

Managing euphemism and
transcending taboos: Negotiating
the meaning of sexual assault in
Latinas' narratives of domestic violence*

SHONNA L. TRINCH

Abstract

This article provides a systematic analysis of the lexical variation surrounding the topic of sexual violence used by Latina women in a legal setting where they tell their stories of domestic abuse in order to make an official report. Twenty-two protective order interviews in which Latina women co-construct their accounts of abuse with paralegal or volunteer interviewers make up the corpus of the study. By bringing to light the different lexical items used to discuss sexual violence, I suggest that cultural ways of speaking (where norms for discourse about this topic are arguably quite consistent cross-culturally) about taboo topics can be at odds with institutional needs. Utilizing anthropological and linguistic theories of sociocultural taboos as well as an interactional sociolinguistic approach to frame the analysis, I determine that Latina women have an array of linguistic resources with which to speak about sexual assault. However, in some instances, the victims' use of ambiguous and vague terms to refer to sexual violence, a taboo subject, though perhaps a culturally appropriate strategy for storytelling, puts the accuracy of an institutional record at risk.

Keywords: *taboo; sexuality; genre; narrative; domestic violence; rape; Latino; community.*

This study examines how the topic of sexual violence is negotiated and managed at the intersection of the US sociolegal system and the US Latino community.¹ Specifically, I focus on how Latina survivors of domestic abuse discuss sexual violence and marital rape with service providers in protective order application interviews.² Of interest here is the way the participants in the twenty-two protective order application

0165-4888/01/0021-0567
© Walter de Gruyter

Text 21(4) (2001), pp. 567-610

1/16

interviews examined avoid or confront taboo topics and, subsequently, how linguistic avoidance of these social taboos affects meaning making. I hypothesize that sexual violence will be marked in the discourse of both interviewers and victims as a taboo topic, or a subject that is either prohibited or somehow restricted in the discourse.³ I suggest that the topic of sexual violence within the context of an institutional interview is a contentious subject that requires that interviewers and victims enter into a negotiation process in order to construct an adequate narrative genre of abuse from the speech event of the interview. Elsewhere it has been suggested that victims want to tell *stories* of abuse while what protective order interviewers want to hear are *reports* (Trinch 1999; Trinch and Berk-Seligson 2000). I consider stories and reports to be different *narrative genres*, and this analysis attempts to show how lexical items used to represent sexual violence in a story genre differ from their lexical counterparts in the report genre. In several instances, I also examine the form and content of utterances about sexual violence in the interview's final product, the affidavit, to see what results in written linguistic form from the verbal negotiation of the meaning of sexual violence. I argue that divergent institutional and *lay norms and ways of speaking* (in the sense of Hymes 1986) about sexual violence may result in a tension between the participants' varying levels of sociolinguistic competence. With respect to the verbal expression of sexual violence, this tension can be thought of as a sociolinguistic tug-of-war, where on one side the pull is toward the culturally appropriate norms of expression for some speakers (Latino or otherwise) and on the other, the pull is toward terminology that is contextually appropriate for the protective order interview. I argue that cultural constraints against speaking openly and directly about sexual violence are bound, in some cases, to affect one type of *institutional memory* (cf. Linde 1999). Thus, following the research agenda set forth by Potter and Wetherell (1987: 110), this article seeks to describe the range of discursive representations available to survivors of sexual violence in one particular context while trying to understand how these variant forms 'are used and to what end; and thus, what they achieve for the speaker immediately, interpersonally, and then in terms of [their] wider social implications'.

