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Non-reporting of sexual violence as action: acts, selves, futures in the making

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ABSTRACT

Individual, cultural and structural barriers exist in reporting rape to the police. Our study's context is Norway, where reporting is more accepted than before and is even encouraged. Still, few who experience rape report the incident. Based on qualitative interviews we examine how women who refrain from reporting rapes give their choice meaning. We draw from Boltanski and Thévenot's version of cultural sociology, especially the idea that meaning-making in concrete situations relates to wider 'regimes of justification': particular framings that render choices and interpretations intelligible. The aftermath of rape leaves women with having to balance their own and others' needs and expectations. In talking about the rape and how they afterwards manoeuvre to reconcile conflicting norms and needs, the women activate two different regimes of justification; an instrumental and an ontological. They negotiate between expectations set out in an instrumental regime of justification, focusing on acts and actions, and a more ontological regime of justification, wherein focus lies on their sense of self and future identities. They position themselves as 'evolving selves', a position from where they are able to prevent further ruptures by deploying a developmental logic rather than answering the call to 'do the right thing' and report.

Introduction

Over time and across contexts, research has shown that considerable barriers exist to reporting rape to the police and that victims receive very little support in reporting from both institutions and discourse (Anderson & Doherty, 2008; McDougal et al., 2018; McMullen, 1990). How reports of rape to the police are met is not static but is contingent on time and place, on contextual factors, and on characteristics of the accuser and the accused. It is social. From this premise, this article investigates the sociality of rape and rape reporting. We aim to contribute to what Brooks-Hay (2019) has called for: more research that situates victims' relationship to reporting within broader social contexts.

The cultural and political backdrop of our study is Norway, as part of the contemporary Nordic region where feminist battles over voice, recognition and equality have topped political agendas for several decades, and where rape is widely considered a harmful act to

victims and society alike (Skilbrei et al., 2019). Although notable differences exist within the Nordic region (Antonsdóttir, 2019), the authorities have generally worked towards removing barriers to reporting through legal measures aimed at strengthening the position of the victim. Examples from Norway include the right to legal representation, to attain information, to be present in the courtroom and to participate in court proceedings (Dullum, 2016). Other important measures to help facilitate reporting include the removal of the statute of limitation in rape cases and the implementation of strict procedures on the collection of physical evidence of rape and the storage of forensic rape kits, should the victim want to report later.

The public discourse on rape in this region is generally characterized by what Skjørten (1996) has termed 'legal optimism', or an overly strong belief in what criminal law can accomplish in the face of social problems: in this case, to help prevent and settle justice-related issues related to rape. The discourse also reflects what Brooks-Hay (2019, p. 175), referring to the UK context, calls 'the current policy preoccupation with increasing rates of reporting'. The Nordic governments operate with an explicit goal of facilitating and encouraging victims of rape to report to the police, with the rationale that doing so is necessary for societal justice and safety (Swedish government, 2005).

An example of how this goal is explicated is an op-ed written by the Norwegian ministers of justice and public security, and of children and family affairs (Dale & Ropstad, 2019), published at the launch of the national action plan against rape in 2019. Its telling title is 'Rape harms the individual but hurts society'. In the text, the ministers point to the reduction of the 'dark figure' of rape as a key preventive measure, stating that 'many rape victims feel guilt and shame. More police reports will lead to more convictions, which again will lead to more police reports. This again will have a preventive effect' (authors' translation).

Reporting is also sometimes expressed as an individual duty for victims, through discourses on social responsibility. The Norwegian Police, for instance, offer a number of reasons for victims to report rape on their official information page on rape reporting, among them 'to prevent new assaults against other people and yourself' (authors' translation).[1] The language of social responsibility transforms reporting from being a matter of repairing past harms to acting responsibly to change the future and strengthens the pressure on victims to 'do the right thing'. By reporting, victims can protect potential new victims by incapacitating the perpetrators and holding them accountable for their crimes. Arguably, victims are then tasked with stopping rape by utilizing the perceived deterring effect of the criminal justice system.

In light of this new morality regarding reporting in the Nordic region, not surprisingly, policy documents and official information generally take for granted that reporting is in victims' best interests, although some documents discuss the toll the legal process can take on victims (Norwegian government, 2008). Taken together, it is fair to say that the reporting of rape is not only accepted in the Nordic context but is actively encouraged.

