

BRANDEIS UNIVERSITY FEMINIST SEXUAL ETHICS PROJECT

**BLACK WOMEN AND RAPE:
A REVIEW OF THE LITERATURE**

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Introduction

My literature review builds on Elizabeth Kennedy's research examining how the race of a sexual assault survivor affects the prosecution of her attacker.¹ Kennedy's literature review shows that black women's experiences of sexual assault differ from white women's experiences in a number of important ways: black women are less likely to disclose rape, prosecutors are less likely to pursue criminal charges against an assailant when a black woman is the survivor, and jurors are more likely to believe that a white survivor's assailant is guilty than a black woman's assailant. My review of the most recent literature on rape and race demonstrates that scholars continue to argue for the importance of understanding the connections between the racial-sexual violence inflicted on black women during slavery and black women's current experiences of sexualized violence.

My research confirms many of Kennedy's findings, including that black women are less likely to disclose their rape, and that jurors' interpretations of credibility often depend on the race of a rape survivor. However, my review also reveals that current studies have shifted away from examining black women's *particular* experiences as

¹Elizabeth Kennedy "Survivor Race and Rape: A Review of Recent Research" available online at : <http://www.brandeis.edu/projects/fse/slavery/slav-us/slav-us-articles/slav-us-art-kennedy-full.pdf>

sexual assault survivors. Instead, recent social scientific research often compares legal outcomes in interracial versus intra-racial rape cases, or centers on the relationship between the race of the assailant and legal outcomes.

My review includes new research in four areas. First, I examine legal scholarship on issues of racial discrepancies in survivor disclosure rates, prosecutorial discretion in choosing whether to prosecute, and jurors' perceptions of survivor credibility. Legal scholars find that black rape survivors are less likely to disclose the assault to authorities than are white rape survivors, and that jurors are less likely to find a defendant guilty when a rape survivor is black than when she is white. Moreover, legal scholars who examined the methods that prosecutors use in determining whether to pursue a case conclude that race affects prosecutors' decisions to pursue (or not pursue) sexual assault cases because of a pervasive fear that black survivors' accounts of sexual assault will not be believed by juries.

Second, I examine recent historical work on the connections among black women's experiences of sexual exploitation during slavery, the production of images of deviant black female sexuality, and black women's contemporary experiences as sexual assault survivors. Slavery was underpinned by conceptions about black women's deviant sexuality: the notion that black women were good breeders, the conception that black women were hypersexual, and the idea that black women were quintessential mummies. Contemporary representations of black female sexuality continue to traffic in these same ideas about black women's sexual difference, finding new ways to re-articulate the dominant view of black women's sexual deviance.

Third, I examine current social scientific research on the relationship among the race of a rape survivor, the race of the suspect, and the outcome of rape prosecutions. Social science demonstrates that the racial configuration of the defendant and the survivor has a significant effect on legal outcomes.

Fourth, therapeutic literature reveals that black women's experiences of recovery are mediated by the images of black sexual difference that historians trace to slavery. Scholars find that the spiritual and/or religious coping strategies that black women use in recovering from sexual assault are often unmeasured by social scientific research.

Finally, the paper notes absences in the existing literature; it is my hope that in drawing attention to these holes, this literature review might serve as an invitation for further scholarly investigation and exploration.²

In addition to examining research in these four areas, this review draws heavily on the idea that black women's experiences are formed by the intersections of race, gender, and other social categories. The term "intersectionality," coined by legal scholar Kimberlé Crenshaw, captures the "multidimensionality" of black women's experiences (Crenshaw 1993).³ That is, black women's identities are constituted by the interplay of gender, race, class, and sexuality, and shaped by how these categories interact in particular historical, social, and cultural contexts.

The advent of "intersectionality" initiated an important research agenda, inviting scholars to grapple with the complexity of black women's subjectivities. Yet recent legal

²The paper also includes an extensive bibliography of sources that might be of interest to scholars investigating the relationship between survivor's race and rape. It is my hope that this working list of sources might serve as a starting point for others exploring these questions.