Narrative and genre

I consider sexual violence to be a possible thematic subcomponent of a domestic violence *narrative*. I define *narrative* as Conley and O'Barr (1990: 197) use the term as *account*, to mean 'the totality of the telling of

a particular witness's version of the events at issue, even though it may occur as an interrupted rather than a coherent sequence within the ...' speech event. In this case, the protective order interview is the speech event in question. Different types of speech events will engender an array of narrative types. A person may offer a version of the same events in a college entrance essay, at the pulpit, in a police interview, or in a protective order interview. While the events of an incident may be similar or even nearly the same in each telling, the format they take or the ways in which the events are packaged will be different, depending on the type of speech event in which the incident, is recounted. For instance, a narrative about a car accident told in conversation with friends over a soda will differ from a narrative of the same event told in a police interview. Thus, following Bakhtin (1986), we can conceptualize *narrative* as taking the form of different *narrative genres*, whereby a certain *genre* is constituted and determined by, among other things, the context in which an account is told. According to Bakhtin (1986: 60), any particular speech genre is the product of a specific 'sphere of communication'.

Linguists such as Briggs and Bauman (1992) and Eggins and Martin (1997) agree with Bakhtin's (1986: 60) view that speech genres 'reflect the specific conditions and goals' of their sites of production and reception. These goals are echoed 'through [the genre's] thematic content, ... the selection of the lexical, phraseological, and grammatical resources of the language, and above all through compositional structure' (Bakhtin 1986: 60). Interactional sociolinguists would also consider any conversation or speech act to be a product, or perhaps a process of the joint efforts, of the parties present and participating in the making of the discourse (Schiffrin 1994; Ewick and Silbey 1995). Combining Bakhtin's notion of speech genres with an interactional sociolinguistic approach to the study of narrative provides a useful starting point from which to investigate contexts of co-construction that involve conversational participants who do not share the same norms and ways of speaking. These conflicting norms and ways of narrating, as well as the divergent linguistic representations of sexual violence, can, to borrow a phrase from Eggins and Martin (1997), put meaning at risk.

Theoretical background: Meaning at risk

Sociolinguists have helped us to understand how different norms and ways of speaking can be problematic for conversational participants whose methods of encoding and decoding messages differ in significant ways. Moreno (1991), for example, finds that two question types (e.g., perceptual vs. conceptual) mean different things for Latino and non-Latino children

assault case do ideological work that transforms the sexual assault complaint into an act of consensual sex. Moreover, Coates, Bavelas, and Gibson (1994) indicate that sexual violence is sometimes cast in romantic, affectionate, and even erotic language by judges. The researchers suggest

that such themes may occur because, while there are interpretative repertoires for stranger rape and consensual sex, there is virtually no accurate vocabulary or narrative structure for the more common cases in which the assailant is not a stranger to the victim. (Coates et al. 1994: 189)

They go on to state that the language used by judges reflects the language of sexual violence as defendants speak about it and not as it is spoken about by victims.

In this analysis, the terms *culture* and *cultural* as they are used throughout to refer to 'norms and ways of speaking' do not refer exclusively to Latino culture or to Latino discursive practices. Rather, these terms refer to the speech of lay people, who in this case happen to be Latina women, and the study juxtaposes their speech to the type that is needed or desired in legal institutions. Therefore, it is not ethnic culture, but rather the dominant and nearly universal culture created by certain pervasive and ubiquitous discursive practices that create and sustain power. (On ethnic culture blaming within the law, see Vlopp 1994, 1996; Bhabha 1996.)

Arguing that there is a strict dichotomy between the ways lay individuals and legal actants discuss sexual violence perhaps sets up a false divide. On the one hand, institutions exhibit standards of language use that are clearly specific to their cultural milieu. On the other hand, institutions and the authorities or the service providers who work for them are not separate and distinct from the larger culture. Given that a topic may be generally 'taboo' in society at large, we can expect it to be taboo within the sociolegal system as well, but perhaps in different ways, or in ways that correspond to institutional culture. So while one explanation for judges' discussion of intimate-partner or acquaintance sexual violence might be the absence of an adequate linguistic repertoire, the data in this analysis suggest another explanation. Namely, the use of terminology that palliates indecency and indelicacy in order to uphold decorum plays a key role in the construction of sexual assault narratives. The evidence that I put forth here suggests that Latina women, when reporting sexual assault, utilize some linguistic forms that would be considered (perhaps at least stereotypically) to be more consistent with how defendants, rather than victims, would discuss sexual violence. The clients talk about sexual violence in these sometimes shocking ways, not because they believe that they deserved to be raped, or because they see it as their duty to have sex with their partners, but because this type of language keeps them from