In Norway, as in neighbouring countries (for an overview of developments in Sweden, see the Swedish National Council for Crime Prevention, 2019), cases of reported rapes have increased markedly over the last decade (Statistics Norway, 2020). While this increased reportage may reflect increases in committed rapes, there is reason to believe that increased reporting reflects both that victims feel more able to report and the emergence of reporting as an obligation for victims (see also Norwegian government, 2019). Our interest in this article is what the new morality and social patterns related to reporting mean for victims who do not

want to report: How can non-reporting be justified in a time and place that 'demands' that victims come forward and that assailants are punished?

We explore this question based on qualitative interviews with women who have experienced rape and not reported the incident to the police. In the analyses, we take a cue from Huemmer et al. (2018), who have argued that non-reporting should not be seen as a passive form of non-action but as culturally informed *action*. Boltanski and Thévenot's (2006) version of cultural sociology offers a fruitful way to study exactly this notion: specifically their point about how meaning-making about concrete situations and experiences relates to wider 'regimes of justification', or cultural frames.

Reportable rapes

A key theme in research on rape reporting is what makes a rape reportable. Studies on incident-related factors offer a particularly important inroad into victims' perspectives, as this strand of literature emphasizes both the social context of the rape and the relationship between victim and perpetrator. Studies have demonstrated that victims are less likely to report if they know the perpetrator or have otherwise had some form of relationship prior to the rape (Sable et al., 2006). Victims are also less likely to report if the rape was non-violent, if it happened in the victim's or the perpetrator's home (Abbey, 2011; Ceelen et al., 2019; Lovett & Horwath, 2009), if the age difference between themselves and the perpetrator is not great or if they themselves had consumed alcohol or drugs (Ceelen et al., 2019; Donde et al., 2018; Larcombe et al., 2016; Weiss & Dilks, 2016). Other social factors that may influence the propensity to report rape include the victim's faith in the police and the criminal justice system in general (Kaukinen, 2004), whether the victim thinks friends, family and others will believe them, and, more generally, how they think others might react (Donde et al., 2018; Jordan, 2001).

Each factor above may be related to cultural perceptions of rape and rape victims, which influence how serious victims consider the rape to be, and whether it deserves to be labelled and reported as rape (Brennan, 2016b; Larcombe et al., 2016; Stefansen & Smette, 2006). Rapes that fit the stereotype of 'real rape', where the perpetrator is a violent stranger and the rape happens in a non-familiar location, seem to be easier to report than if the perpetrator is someone known to the victim and the rape has happened in a familiar location (Bletzer & Koss, 2004; Ryan, 2011). Because most rapes happen between acquaintances, are not physically violent and often occur in alcohol-related contexts, these factors provide an intuitive explanation of why most rapes are never reported. Researchers have also emphasized the role of shame, the fear of stigma and the persistence of rape myths in keeping women from recognizing, and thus reporting, rape (Koss, 1985; Ryan, 2011; Weiss, 2010).

The gap between the perception of rape as non-consensual sex and the stereotypical 'real rape' scenario has led to the term 'unacknowledged rape' (Koss, 1985), which expresses an assumption that many women (the victims of rape in the majority of cases) do not report because they do not recognize what happened to them as being rape. Within this literature, the non-recognition of rape as rape is very much explained by a lack of knowledge of what rape is in the legal sense.

In contrast, a newer strand of research views non-reporting as a coping mechanism (Brooks-Hay, 2019; Huemmer et al., 2018; Weiss, 2011), where unwillingness to report (or

even label) sexual assault as rape is generally understood as resulting from neutralization processes or identity work, i.e. as something that involves choices and deliberations. By neutralizing the experience – thus avoiding having to label, tell others about and report the rape – victims can restore normalcy to their lives and try to cope with trauma without getting entangled in the identity position of a rape victim (Weiss, 2011). Khan et al. (2018, p. 436) offer the term 'productive ambiguity' to capture how an indefinite interpretation of a sexual assault situation may offer more freedom and possibilities than would opting for a fixed label with certain attached preconceptions.