³While Crenshaw coined the term "intersectionality," the notion that black women's experiences are not captured by simply adding race and gender has been a hallmark of black feminist thought since its inception.

scholarship has shifted away from using intersectionality to understand black women's experiences. While intersectionality (and even "post-intersectionality"⁴) has become a scholarly buzz word, current legal scholarship is less interested in examining black women's experiences of race and gender, and considerably more interested in re-thinking intersectionality. While this shift yields rich new research questions, the result is that recent scholarship is less invested in exploring black women's experiences, particularly in their navigation of the legal system.

Legal Research

Early legal scholars criticized the cultural and legal invisibility of black women's sexual injuries, particularly as compared to white women's sexual injuries. Current legal research on rape and survivor race tends to center on three questions: (1) the disparate rates of disclosure between white and black women, (2) the significance of prosecutorial discretion in determining whether to bring a case against a perpetrator, and (3) jurors' differing perceptions of black and white women's credibility.

Disclosure

Generally, legal scholars have long found that black rape survivors are less likely to disclose their assault to authorities than white rape survivors. Linda Meyer Williams (1988) suggests that an array of factors prevent black women from disclosing assaults, including prevalent perceptions of "strong" black women (and "weak" white women), experiences of racism in the criminal justice system, and the overrepresentation of whites

⁴"Post-intersectionality" is Peter Kwan's term, used to draw on intersectionality's key work without reifying its tendency to privilege particular categories (i.e., race). Instead, Kwan advocates a "cosynthesis" perspective, which he describes as "open[ing] up space for conceptualizing identity formations that do not prioritize one category over others, but rather force us to recognize their mutual dependence and hence the importance of dealing with all modes of oppression simultaneously, rather than artificially dealing with one in favor of another, or as intersectionality forces us to do, opening up a third space, thereby reifying a new set of borders within discourses of oppression" (Kwan 1997, 1292).

in helping professions and services available to survivors. However, there is little research comparing black women's willingness to disclose an intra-racial assault compared with an interracial assault.

Prosecutorial Discretion

Scholars increasingly investigate prosecutorial discretion, the selection processes that prosecutors use to determine whether they should bring a case forward, and its racialized effects. Lisa Frohmann's (1997) field study on the prosecution of sexual assault crimes demonstrates that prosecutors often use "place" as a proxy for credibility in determining which cases to bring forward. That is, district attorneys routinely use the location of a sexual assault (a deserted alley versus a crowded bar, for example) as a tool for measuring the likelihood that a jury will believe a survivor. Certainly "place" can allow both race and class to seep into a prosecutor's decision as to whether a jury will believe a survivor. However, Frohmann's analysis does not fully assess the extent to which questions of credibility hinge on race versus class.

A recently released study (2008) undertaken by the Making a Difference (MAD) project at End Violence Against Women International examines how the criminal justice system responds to rape complaints. "The MAD study, initiated in October 2003, collects data from four "core disciplines" that regularly respond to sexual assaults (law enforcement, forensic medicine, prosecution, and survivor advocates) in eight communities (Austin, TX; Bozeman, MT; Columbia, SC; Grand Rapids, MI; Jacksonville, FL; San Diego, CA; Kansas City, MO; and Washington, DC) over a period of 18–24 months, yielding data on approximately 12,000 sexual assault cases.⁵ MAD

⁵The MAD study is unique in that its participants were selected by application (rather than randomly selected). MAD specifically chose communities with well-organized, structured "core disciplines."

selected its sites after releasing a call for applications in January 2003; applicants were selected based on the organization of their “core disciplines,” and the level of collaboration among professionals in the community.

On the question of prosecutorial discretion, MAD found that more cases involving black rape survivors were referred to police, but fewer cases involving black survivors were pursued by prosecutors. Their study also concluded that the perpetrator’s race shapes legal outcomes, as cases with a black suspect are more likely to go to trial, whereas those with a white suspect are less likely to go to trial. MAD’s research convincingly demonstrates that race impacts prosecutorial decision-making and, ultimately, legal outcomes.

