives of Sexual Behavior*. Vol. 18, No. 6.
- Brownmiller, Susan
1975 *Against Our Will: Men, Women and Rape*. New York: Simon and Schuster
- Herman, D.
1992 "The Culture of Rape." Cited in Renner, K. Edward and Yurchesyn, Kathleen, "Sexual Robbery: The Missing Concept

In The Search for an Appropriate Legal Metaphor for Rape.”
A republication copy.

Kleck, Gary and Sayles, Susan.

1990 “Rape and Resistance.” Reprinted from *Social Problems*.
Vol. 37, No. 2.

Koss, Mary P. et al.

1988 “Stranger and Acquaintance Rape: Are There Differences
In The Victim’s Experience?” *Psychology of Women Quarterly*.
Vol. 12.

Renner, K. Edward and Wackett, Carol

1987 “Sexual Assault: Social and Stranger Rape.” *Canadian
Journal of Community Mental Health*. Vol. 6, No. 1.

The Revised Penal Code of the Philippines

Von Hentig, Hans

1979 “The Criminal and His Victim.” In Jacoby, Joseph, *Classics
of Criminology*. Illinois. Moore Publishing Co.

Wolfgang, Marvin

1979 “Victim-Precipitated Homicide.” In Jacoby, Joseph, *Classics
of Criminology*. Illinois: Moore Publishing Co.