The aim of the present article is to contribute to the later developments in the literature by focusing on the cultural resources available for victims and the cultural work they must engage in to construe non-reporting as the right thing to do – for them.

Theoretical approach

As the reporting of rape becomes formulated as being best for society and the victim, examining how this approach affects life after rape for victims becomes an increasingly relevant topic. The emphasis on coming forward can be linked to a broader societal transformation that Foucault (1978) speaks about as the emergence of the confession as a 'technology of the self': the process whereby personal identity is made and expressed. The increased valuation of disclosure is relevant for our exploration. On the one hand, this takes part in establishing disclosure, also to the police, as a norm, on the other hand, it points to how disclosures come to matter to how people see themselves and are seen by others. Further, the law is the authoritative divider between true and false, and it is through legal assemblage that someone comes to speak authoritatively as a 'rape victim' (Rose & Valverde, 1998). The subject position 'victim of rape' is not only a legal and political figure but also forms and normalizes ways of being and seeing in a fundamental way. The subject position as a 'victim of rape' is not only bound by the event but could also form what position they can take up the future. Being a victim is typically associated with pain – one that can easily be seen as defining the individual victim (Cook & Walklate, 2019). Based on this, we see choices people make in the aftermath of rape as reconstructive work.

In order to explore how women make their experience and choice intelligible, we turn to Boltanski and Thévenot's (2006) version of cultural sociology. We focus on meaning-making processes, since such processes can provide information about how actors choose to position themselves in particular ways. Boltanski and Thévenot describe how meaning-making in the here-and-now relates to wider 'regimes of justification', or cultural frames, with specific internal logics. The implication of this perspective for our research interest is that we must investigate not only *what* women who have experienced rape think about non-reporting (e.g. whether they consider reporting the right or wrong action to take for them) but *how* they think: the cultural tools they use to justify the position they arrived at.

Our analysis further draws on the idea of culture as a toolkit or repertoire 'from which actors select differing pieces for constructing lines of action' (Swidler, 1986, p. 277). In this approach, cultures are viewed as containing diverse and often conflicting symbolic representations and guides to action and evaluation, and not as coherent systems. People can hence be seen as navigating between different regimes of justification that transcend the particular situational context of their problems – in our case, the question of

whether to report rape or not. Boltanski and Thévenot (2006) discuss such regimes as representing 'legitimate orders of worth', referring to specific rationalities that people utilize to justify a moral stance. We have applied this lens to grasp how women's reasoning about reporting relates to culturally available understandings of responsible victimhood, and what alternative orders of worth they draw on to justify non-reporting in a context where they know that that is 'the right thing to do'.

Methodology

The data for this article come from narrative interviews with 15 women who were raped but never reported the incident to the police.[2] While in qualitative research on rape victims, participants are often recruited through support centres, helplines and the criminal justice system (Brooks-Hay, 2019; Huemmer et al., 2018), quantitative research has shown that most rape victims never contact any such organizations (Ahrens, 2007; Fisher et al., 2003; Thoresen & Hjemdal, 2014). Because those who do seek institutionalized support may acquire the frames of justifications offered there (Loseke, 2001), we wanted to bypass institutional framings and recruit respondents elsewhere. The first author created a Facebook post on her private account in which she invited women over the age of 18 to participate in a study of situations where rape had not been reported to the police. The post described rape as unwanted sex or sexual acts that could have happened with someone known, unknown, while under the influence of alcohol, while sober, or with the presence or absence of physical force, as well as instances that started out consensual and turned into something else. The post also stated that participants did not have to label such incidents as rape themselves. Women who were interested in participating were asked to contact the researcher via Messenger and email.

The initial post was quickly shared by 24 of the researcher's Facebook contacts. Recruiting in this manner has the potential drawback that one only reaches people in the researcher's social circle. As the post was shared, however, the social distance between the researcher and possible participants increased. Although some of the participants were friends and acquaintances of the researcher, most were unknown prior to the interview.

