



On the Sexual Assault of Men

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Abstract

Anyone who engages in sexual intercourse with someone who is under the influence of drugs or alcohol, unconscious, oblivious to their surroundings or not able to voice dissent can be charged with the *crime* of rape. No individual should be used, without their consent, for another person's pleasure. The lack of informed consent makes rape unethical. Ethically the victim being male should be irrelevant. Yet male rape is rarely reported and frequently minimized, as will be shown by the 2010 CDC National Intimate Partner and Sexual Violence Survey as well as other sources in this paper which will show that male rape happens about as often as female rape, and possibly exceeds it. Evidence also shows that 80% of those who rape men are women. Reconsidering stereotypes of the rape of men is an important part of rethinking masculinity. Among these stereotypes is the assumption that male rape is rare, as well as assumptions about the experience of male rape victims. The goal of this paper is to show that male rape is a prevalent problem and that the victims endure the same emotional and psychological after-effects as female rape victims.

Keywords Gender · Men · Rape · Stereotypes

Introduction

According to Thornhill and Palmer (2000, p. 1), rape is defined as:

Copulation resisted to the best of the victim's ability unless such resistance would probably result in death or serious injury to the victim or in death or injury to individuals the victim commonly protects. Other sexual assaults, including oral and anal penetration of a man or a woman under the same conditions, also may be called rape under some circumstances.

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A person who has sex with someone who is drugged, intoxicated, passed out, incapable of saying “no” or unaware of what is happening can be charged with the *crime* of rape. In ethical terms, we have duties to respect the dignity of other persons. Persons have the moral right not to be used as a means to someone else’s sexual pleasure. Acts of rape are unethical due to the lack of voluntary and informed consent. Should it matter that the victim of rape is a man? Ethically it should not, yet the crime of men being raped is drastically underreported and commonly minimized as demonstrated by data from the 2010 Centers for Disease Control and Prevention (CDC) National Intimate Partner and Sexual Violence Survey and other sources that suggest that the number of male rape victims is comparable to the number of female rape victims, and perhaps exceeds it. Additionally, the data indicate that 80% of the rapists of men are women. Part of the larger project of rethinking masculinity involves facing stereotypes about the rape of men. One such stereotype is that male rape is rare, while another is about the experience of male rape victims. The aim of this paper is threefold: (1) We will take an overview of the existing data and show that the sexual assault of men is a common problem; (2) We will present evidence that male rape victims suffer the same emotional and psychological consequences as female rape victims; (3) We will discuss the ethical importance of treating all crimes of sexual violence as equally serious, regardless of the gender of the victim and perpetrator. We pause to note that this is a US focused paper and the source of the material is North American.

In this paper, the common assumption that men are seldom the victims of rape will be investigated and demonstrated to be false. Currently, little in the way of resources is dedicated to male victims of rape. Related to this, we will consider the incidence of both male on male rape and female on male rape. It will be shown that the crime of men being raped is drastically underreported. Stereotypes of the rape of men will be examined and the minimization of the crime of raping a male will be discussed. We want to stress again (as we mention elsewhere in this paper) that crimes of sexual violence against women are widespread, the cause of great physical and emotional pain, and completely inexcusable under all circumstances. The goal of this paper is not in any way to diminish these sad facts. Rather, our goal is to take a look at an underdiscussed topic, namely, the rape of men.

Data and History of the Crime of Rape

We first turn our attention to the CDC National Intimate Partner and Sexual Violence Survey (2010) Summary Report. This report states the following regarding rape on page 17:

Rape is defined as any completed or attempted unwanted vaginal (for women), oral, or anal penetration through the use of physical force (such as being pinned or held down, or by the use of violence) or threats to physically [sic] harm and includes times when the victim was drunk, high, drugged, or passed out and unable to consent. Rape is separated into three types, completed forced

penetration, attempted forced penetration, and completed alcohol or drug facilitated penetration.

Among women, rape includes vaginal, oral, or anal penetration by a male using his penis. It also includes vaginal or anal penetration by a male or female using their fingers or an object.

Among men, rape includes oral or anal penetration by a male using his penis. It also includes anal penetration by a male or female using their fingers or an object.

(We pause to note that, in this paper, we will use this definition of rape *only* when discussing the CDC report. Otherwise we use the definition of rape given in the introduction of this paper.) Of note here is that this report does not consider a woman forcing intercourse on a man to be rape.

Consequently, the report defines a new category of crime to include a woman forcing intercourse on a man, the new category “being made to penetrate”. “Being made to penetrate” includes any time the victim was, against their will, forced to sexually penetrate someone else.