violating sociocultural restrictions against speaking the unspeakable. We will see that Latina women's repertoire for discussing sexual violence is often just *sexual* or simply violent, but not marked [+ sexual] and [+ violent] at the same time. This type of speech, while perhaps a culturally appropriate voicing of sexual violence, can be highly problematic in terms of the institutional goals of securing a first-person account of domestic abuse.

Ullmann (1966: 245) suggests that linguistic taboos are born primarily of three sources: (1) 'fear ... religious restriction ... and superstitious avoidance'; (2) delicate matters or 'unpleasant topics such as illness and death, ...', or criminal acts; and (3) acts that violate 'a sense of decency and propriety' such as those that include sexual references. The linguistic work of both Azevedo (1992) and Grimes (1971, 1978) corroborates Ullmann's framework of taboo for Spanish-speaking speech communities. Azevedo (1992: 267) finds that taboo words originating with religious restrictions include the words for God, *Dios*, and for the Devil, *el Diablo*, as is evidenced by euphemistic substitutes such as *Señor* 'Lord', and *el Todopoderoso* 'the All Powerful', as well as *el Malo* 'the Bad One' and *! Enemigo* 'the Enemy'. That a taboo surrounding the topic of death exists in Spanish is seen in the use of softer terms such as *dejar de existir* 'to have left this existence' and *pasar a mejor vida* 'to go on to a better life'. Sexual taboo terms in some Spanish-speaking communities include the words *testículos* 'testicles', *vagina* 'vagina', *el acto sexual* 'the sex act' and *estar embarazada* 'to be pregnant' respectively, to name just a few. These direct taboo referents are avoided in favor of any number of more euphemistic terms such as *huevos* 'eggs', *concha* 'conch shell', *hacerse el amor* 'to make love' *tener relaciones íntimas* 'to have intimate/private relations', and *dar a luz a un hijo* 'to give light to a child'.

Ullmann's framework alone suggests that rape—a fear-instilling, unpleasant criminal act that entails a discussion of sexual activity—is indeed a taboo topic. Looking more broadly though, there is corroborating evidence to support this hypothesis. Much of the literature concerning the discussion of sexuality, sex, sexual assault, and domestic violence indicates that speakers consider these topics too delicate to speak about. Yet with the exception of the study conducted by Ramos Lira, Koss, and Felipe Russo (1999) in which Mexican-American women were asked to define *rape* in focus group settings, most of the literature provides only anecdotal evidence to support these claims.

Díaz-Duque (1989), for example, states that Latina women may either not have the vocabulary for or may be reluctant to mention terms that refer to body parts or sexual activities. Irvine (1995) reports that Latinos, and more specifically Chicanos (or Mexican Americans), have been characterized as being more reticent than members of other ethnic

groups on issues concerning sex and sexuality. Medrano (1994: 103) argues that the 'general lack of frank discussion of sexual matters among Latinos may make it extremely difficult for women to protect themselves from the HIV virus ...'. 'Moreover, consistent with the findings of Williams and Holmes (1981), Michael, Gagnon, Laumann, and Kolata (1994) find that fewer Hispanic women reported having been forced to have sexual relations than did the women in their study who came from White, African-American, and Asian backgrounds. While these studies indicate a prohibition on speech about sex and sexuality, very little has been written on just *how* Latina women talk about sex and sexual assault, particularly when the context requires it.