In all, 24 possible participants responded to the post. Some 'disappeared' before an interview appointment could be made, while others did not quite fit the project. Eventually 15 people were interviewed. The interviews were conducted in 2017 by the first author, either face-to-face in a university office, at the interviewer's or the participant's home, outside in a park, or by phone. This choice was left to the participant. Before each interview, the interviewer secured consent from the participants and clarified that they could withdraw from the study at any time. The participants also received contact information for helplines in case they needed someone to talk to following the interview. All interviews were conducted in Norwegian and were digitally recorded before being transcribed verbatim.[3]

At the time of the interviews, the participants were between the ages of 23 and 45. The median age when they were raped was 16, with the youngest 13 and the oldest in her mid-20s. The longest and shortest time spans between the rape and the interview was 28 years and four months, respectively, while for most, the gap was between seven to nine years. Few of the participants had been in contact with support services or told anyone about the rape. Some had told friends about the rape, but without labelling it as such.

The style of interviewing we chose was guided by both ethical and methodological concerns. The approach is similar to what Hydén has coined 'teller-focused interviews', which are particularly well suited for studies of experiences that are 'complex, sensitive, and difficult to bring up' (Hydén, 2014, p. 810), as is the case with rape. The aim of teller-focused interviews is to create a safe relational space where the participant feels in control and that her story is of value. The interviewer therefore focuses on listening and supporting the participant's narrative. In this project, the interviewer mostly asked questions about the timeline and relations to people in the participant's story.

In our analysis, we have used these stories to examine how they reasoned about and explained their choice of not reporting, rather than using the stories as sources to understand what had really happened, or what they had really done. Our analysis aligns with the standard interpretative tradition in qualitative methodology. The analysis did not follow a fixed template but was what Cresswell (2007, p. 150) describes as 'choreographed' or 'custom built' for the particular purpose of the article. With our approach, we recognize what Bourdieu and Wacquant (1992) have pointed to: that researchers do not simply find their research themes but actively construct the object of analysis. This is also a time-consuming process that takes place in dialogue with the field, and researchers must feel their way (Bourdieu & Wacquant, 1992). While this process can be difficult to describe in retrospect, we can delineate two phases in the analytic work we undertook for this particular article.

In the initial phase of the analysis, the interviews were read with specific attention to how the women talked about themselves and their choices prior to, during and after the rape. While their stories of rape differed, a common feature was that the women emphasized everything surrounding the rape, and what had made it possible, rather than providing details about the specifics of the rape. Our impression was also that the delineation between the past, present and future selves that emerged during the interviews was an integral part of carving out a story where non-reporting could make sense.

In the second phase, the analysis resembled the abductive logic described by Tavory and Timmermans (2014): a going back and forth between interview transcripts, analytic descriptions, theoretical concepts and suggestions for interpretations. In our case this phase was guided by the idea that the women were negotiating different and non-reconcilable rationales in their talk about the incident and their choice to not report. Our specific inspiration was Frank's (1997) thinking on illness as a moral dilemma. Frank (1997, p. 134) conceptualizes illness as a moral dilemma 'where no "good" choices are available, yet one must forge on and live with the consequences'. Illness, writes Frank, forces people to change perspectives from available actions to available positions by determining, 'Who must I become to resolve this problem?' rather than, 'What must be done?' The relevance of his thinking in this context relates to the disruptive effect that both illness and rape can have on the individual, her sense of self and her ideas about life ahead.

Negotiating regimes of justification

Using Frank's (1997) concepts, we identified that the women had activated two different regimes of justification when recounting their rape and their decision to not report it: one that addresses the 'Who must I become to resolve this problem?' question, and one that addresses the 'What must be done?' question. We see the first as representing an *ontological* regime of justification that revolves around selfhood and identity, while the second

represents an *instrumental* regime of justification that revolves around order and justice. Both regimes encompass questions about a victim's responsibility, such as the victim's responsibility for what came to happen, for restoring order after the rape and for preventing new cases of rape. The argument put forward here is that it is through the activation of the ontological regime, the women were able to reconcile themselves with what had happened and their choice to not report. This approach does not mean that they opposed the instrumental regime and its foundational values as such, but rather that such a regime did not offer them viable solutions. We probe how they arrived at this conclusion below.

Framing the vulnerable self of the past

The interviews started with an invitation to the women to describe their backgrounds. The women subsequently offered details on their lives, experiences and motivations preceding the rape. A common description of their younger selves was as someone 'very open, maybe a bit naïve, and ready for life', as Ingrid put it: in essence, someone who is inexperienced.[4] This naïveté, along with their strong drive to be with their friends, to fit in and to be more grown up, were the underlying motifs in their stories on why friends, acquaintances, boyfriends or even strangers could have raped them.