Significantly, MAD’s data contains valuable information on Latina, Asian, Pacific Islander, and Native American rape survivors as well. The MAD study finds that Latina survivors are under-represented in cases seen by law enforcement, forensic medicine, prosecution, and survivor advocates in MAD communities. This underrepresentation is even more apparent for Asian and Pacific Islander rape survivors who were rarely served by law enforcement, prosecutors, and survivor advocates in MAD communities.

Moreover, prosecutorial discretion affects all non-white rape survivors, not just black women. MAD’s analysis reveals that judges often drop all charges against assailants in Latina rape survivors’ sexual assault cases, while judges often wholly reject black rape survivors’ cases. MAD notes, “On some level this difference is not critically important, because both dispositions mean that cases do not proceed to the stage of prosecution; only the procedural mechanism is different. For some reason, cases with African-American victims may have fallen out of the system at an earlier stage (case

rejection) than those with Latina victims (case dismissal).” Generally, MAD’s investigation of a diverse population’s experience with the criminal justice system suggests the critical importance of multi-racial/multi-ethnic research on prosecutorial discretion.

Credibility

Legal scholars have also examined the relationship between jurors’ perceptions of the credibility of a survivor and her race. A number of legal scholars suggest that there is a lengthy cultural history of disbelieving black women. For example, Marilyn Yarborough and Crystal Bennett suggest that an often ignored, yet culturally pervasive, stereotype of black women is that they are liars. Their close-readings of sexual harassment and sexual assault cases emphasizes the idea that black women’s claims of sexual injury are routinely disbelieved precisely because black women are culturally imagined as dishonest.

Other legal scholars use empirical evidence to make similar claims. Gary La Free’s (1980) analysis of felony rape cases concludes that jurors are less likely to find a defendant guilty when a rape survivor is black, either because of prevailing ideas of black women’s hyper-sexuality *or* because of an unwillingness to believe black witnesses. Similarly, Cyndie Buckson’s (1991) study, which presented mock crime reports to police officers, finds that police officers rated survivors’ credibility differently based on their race.

Historical Research

Lily McNair and Helen Neville argue that “the socio-historical context of rape is qualitatively different for African American women compared to non-minority women”

(McNair and Neville 1996, 109). McNair and Neville point to the importance of slavery and its legacy in shaping black women's "qualitatively different" experience of sexual assault. To that end, many scholars have begun to document black women's sexual injuries during slavery, and to connect those racialized-sexualized injuries to black women's contemporary experiences of sexual violence.

For example, Lisa Cardyn, who examines the sexual violence that the Ku Klux Klan (KKK) wielded against blacks in the post-Civil War South, argues that the "sheer pervasiveness, intensity, and ideological coherence" of Klan violence "establishes sexualized violence as an essential aspect of the postwar Southern condition" (Cardyn 2002, 677). Ultimately, Cardyn argues that Klan violence "reinstantiate[d] white male dominance in its antebellum form," with the rape of freedwomen central to the Klan's strategy to claim white power (Cardyn 2002, 677). Cardyn underscores the importance of understanding blacks' subordination in terms of the intersection of sexual violence, political subordination, and economic exploitation.

Historians have drawn threads of continuity between the racial/sexual myths underpinning slavery and the post-bellum Jim Crow laws repressing Southern blacks and those underpinning today's images and stories. Some argue that the history of slavery, and its persistent myths about black women's sexuality make it more difficult for black women to successfully advance rape claims, even today. Others demonstrate that black women's experiences of sexual assault must be analyzed in relation to black women's experiences of economic oppression and racial discrimination (McNair and Neville 1996, 110). Ultimately, whether connecting black women's experiences of sexual exploitation to slavery's inception, its perpetuation (through black women's reproductive abilities), or

to Jim Crow, historians show the connections between the racial-sexual mythologies that shape current perceptions of black women and the racial mythologies that enabled slavery.