One might think having a different definition for a woman forcing sex on a man is not necessarily harmful, provided “made to penetrate” is given the same attention and analysis as “rape”. However, Stemple and Meyer (2014) discuss in detail how the CDC report excluding female-forced intercourse from rape trivialized the sexual victimization of men. Stemple & Meyer state that much more information was given on rape than made to penetrate and that rape had its own table in the CDC report while made to penetrate was treated as a subcategory, included in the category “other sexual violence” together with “lesser-harm categories” like “noncontact unwanted sexual experiences”. Stemple and Meyer (2014) also said “The CDC’s own press release about the survey, for example, uses the word ‘rape’ (or ‘raped’) seven times and makes no mention of ‘made to penetrate.’ In this way, ‘rape’ is the harm that ultimately captures media attention, funding, and programmatic intervention, whereas ‘made to penetrate’ is relegated to a secondary, somewhat obscure harm.”

It should be noted that the CDC Report’s definition of rape is the definition of rape currently used by the FBI. In 2012, the FBI updated the definition of rape in their Uniform Crime Report Summary Reporting System to read:

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Whereas, from 1927 until 2012, their definition of rape was:

the carnal knowledge of a female, forcibly and against her will.

This earlier definition completely excluded the possibility of a male being a rape victim. Assuming that moral principles should be gender-neutral it is striking to note that the FBI utilized a definition of rape that only applied to one gender until 2012. The newly revised FBI/CDC definition of rape is still not gender neutral, as the definition does not include the possibility of female forcing

intercourse on a male. Note that the definition of rape given at the beginning of this paper is gender neutral. This ethical neutrality is the reason why we use this as the default definition of rape throughout this paper.

However, since the FBI does not make law (federal laws are only made by the President and Congress of course) this is not a federal legal definition of rape. In fact, the United States does not have a federal legal definition of rape, leaving it up to each state to have its own definition of rape. Because of the complicated history of the definition of rape, some states have struck the word from their statutes, preferring to use some variation of “sexual assault.”

We note that, in the CDC Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements, Version 2.0 (2014) a gender-neutral definition of the term “sexual violence” was introduced on page 11. While “sexual violence” as defined in that report is too broad a term to use in place of rape, it is noteworthy that the CDC seems to be moving towards gender-neutral definitions.

Next, we consider the data for the 12 months preceding the CDC report survey, which was summarized in the report. On page 18 of the CDC report it states that 1,270,000 women were raped during this 12-month period and that too few men were “raped” during the same 12 months to give reliable data, using the non-gender neutral definition of given in the CDC report. However, on page 19 the report states that during that 12 months the number of men who were forced to penetrate someone is 1,267,000, virtually the same as the number of women who were raped. Further, we note that the number of raped women includes those who were forcibly sodomized while the number of men forced to penetrate does not. Even with that, 1,270,000 is only 0.24% larger than 1,267,000, and given that the population of the United States in 2010 was only 49.00% male (<https://www.statista.com/statistics/737923/us-population-by-gender/>), the per capita rate of rape was actually 4.37% higher for males than it was for females, even if we completely ignore “small” number reported by the CDC. Perhaps if a more gender-neutral view of rape were more widespread in our society, then these statistics would not seem so surprising. As things are right now, though, if one does not take the time to look closely at these kinds of statistics, then one would never realize that the incidence of male rape is comparable to the incidence of female rape.

So, who is forcing these men to penetrate them? There is no data on this among the 12-month data. But if we look at the lifetime data, on page 24 it says 79.2% of the time a male was made to penetrate someone, it was a woman who forced him to penetrate her. And this suggests that the same most likely holds for the 12-month data.

Additional evidence of how frequently women rape men (we note that, since we are no longer referring to the CDC report, we are no longer using their definition of rape, rather here we are using the definition of rape given in the introduction of this paper) is found in Krahé et al. (2003) who state that in a sample of 248 women, “Almost 1 in 10 respondents (9.3%) reported having used aggressive strategies to coerce a man into sexual activities.” And another 5.4% attempted acts of sexual aggression. This study is of special interest as it specifies how these women coerced men into sex. The study states “Exploitation of the man’s incapacitated state was

used most frequently (5.6%), followed by verbal pressure (3.2%) and physical force (2%)”.

And from Stemple and Meyer (2014) we have more evidence of how frequently women rape men. This report (significant for its vast data source) used 12-month data on sexual victimization from 5 independent federal surveys conducted between 2010 and 2012 by the Bureau of Justice Statistics, the Centers for Disease Control and Prevention, and the Federal Bureau of Investigation. Using this data, Stemple et al. considered the assumption that men seldom experience sexual victimization and found this assumption to be completely false. It was discovered that in many situations men experience sexual victimization at rates similar to those experienced by women.