Frida's story is an example of this profile. As a 16-year-old 'new girl' at school who had come from a different social background than her new classmates, she desperately wanted to fit in. She quickly gained access to the cool kids and fell in love with the coolest guy in school:

> Frida: It was after school. We'd gone downtown. I don't remember what we were supposed to do – probably smoke or something. Then some security guys showed up, and we just bolted. There were a couple of toilets in the basement where we were, and suddenly me and the boy I was in love with – nothing had really happened between us, because he had a girlfriend – but we sat next to each other at school and we really liked each other. And he closed and locked the door, and then, when I tried to get out – at some point, I'd managed to unlock the door – then the other guy (three of us had hung out) pressed the door shut from the outside, and I couldn't get out. So that's what happened.

In Frida's story, her eagerness to fit in and to be one of the cool kids was key to how she framed what had happened to her. This eagerness to fit in was a recurring theme in the stories of non-reported rapes found in this material. The women described how their younger selves went to parties and got drunk with older guys, together with their friends; they decided it was time to go out, get a date and meet a man; they wanted love and confirmation; they wanted to 'live a little'. In their stories, they actively created and participated in the specific interactions leading up to the rape, and they navigated social contexts and relations that they may not have been very experienced with. Even Lise, one of the women subjected to what is often defined as 'real rape', an assault by a stranger, highlighted her own responsibility for how she had ended up in a situation where rape could happen:

> Lise: We were at a festival in Oslo . . . at that time I had a huge drug problem, and then . . . we were dancing, and suddenly this guy comes over to me on the dance floor, asking if I'd like to do some lines. And I'm like, 'Damn! Oslo is so cool!' I was ecstatic and followed him downstairs, and we went to this . . . cot down in the basement. We go in, and it turns out that he's not exactly planning on doing some lines, and well, yeah, he has a knife and he cut me. My arms, my chest, my entire back; I looked like hell. And that feeling – at the time I was 17; I was

solidly built – and people have asked me, 'You're strong, why didn't you fight back?' But at the time, I had that experience of … freezing. I froze. I never thought that could happen to me.

Whereas in Frida's and Lise's stories, they described themselves as active in their choices that had led to the rapes, Nina's story was more about her willingly going with the flow and then getting swept away. As a teenager, Nina and her friends enjoyed being invited to the parties of older and cooler guys. At one of these parties, her friends accidently got her overly drunk. As she explained, 'I don't think they meant to, but I was 15 and didn't really have control; none of us did'. Someone put her to bed in a bedroom, and as she lay there semi-conscious, a guy came in and started to have sex with her. In her story, she drew on the inexperience of youth to explain and understand how this could have happened to her.

The women's openness towards others and to new experiences was evident in the interview excerpts. They framed themselves as open and agentic, and by drawing on their youthful naïveté, inexperience and social desire, they put their experiences into circumstances that would make them understandable and relatable. In addition, by the women's inclusion of their social settings and motivations, the rapes they spoke about became framed not as isolated events but as something that had happened within a particular social situation. Their emphasis on being young, getting drunk and wanting to fit in, before the women connected these factors to their rape, highlighted how an unwanted situation could have resulted from something they had wanted or even desired.

In these examples, this desire is social. Their desire to fit in and to be a part of a group placed them in situations where they could be raped. By emphasizing this notion, the women anchored their understanding of their 'rapeable' selves in their personal youthful projects; they explained their misfortune by referring to feelings of desire, whether physical, emotional or social. Grosz (1994) offers clues to understanding how desire becomes transformed into responsibility. She describes desire as central to subjectification. Because desire is affective, it moves people to act. For the interviewees, the feeling of desire (a characteristic of the acting self), when it led to a rape situation in which they were acted upon, seemed to collapse into feelings of having chosen the interaction, thus contributing to their own victimization. Their feelings of shame, confusion and guilt may be attributed to this collapse. While they were claiming responsibility for how these situations had developed, the term 'rape' seemed to become more difficult for them to access. Their sense of what had happened arguably collided with a more common cultural framing of rape as an interaction where victims are passive recipients of a rapist's will and desire. Interestingly, they seemed to find a middle ground: they labelled it 'rape' to themselves but kept that label within their personal realm by not telling or reporting the rape.