Raced and Gendered Imagery

Historians who explore the connections between slavery and the present often center their analyses on dominant images of black women's sexuality. Diane Roberts argues, "America's racial representations were built on reinventions of European racial representations where *blackness* was a sign of lasciviousness and excess. When Europeans enslaved Africans, blackness came to mean not only easy sexuality but laziness, bestiality, savagery, and violence, all of which had to be countered" (Roberts 1994, 4, emphasis in original). Similarly, an ideology emphasizing black women's difference enabled slave-owners to justify slavery's "natural" reproduction through the impregnation and childbearing of enslaved women. Black women were imagined as naturally hyper-sexual, a convenient racial-sexual ideology because slavery was dependent on black women to increase the slave population. The racial-sexual myths that enabled slavery have been transformed in various historical periods, but have secured the idea that black women's sexuality is deviant, dangerous, and pathological.

Black Women as Mammies

The image of the asexual mammy is an important part of the historic "folklore of American culture" (Jewell 1993, 37). Patricia Hill Collins argues that the image of the "faithful, obedient domestic servant" served to "justify the economic exploitation of house slaves and...to explain Black women's long-standing restriction to domestic service" (Collins 2000, 72). In addition to depicting slavery as a consensual economic

relationship, the mammy image also obscured the persistent sexual violation of black women's bodies by de-sexualizing and masculinizing black women. K. Sue Jewell suggests that images of the black mammy's body, which exaggerate her breasts and buttocks, render her femininity hyper-visible while also marking her as asexual:

The unusually large buttocks and embellished breasts place mammy outside the sphere of sexual desirability and into the realm of maternal nurturance....In so doing, it allows the males who constructed this image, and those who accept it, to disavow their sexual interests in African American women. Therefore, when slave owners were sexually involved with female slaves, the implication was that it was the result of the sexual advances of the female slave and not the slave owner (Jewell 1993, 40).

In perpetuating an image of the *undesirability* of the black female body, slave-owners effectively managed to hide the continued sexual violence they regularly inflicted on black women's bodies.

Moreover, the image of the black mammy actually worked to secure black women's deviance in the popular imagination. While seemingly a celebration of black women's capacity to mother, the image only celebrated black women's capacity to care for *white* children. In fact, the mammy image popularized the idea that black women were suited to care for white children and ill-equipped to care for their own children.

Today, the image of the mammy has been transformed into an image of the "black matriarch," the black woman who cares only in pathological ways for her own children. Daniel Patrick Moynihan's (1965) famous condemnation of the black "matriarch" lent social scientific validity to the conception of "the strong black women" whose strength undermines conventional gender roles and emasculates black men (Donovan and Williams 2002, 99). For Moynihan, the "bad" black mother is responsible for destabilizing gender roles through her hyper-aggressiveness, a transgression that

“contributed to social problems in Black civil society” (Collins 2000, 75). Indeed, black women’s imagined aggression was thought to emasculate black men, producing black families with “deviant” gender roles, and encouraging black men to leave the traditional nuclear family. The image of the black “matriarch” demonstrates an important strand of continuity between antebellum and contemporary notions of black women’s sexuality.

Black Women as Jezebels

The culturally pervasive image of the “alluring, sexually arousing, and seductive” Jezebel entrenches an idea of black women’s hyper-sexuality (Jewell 1993, 46). Collins argues that the Jezebel’s origins can also be traced to slavery, when the image served “to relegate all Black women to the category of sexually aggressive women, thus providing a powerful rationale for the widespread sexual assaults by White men typically reported by Black slave women” (Collins 2000, 81). The Jezebel image rendered the sexual violence inflicted on black women during slavery normal by suggesting that black women’s race and gender rendered them inherently sexually available. Moreover, under slavery, law mirrored the popular conception of black women as always sexually available by ignoring their claims of sexual violence (Clinton 1994).

Currently, the image of the Jezebel has been reproduced in a host of forms. Roxanne Donovan and Michelle Williams note, “Contemporary Jezebels are referred to as welfare queens, hoochies, freaks, and hoodrats. Although the names have changed, the message is the same: Black women are sexually available and sexually deviant” (Donovan and Williams 2002, 98). One of the most culturally visible forms of Jezebel imagery is the conception of the “welfare queen,” an image which suggests that black

women's fertility will undermine the economic stability of the state.⁶ Ange-Marie Hancock argues, "the public identity of the 'welfare queen' is the indigent version of the Black matriarch controlling image: a dominant mother responsible for the moral degeneracy of the United States" (Hancock 2004, 56). This "public identity" is used to justify policy initiatives to dramatically limit public assistance.