Ybarra and Mitchell (2013) examined sexual violence committed by adolescents. The significance of their result is the interesting result that prior to the age of 18 most perpetrators are male, but once youths reach 18 years of age males and females “are relatively equally represented as perpetrators”, giving more evidence of female victimization of males.

Anderson (1998) took two samples of college women, one sample of 212 from three colleges in the New York City area, and the other sample of 249 from a college in Louisiana. This study suggests victimization might vary regionally. Anderson examined their self-reported heterosexual aggression. In the New York sample 28.5% of the women reported using sexual coercion, 21.1% engaged in sexual abuse and 7.1% engaged in physically forced sex. In the Louisiana sample 25.7% engaged in sexual coercion, 7.3% engaged in sexual abuse and 1.6% engaged in physically forced sex.

And last, but certainly not least, Anderson and Savage (2005) is an extensive review of the literature and mentions many studies verifying female heterosexual sexual aggression, providing another vast data source. Additionally, this paper specifically states that women “engage in the full range” of aggressive sexual actions that men do. The study also found that many aggressive sexual female actions technically do not qualify as rape, even if they involve violence and the use of weapons.

In 2018, FBI statistics show that 18,487 men were arrested for rape and 606 women were arrested for rape (FBI, Uniform, 2018). How do we reconcile this low female arrest rate for rape with the data in this paper? The obvious answer is men seldom report being sexually victimized. Stemple and Meyer (2014) refer to the prosecution of such cases as “rare”, and lay part of the blame for this on a “lack of concern for male victims”. They also state that the dominant sexual archetype is that of the male as offender and the female as victim. Possible reasons given for why situations that run counter to this archetype get little attention include the perception that female sexual victimization of males is rare, that sexual victimization causes males less harm than it does to females, and that males always want sex. Stemple states that data portraying female sexual victimization of males is not palatable as it conflicts with the feminist theory portrayal that men use sexual aggression to oppress women. Another possibility put forth by Stemple is that researchers themselves may have a bias causing them to overlook male sexual victims. Another possible factor is that male rape victims do not fit Christie’s (1986) notion of the “ideal victim.” The “ideal victim” is generally an individual who is part of a group

that is historically lacking power. In our discussion of the sexual assault of men in the United States, men may be viewed as “non-ideal” victims, since they are, historically, not perceived to be an underserved or underrepresented group of people. As can be seen in the preceding discussion, stereotypes regarding the victims and perpetrators of sexual assaults are not necessarily accurate. Sadly, both men and women are frequently the victims and perpetrators of acts of sexual violence.

Stemple and Meyer (2014) debunk the notion that males experience less harm or always want sex, stating that male victims suffer depression, suicidal thoughts and sexual dysfunction from their sexual assault. According to Masters and Sarrel (1982), realizing that some sexual assault victims are male and that these male victims suffer after-effects very similar to female victims will help us understand the needs of all sexual assault victims. Similar findings were given in Walker et al. (2005), stating that all male rape victims in the study suffered some psychological disturbance caused by the incident. Among the long-term consequences of the rape were self-harming behaviors, self-blame, emotional distancing, loss of self-image, feelings of anger, anxiety and depression. Stemple et al. also state that both male and female rapists use weapons 7% of the time, and both male and female victims use a resistance strategy 89% of the time.

It needs to be emphasized that Stemple also points out that male sexual arousal is not uncommon during nonconsensual sex. A more thorough discussion of this is found in the paper “Sexual arousal and orgasm in subjects who experience forced or non-consensual sexual stimulation—A review” by Levin and van Berlo (2004) which states “The review examines whether unsolicited or non-consensual sexual stimulation of either females or males can lead to unwanted sexual arousal or even to orgasm. The conclusion is that such scenarios can occur and that the induction of arousal and orgasm does not indicate that the subjects consented to the stimulation.”

Stemple also pointed out that 8.5% of male rape victims suffered significant injuries, the corresponding figure for women was 12.6%. As it may be that some people have difficulty conceiving how a male can suffer physical injury as a result of being raped by a female, we now present several cases where that was the case. One example of a male rape victim suffering injury is the case of a Romanian cab driver that was reported in the Daily Mail (Riley, 2014). The cab driver was raped at knife point by a woman who then stabbed him more than half a dozen times after the fact. Another example, from the Daily News (Wells, 2012) reports of an African man who died in the midst of being gang raped by his 6 wives. Our last example was reported by NINENews (2009), an Australian TV show. A Russian woman drugged and raped 10 men. She would drug them into unconsciousness for 24 h, tie a rope around the man’s penis to keep him erect, and rape him. All of her victims suffered penis trauma from the tied rope and drug poisoning.