Framing the responsible self of the present

During the interviews, the women struggled with what they had done versus what they should have done in the aftermath of the rape. This struggle pointed to an awareness of what we earlier described as strong cultural demand for labelling and reporting rape, which points to an instrumental regime of justification. By establishing their past selves through frames of vulnerability and youthful openness, they explained how they could have been raped. Their reasons not to report were anchored in their past rapeable selves. In the following, we turn to how the women explained this choice.

After Laila's boyfriend raped her, she called the rape reception centre and asked what she should do, and about how things would be handled:

> Laila: They need evidence. And I think that very few girls who've been raped want to get into that chair at the gynaecologist's to get an examination afterwards. Because that's what they'll do. For me, that was just unimaginable – that I would have to lie down on that thing with my legs spread in the air to be examined. I asked them if I could do the examination myself, but I couldn't. That was the deal-breaker for me. To get into such a vulnerable situation once more – that's just not what you want to do right after. You just want to crawl back into yourself.

The way Laila was speaking about calling the rape reception centre showed that not only did she know this was a crime, but she also knew what she was expected to do afterwards. Importantly, her awareness of this fact meant that she could anticipate what would happen next, if she were to report.

In a rape investigation and trial, the victim's body is both the crime scene and the physical evidence (Laugerud, 2020) – something most of the women were well aware of, often referring to the presence or absence of physical evidence on their bodies. Guro talked about how her body had cuts and bruises because of the assault, but although some physical evidence such as semen did exist, she decided to leave it be and not report the incident. To be examined, or to contact the police, seemed to represent a point of no return for the women that could have put something beyond their control into motion. Disclosing the event to the police would be similar to letting the experience out of one's personal realm and into the broader, and institutionalized, social realm. Their bodies were made into objects for sex during the rape, and we argue that this idea is important for how they spoke about the prospect of having their bodies reduced to a piece of evidence in an investigation and potential trial. Further, they did want their bodies and their identities to be associated with the crime or the rapist among their social networks and close relationships, preferring social continuity over rupture, to borrow Khan et al.'s terms (Khan et al., 2018, p. 452). To justify the logic behind not reporting, they referred to the broader context of the rape – both the sociality and the institutional handling of rape – to explain why telling about and reporting the rape would not have served their best interests.

> Rita: Honestly, I think I'm afraid that everybody will know what happened. If this case goes to court, then eeeeeverybody will know who the parties in the conflict are. And I prefer not to be associated with it. I mean, it's bad enough that I know that this happened [laughs]. And there's a limited number of people I want to know about it. . . . I don't exactly feel like it makes me look very good, one way or another, to put it like that.

The women emphasized the social circumstances the rapes happened in, and the rapes in these stories were far from dislocated from their social lives. Although the rape may have caused disruptions in their personal lives, the women did not necessarily want those ruptures to tear into their broader social lives. In this sense, the women negotiated between an instrumental regime of justification, focused on acts and actions, and more ontological regimes of justification, focused on their sense of self and future identities.

Still, not reporting arguably placed them in opposition to what it means to be a responsible victim, namely a victim who reports. Within an instrumental regime of justification, not reporting may seem irresponsible and selfish. So how did the women justify putting their own interests before society's interest in preventing rape by reporting and contributing to the incarceration of rapists?

> Ingrid: I didn't think of him as a threat to others because … it's possible he'd do it again, but as I saw it, it was more like he was just in love with me and didn't know how to deal with it than him deciding to have sex with me against my will. I think that had I asked him, it wouldn't have crossed his mind that this would be against my will. … What would be the point of reporting him? I didn't feel the need to ruin anything for him just because he'd ruined so much for me. I didn't want revenge or … justice … for me it was enough that I managed to understand that it was not my fault.