Black Women as Breeders

Under conditions of slavery, black women were compelled to breed in order to "naturally" reproduce the slave population. Jennifer Morgan argues that slave women's reproductive capacity -- and mythologies of black women's "easy" reproduction-- performed "an essential ideological function" for slaveholders (Morgan 2004, 1). For example, prevailing ideas that African women had a "propensity for easy birth and breast-feeding" ameliorated concerns that enslaved women might not be able to adequately perform their responsibilities when pregnant, and permitted slave-owners to insist that enslaved women continue their physically demanding labor until the moment of birth (Morgan 2004, 36). Ultimately, the conception of slave women's inherent capacity to produce *and* to reproduce functioned as a linchpin of difference, as a strategy for distinguishing white women from black women.

Black Women as Less Than Ladies

Because of black women's imagined physiological, moral, and sexual differences, black women have long been thought of as inherently unable to fulfill the role of "ladies." Evelyn Brooks Higginbotham captures the intimate connections between conceptions of

⁶In the first section of this paper, I have analyzed the relationship among images of welfare recipients, notions of black sexual licentiousness, and the cultural impetus to control black women's sexuality.

black sexual deviance and notions of black immorality, citing “the statement of one Southern white woman in 1904: ‘I cannot imagine such a creation as a virtuous black woman’” (Higginbotham 1992, 264). Because black women were unable to claim womanhood, “respectability” functioned as an important political strategy for black subjects generally, and black women in particular, during the Jim Crow era. During this period, “adherence to respectability enabled black women to counter racist images and structures” (Higginbotham 1993, 187). Marshaling respectability, a set of practices that Higginbotham describes as “temperance, cleanliness of person and property, thrift, polite manners, and sexual purity,” black women responded to the prevalent conception of black deviance by working to claim womanhood.

Social Science Research

Contemporary social science research on the relationship between a survivor’s race and outcomes in rape prosecutions regularly cites Gail Wyatt’s seminal studies (Wyatt 1982, Wyatt 1992). Wyatt compares black and white rape survivors, finding that white and black women disclose similar rates of rape, yet black women were less likely to disclose the assault to authorities, more likely to believe that they were at a greater risk for rape than white women, and more likely to identify their “living circumstances” as a component of their victimization (Wyatt et al. 1990; Wyatt 1992). Recent research has built on Wyatt’s analyses to examine juror interpretations of interracial versus intra-racial rape, and to understand how racialized and gendered stereotypes tropes affect survivors’ and jurors’ interpretation of rape.

Interracial vs. Intra-racial Rape

There is a considerable body of social scientific literature exploring juror perceptions of rape by testing participants' responses to a variety of configurations of race of defendant and survivor (i.e., black survivor/white defendant; black defendant/white survivor; black survivor/black defendant; white survivor/white defendant).⁷ Despite numerous studies examining the affect of race on juror perceptions, social scientists are still debating the relationship between survivor's race, suspect's race, and legal outcomes.

Some social scientists argue that interracial rape is perceived as a more serious offense than intra-racial rape. William George and Lorraine Martinez's (2002) study concludes that interracial rapes are less likely to be interpreted as "definitely rape" based on a study when 170 men and 162 women, predominately white and Asian, were given rape vignettes with varied survivor and suspect race. George and Martinez also find that both black and white survivors were assessed as more blameworthy by study participants if assaulted interracially. They note, "In sum, when a Black man raped a White woman, she was blamed more and he was blamed less than if a White man had raped her. The opposite was true for a Black woman: When the assailant was White rather than Black, she was blamed more and he was blamed less" (George and Martinez 2002, 115).

Other social scientists have wholly different findings on the question of interracial versus intra-racial rape. Robert Hymes et al. (2001) suggest that both black and white defendants are rated as *more* guilty when the survivor's race differed from their own, suggesting that interracial rape is seen as more problematic than intra-racial rape.