Chapleau et al. (2007) find that, much like their female counterparts, what they call “benevolent sexism” plays a role in minimizing the perceived effects on male rape victims. (Benevolent sexism is complimenting women based on stereotypes, chivalry would be one example). Specifically, they note that stereotypes of males being the “dominant” sex are correlated with the tendencies for people to downplay the severity of the trauma felt by male rape victims and to exonerate the perpetrators of such violence. To downplay the trauma experienced by male victims

and the painful experiences they may have endured is to show a lack of respect for the dignity of those persons. Not only do male victims have the moral right not to have unwanted sex forced on them due to lack of consent, but they should not be constrained by stereotypes to keep their sufferings bottled up and hidden from others and their own consciousness.

Discussion

We have seen that the rape of men occurs with a frequency comparable to the rape of women and that the arrest rate for female rapists is extremely low. Stereotypes such as “he became erect so he must have wanted it” have been debunked. It was shown that, contrary to stereotypes, male rape victims suffer the same emotional and psychological consequences as female rape victims, even suffering physical injury at comparable rates. Ethics requires that all crimes of sexual violence be treated as equally serious, regardless of the gender of the victim and perpetrator. We now take a deeper look at some of these ethical issues.

The crime of rape is underreported regardless of the gender of the victim. One of the goals of this paper is to bring to light the ethical responsibility we have to pay more attention and respect to male victims of this serious crime, while continuing to direct resources to the many female victims of sex crimes.

In this paper we have been freely making use of various ethical concepts. We have been using an ethical approach that understands the ethics of particular actions in terms of duties and responsibilities to respect the dignity and moral rights of persons. In this ethical approach, persons are believed to be autonomous, and the choices they make with the exercise of their will is to be respected. Thus, actions in which persons are used or forced to perform actions without their consent and against their will are inherently unethical. Furthermore, since the dignity and moral rights of persons are morally equal in status, this ethical approach requires that persons be treated equally.

Taken as a group, this cluster of ethical concepts is at the heart of an ethical theory sometimes called an ‘ethics of respect for persons,’ or more technically, a deontological ethic (Kant, 1785). A deontological ethic is one that does not measure whether an action is ethically right or wrong in terms of its positive or negative consequences, but sees some actions as inherently ethical or inherently unethical, depending on whether the intent of the action is to respect person’s rights, for example, or to use a person as a means and treat him or her as an object. Because of this stance with regard to the use of consequences in discerning the morality of an action, this approach is also known as a nonconsequentialist ethic.

From this deontological ethical view, it follows that it is irrelevant if a victim of rape is female or male; for in either case, the rape is unethical. Thus, we hold that a definition of rape should be gender neutral.

Deontological ethics is widely used in applied ethics, ranging from biomedical ethics to business ethics (Bowie, 1999; Veatch, 2012). Korsgaard (1996) is a proponent of a Kantian deontological ethics who has recently applied deontological ethics to the issue of the moral status of nonhuman animals (2018).

Although our approach has a deontological ethical orientation, we acknowledge that similar conclusions can be drawn with a consequentialist ethic, such as utilitarian ethics (Mill, 1861). A utilitarian ethic assesses the morality of an action by looking at the action's consequences, whether they are overall positive or negative. The serious negative consequences experienced by rape victims, would, to a consequentialist, show the unethical nature of the action.

Utilitarians, such as Singer (1975) have justified and applied the principle of equality. Singer has also applied utilitarian ethics to other contemporary issues such as globalization and global climate change (Singer, 2002). Regarding the topic of our paper, the interest in not suffering from the experience of rape is equal between that of males and females.

Taken as a whole, it should be clear that crimes of sexual violence should be taken equally seriously, regardless of the gender of the perpetrator and victim.

Conclusions

To conclude, researchers such as Masters and Sarrel (1982) and Walker, Archer and Davies (2005) have documented the suffering that male victims of rape experience. Attention must also be paid to how rape and other sexual acts are defined. We see some evidence of the concept of rape being thought of in more gender-neutral terms than it used to be, but it seems that more efforts are needed. Many ethical concepts and principles seem to us to be gender-neutral (for example, rights, dignity, consent, suffering, trust, etc.). Not only is it possible to think of the concept of rape in gender-neutral terms, but it will likely be beneficial to male victims to do so, as Stemple and Meyer (2014) point out.

We do not accept the notion that paying attention to one group of victims takes away from any other group of victims. To us, this is not a zero-sum game. Helping victims is helping victims, no matter the group identities involved. We assert that the more victims who can be helped, the greater will be the added utility to society.

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Data Availability The authors declare that data supporting the findings of this study are available within the article.

Declarations

Conflict of interest On behalf of all authors, the corresponding author states that there is no conflict of interest.

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