Like Ingrid, the women were often uncertain or ambivalent about whether they viewed their rapist as a 'real criminal' or 'dangerous enough' to deserve punishment. This logic frames the rapist as less of a threat to society; thus, having him punished or incarcerated is unnecessary. The act can be labelled as a crime; the crime is reportable, but he is not. Considering rape as a reportable crime showed the interviewees to be attentive to demands for reporting and disclosure, but not viewing the rapist as reportable enough offered a way out of that demand. Placing his culpability on a more continuous scale could be read as a form of resistance towards the instrumental regime of justification for reporting rape, where guilt is indivisible. For some of the women, attributing the rape not just to their own naïveté but to ignorance on behalf of the perpetrator allowed them to view him as not dangerous, and thus not reportable. As Brennan (2016a) puts it, labelling something as a crime is free of implications for the victim, whereas reporting is not. Negotiating these more socio-political logics with an ontological regime of justification allowed the women a complex position where they could agree that reporting is important while not having done this themselves.

Framing the self of the future

The dominant political climate in Norway emphasizes the importance of reporting to place shame and guilt with the perpetrator, to protect other citizens (especially other women) and to decrease the justice gap. This is an instrumental logic that draws attention to individuals and their responsibilities, not to the larger and more immediate social contexts that form vulnerabilities and actions. By emphasizing their social contexts and personal desires in their stories, the women pulled the rape back into their personal and social spheres. No matter what the law states, or what is deemed best for the public, it is their lives, and they are the ones living them. Similarly to how Frank's (1997) research subjects had to manage a scenario with no self-evident or easy ways out, the women in our study had been subjected to rape and were in situations where no action they could take in the aftermath would have changed that, but they could choose what they wanted to let that fact do to them. Involved in this re-positioning are deciding which choices to make, being able to live with these choices in the future, and re-creating a sense of anticipation for what the future might bring.

But knowing (because of politics) that the responsible thing to do is to report (because of law), while wanting to keep the experience private, constitutes the core of their moral dilemma.

> Nina: You don't want it to have happened to you. You don't want to be that person who was raped. Because, after it happened, I felt that I was. That it was my thing. I was that … poor girl. So I distanced myself from it, refused to report it, talk about it, and walked around saying, 'Just relax, I'm fine'. Now, I see that it was a dumb way to deal with it. But it's too late now. I do see that I have double standards about this. I think that people should be held accountable, that

you should report, and talk about these things. But here I am, and I didn't do any of it. And I understand why; I know very well why it's hard.

As in the quote above, the women often referred to an instrumental regime of justification but simultaneously used a more personal and ontological regime to understand and justify why they did not act 'as they should have'. This outlook shifts the positioning from, as Frank (1997) puts it, 'What must be done?' to 'Who must I become?' A common framing in these stories was non-reporting as a choice and a tool that allowed the women to regain a sense of control. Control is an established feminist device, and positioning non-reporting as an expression of control re-signifies the act from something passive and illegitimate to something active and legitimate. This control is related to their bodies, their stories, and the number of people who will get to know about the incident should they choose to report. In a sense, the refusal to tell others is a refusal to become 'that girl' who got raped (Khan et al., 2018) and instead to carve out a position for themselves that will offer more control.

> Frida: When I think back, I think it became quite defining for me. I became … harder. And lonely. I knew about it, but no one else did. I didn't tell anyone. I decided that day … that this is not a card I'll play. But I have … cursed myself a bit sometimes. For bailing out, even though I understand very well why I did. But I didn't want to find out which one of us our friends would believe. It was not sentimental, but … some things broke. And it had huge consequences for how I dealt with [life] later, and the kinds of people I chose to live with after.

Frida's life did not become easy after the rape. But in her story, she chose a harder life and a harder identity, instead of having a hard life imposed on her. As the women took a step back and looked at their options (and also considered the consequences for others), the choice of not reporting became not only a tool to gain control over their stories and to avoid stigma but also a way to position their current selves as different from their immature selves of the past who had allowed themselves to be raped. Also, by understanding how the rape could have happened while placing the blame on the perpetrator – and still choosing not to report – they accessed a position of maturity. From that position, they could create distance from their past rapeable selves at the same time as they were carving out a future self who has been raped but who remains in control over what that identity entails.