⁷It is important to note, however, that these mock juror studies do not necessarily adequately replicate actual juror deliberation processes. Generally, participants in these studies watch a brief video tape of a judge reading juror instructions. They briefly see a survivor and a defendant and are then asked for their perceptions of the situation.

Similarly, Patricia Landwehr et al.'s research (2002) demonstrates that both black and white defendants are more likely to be convicted if their race differs from that of the survivor, again suggesting that interracial rape is taken more seriously than intra-racial rape by mock juror panels.

Other social scientists argue that juror perceptions of the severity of the crime depend on the race of the survivor, not on the racial configuration of the survivor and the defendant. Linda Foley et al. (1995) find that participants are more likely to believe that a suspect should be found guilty when his victim is white, more likely to agree that a date rape should be reported when the victim is white rather than black, and less likely to interpret a vignette as rape when the victim is black, as compared to white. Foley et al.'s results suggest that the comparison of interracial and intra-racial rape may be less important than the race of the survivor in determining jurors' interpretations of the evidence.

Finally, some social scientists have found that questions of perpetrator culpability and survivor credibility depend on whether the decision-makers are men or women. Jorge Jimenez and Jose Abreu (2003) find that women show greater empathy for rape survivors, are less likely to accept rape myths, and are more likely to find a rape survivor credible. Jimenez and Abreu note, however, that empathy and credibility are extended in race-specific ways. That is, European-Americans' empathy is restricted to the white survivor (compared to a fictitious Latina survivor). Barbara Nagel et al. (2005) also find a significant relationship between gender and attitudes towards rape survivors, yet argue that perceived racial variations in attitudes towards rape survivors might be better explained by socioeconomic status and education.

Cultural Stereotypes and Rape

Social scientists are beginning to investigate the relationship between cultural stereotypes and survivors' interpretations of sexual assault. Neville et al. (2004) extend Wyatt's work, arguing that black women often use "cultural attributions" as an explanation for why they were sexually assaulted. They suggest that cultural stereotypes of black women's sexuality as deviant shape survivors' frameworks for understanding their own assaults.

In addition to shaping how survivors perceive their assault, recent scholarship demonstrates that racial-sexual stereotypes affect perceptions of black rape survivors. Donovan argues that culturally pervasive images of black women as Jezebels and matriarchs affect social perceptions of black rape survivors. The culturally pervasive Jezebel image, which assumes black women to be hyper-sexual, is inextricably intertwined with ideas that black women contribute to their assaults. Similarly, the matriarch image, which assumes that black women are tough, emotionless, and unfeminine, minimizes cultural recognition of black women's trauma.

To test her interest in the interaction between racial stereotypes and attribution of blame for rape, Donovan studies how subjects perceive rape differently when the race of the perpetrator and survivor is changed. Donovan finds that participants in her study (in this case, white men and women, as all of her participants were of the same racial group) perceive rape differently, with men more likely to view perpetrators as less culpable and survivors as more promiscuous than female observers. Men and women also vary in their allocation of culpability when the race of the perpetrator and survivor are changed. Male participants are more influenced by the perpetrator and survivor race when making

assessments of survivor promiscuity and perpetrator culpability than their female counterparts. In particular, white male participants view the black survivor as more promiscuous than the white survivor when the perpetrator is white. When the perpetrator is black, white and black survivors are viewed as equally promiscuous. Donovan suggests that these differential assessments of rape blame can be connected to stereotypes about black female sexuality that shape the collective sexual imagination.

Counseling Research: Trauma, Healing, and Recovery

Theologians and psychotherapists have also compared black and white women's experiences of recovery from sexual assault, emphasizing that sexual violence is cloaked in silence for black women. In particular, these scholars and practitioners examine the ways in which the stereotype of the strong black woman can hinder black women's recovery from sexual assault (Romero 2000). The pervasive notion that black women are inherently strong prevents black women from engaging in the oftentimes vulnerable task of healing. These stereotypes affect not only black women's recovery, but helping professionals working with survivors. Carolyn West (1995) argues that culturally ubiquitous stereotypes of black women as hyper-sexual affect black women's processes of healing and recovery, because they shape the ways in which those in the helping professions perceive their clients' sexuality.