A notion of an evolving self

The women we interviewed activated two different frames of justification when talking about their choice not to report the rape they had experienced: what we have termed ontological and instrumental regimes of justification. While the latter points to non-reporting as wrong and irresponsible, the former offers a way around non-reporting as morally questionable beha
viour. The women presented non-reporting as offering them more space and freedom than reporting. Their struggle for freedom can be related to the social stigma of being a rape victim, but we argue that this notion should not be interpreted to mean that women like those we have interviewed passively respond to the actions of others or act out of fear from stigma. Rather, knowledge about possible ramifications is among the many factors that frame their line of thinking and acting related to reporting.

Although the notions of victimhood have been refined and expanded over the years, Ahmed's (2014, p. 90) point that some stories accumulate affective value and become 'sticky' can explain how the experience of rape is something that clings to victims and stains their identity. The position of being a rape victim involves both a certain stickiness and a strong demand for responsible acts. Doing what one should do in the aftermath of rape means having the stickiness institutionalized, and solidified. As we have shown, activating an ontological regime of justification shifts what responsibility can mean and offers women who have been raped a choice and a chance to live a life free from the stickiness of rape. To achieve a sense of freedom to simply move on with their lives, knowing that they had not done the right thing and reported the rape, the women drew on a notion of an evolving self. The shift in positioning from youthful and naïve to mature and knowing allowed them to create and claim a worthy identity as an evolving person actively engaged in finding her own way forward. The fact that it takes a lot of work to establish a worthy position as someone who has not reported rape points to the importance of understanding what happens when the principle 'the personal is political' is transposed to the individual level.

To move on, the women needed to assume a form of responsibility for the rape: it happened because of their youthful social projects. It might seem paradoxical that assuming some kind of responsibility for why a rape happened may be comforting to victims. But think about the alternative: if one instead sees violating acts as random, then they could happen again, and that would be a frightening scenario. As long as an interpretation of rape in which the victim assumes some responsibility because of 'who she was back then' can be combined with a story of a fundamental change in the self, then the victim can move forward with more certainty that rape is not just a case of bad luck that can strike twice, but instead is something she can remove herself from. That victims assume responsibility can also be interpreted to mean that they have internalized a societal framing of rape as the victim's fault (Anderson & Doherty, 2008). While assuming responsibility may well follow from such a script, the role of an agentic self in accounts must also be taken seriously in its own right.

In the literature, 'victim blaming' is often linked to a focus on risk-taking and recklessness (part of what constitutes what people often speak of as 'rape myths'), but we argue that the emphasis the women placed on agency and accountability in our material should more appropriately be understood as an expression of contemporary ideas about personhood. Beck (1992, in Anderson & Doherty, 2008, p. 70) describes how one requirement upon individuals in a 'risk society' is that they must demonstrate their awareness of existing risks and their manoeuvrability in the face of such risks; if not, they are expected to take responsibility for this failure.

Conclusion

In a context where the responsibility for preventing and deterring future rapes is easily placed on the victim of rape, looking towards affective frames of reference instead of binding the subject of rape to the realm of the political or legal is a valuable approach. Individual narratives

about sexual violation typically become 'filtered through a mesh of legal relevance about … consent, intention, corroboration and so on' (Smart, 1995, p. 83) instead of being explored in an experiential mode. As we stated at the beginning of this article, our desire has been to examine ways in which actions that may be interpreted as passive and as resulting from a lack of ability to protect oneself from harm can be seen as a choice stemming from other available cultural framings than those that attach responsibility for managing risk for others to the victim. The women interviewed for this study were victims of rape, but they were unwilling to take up the subject position of a rape victim established in a discourse where that is assumed to be an identity with consequences for how others see them and how they must act. They chose to emphasize transformation rather than rupture. This scenario highlights the importance of looking at the larger and more immediate social context when attempting to understand how victims respond to rape and the new forms of responsibilisation of victims that emerge as victims' rights are established and normalized and, subsequently, the problem with speaking about rape with an individualizing language.

Notes

1. https://www.politiet.no/rad/voldtekt-og-seksuelle-overgrep/utsatt-for-voldtekt-eller-seksuelt-overgrep/#undefined
2. The study was part of a larger research project The Domestic Violence Research Programme funded by the Norwegian Ministry of Justice and Public Security as well as the basis for the first author's master's thesis. The study was assessed and approved by the Norwegian Centre for Research Data (NSD), project number 53,007.
3. The quotes included in this article were translated to English and lightly edited for clarity.
4. Pseudonyms are used throughout this article.

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