Moreover, scholars and practitioners argue that black women often use particular tools to recover from sexual assault, healing strategies which social scientists often fail to measure when studying healing. For example, McNair and Neville argue that prayer is a common tool that black women use to recover from rape, yet social scientific tests which measure coping fail to examine whether survivors use prayer in this context.

Other scholars have studied the relationship between pastoral resources and rape survivors. Jane Sheldon and Sandra Parent argue that rape survivors often note that they are unlikely to disclose a rape to clergy, and that clergy are the least helpful healing professionals they encounter in their recovery processes. They argue that “the more sexist and religiously fundamentalist⁸ clergy’s attitudes were, the more negative were their attitudes toward rape survivors and the more they would blame the woman for her assault” (Sheldon and Parent 2002, 246). Sheldon and Parent note that this is particularly problematic for women who are members of fundamentalist churches; generally, these churches encourage members to seek help from church members, yet these clergy hold the most unfavorable attitudes toward survivors. Sheldon and Parent argue for the importance of more analysis of the relationship between survivor race, disclosure to religious leaders, and healing.

Areas for Further Research

As scholars continue to examine the intersections among the historical legacy of slavery, the construction of racial mythologies, and black women’s experiences of rape, it would be useful to examine the relationship between the ethnic identity of a rape survivor and her experiences advancing a legal claim. Scholars can begin to investigate what conceptions of Latina, Asian-American, and Native American women’s sexuality are mobilized against them when they claim sexual assault, and analyze what images of

⁸Sheldon and Parent assessed fundamentalism by asking clergy “If fundamentalism is defined as religious beliefs based on a literal interpretation of the Bible, how would you describe your religious beliefs?” Participants were then able to respond on a five point scale. Sheldon and Parent argue that this kind of self-assessment is a better measure of conservative religious beliefs than denominational affiliation (Sheldon and Parent 237).

particular ethnic groups shape and constrain women's ability to seek legal relief.⁹

Similarly, increased international collaboration with scholars and activists in other post-slave nations could yield new insights on the relationship between slavery and racial-sexual mythologies.

Another site for further investigation is a comparison of domestic violence and sexual assault. Generally, scholarly literature on domestic violence has been particularly aware of the interplay of cultural difference and violence, yet research on sexual assault has tended to downplay the significance of cultural, racial, ethnic, and religious difference in survivors' experiences of the legal system and in survivors' recovery process. Scholars interested in the importance of racial, ethnic, and cultural difference in shaping experiences of sexual violence might consider evaluating the anti-domestic violence movement's success at studying how race shapes experiences of violence.

Other scholarly investigations could examine the interconnectedness of class and race in rape cases. Traci West suggests the importance of examining the intertwined nature of race and class as "analyses that link poverty and intimate violence can also create the impression that rape and incest are 'natural' occurrences in the lives of poor black women simply because they occur frequently. Such arguments can be read as relocating the responsibility for such acts from male aggressors onto an amorphous and impersonal factor called 'poverty'" (T. West 1999, 99). Ultimately, social scientists

⁹Amnesty International's report on Native American women and sexual violence is one excellent source that has begun to make these connections. Amnesty International finds that sexual violence against Indigenous women is shaped by a lengthy history of human rights abuses, and worsened by the government's failure to adequately support tribal law enforcement agencies. See http://www.amnestyusa.org/Womens_Human_Rights/Maze_of_Injustice/page.do?id=1021163&n1=3&n2=39&n3=1410 [Accessed May 30, 2008]

could create a research agenda examining the relative salience of race and class in an array of crucial moments in a rape prosecution, including a survivor's willingness to disclose the attack and the prosecutor's decision to bring charges.

Finally, research that teases out the *mechanisms* through which racialized myths are transformed, altered, and re-made would better enable scholars to assess how myths of black women as breeders, matriarchs, and Jezebels are transformed into conceptions of black women as “welfare queens” or “hoochie mamas.” In particular, more sophisticated scholarship could examine how stereotypes are spread across time and space, particularly in a global era.

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