It appears that very little is known about the way Americans in general talk about and define sex when the social context requires it. Sanders and Reinisch (1999: 275) report 'that a review of the literature demonstrates that empirical exploration of what is included in definitions of having "had sex" for the general public in the United States remains scant'. Taking as a point of departure Sanders and Reinisch's (1999) study and focusing on the literature on battering in the Latino community, we find that definitions of domestic abuse are culturally specific as well (Torres 1991). Hence we may further assume that definitions of sexual violence might also vary along cultural and ethnic lines. While the sexuality research on Latinos alludes to the difficulties that members of this ethnolinguistic group have in defining and speaking about sex-related issues, here too there is a paucity of empirical evidence. For instance, de la Vega (in his 1990 SIECUS report, 'Sex Information and Education Council of the United States') argues that Hispanics (presumably only men) talk about sex in abundance, but that they do so in indirect ways. He states,

... many Latino communities still believe that good and virtuous women do not talk about sex. This is why so many young Latina public health educators report that when they approach Latinos to speak with them about sexual subjects, the men, believing that they are 'coming on to them' behave as though they are 'turned on' and, in turn, 'come on' to the women. Direct sexual talk is tolerated as something that only men, who may or may not be under the influence of alcohol, publicly engage in, often with sex workers or within the permissive atmosphere of a party or an all-male group (de la Vega 1990: 4).

If de la Vega is correct, the question that remains to be answered is twofold. First, how and to whom do women from one Hispanic group, namely Mexican-American women, talk about sexual issues when they are victims of a sexual assault? Second, does their way of speaking about these issues have an impact on how their stories are told in public or in institutional settings? While none of these studies tells us how Latina

Historically, *rape* has been defined in common law as 'carnal knowledge of a female forcibly and against her will' (Bienen 1981: 174 as cited in Ramos Lira et al. 1999: 236). Today, in most US states, the legal definition of rape is 'nonconsensual sexual penetration of an adolescent or adult obtained by physical force, by threat of bodily harm, or at such time when the victim is incapable of giving consent by virtue of mental illness, mental retardation, or intoxication' (Koss et al. 1994 as cited in Ramos Lira et al. 1999: 236). Legal definitions of rape in the US originated in British common law, and continued through the 1980s when US statutes maintained the notion borrowed from Britain that it was impossible for a man to rape his wife (Yllö: 1999). In most states today, this spousal exclusion has been eliminated from rape laws. But because of the short-term nature of US institutional memory of sexual violence in marital relationships, I elect not to use legal definitions of sexual violence. Thus, I define sexual violence broadly as any unwanted sexual advance ranging from an intimate partner's unwanted attempt to kiss or touch a survivor of domestic violence to an attempted or completed act of rape. Additionally, I choose not to impose a legal definition onto the data because doing so would force me to exclude the way that women themselves discursively construct sexual violence as abuse.

A domestic violence report is a particular type of narrative genre that is created in institutional settings by victims and sociolegal service providers. From the institution's perspective, the purpose of the domestic violence report is to carry out or to accomplish domestic violence processing, analogous to what sociologists (Martin and Powell 1994; Martin 1997) and criminologists (LaFree 1989) call *rape processing*. Rape processing is 'work done by organizations to move rape cases through the law enforcement, judicial, therapeutic, and advocacy networks of a local community' (Martin 1997: 465 from Martin and Powell 1994: 861). My ethnographic observation indicates that the domestic violence report, or the affidavit, both constitutes and facilitates the work done by social agents to move a case through the system (Trinch 1999). From a socio-pragmatic standpoint, institutional memory can be only as complete as the interactions that go into the narrative stories and reports that produce it.

The present study

The data for this study come from two different legal settings. The first is a district attorney's office where paralegals are employed to interview survivors and draft affidavits of their accounts. The second is in a pro bono law clinic where volunteers, most of whom are attorneys, act in a similar capacity. Neither the volunteers nor the paralegals receive a

tremendous amount of training before they begin their jobs.⁵ The data sample analyzed here include three different types of texts: (1) the transcripts of twenty-two interviews; (2) intake papers, where available, that were filled out by victims before their interviews with paralegals and volunteers; and (3) the affidavits written by paralegals or volunteers on behalf of their clients as a result of the interviews.⁶

The interview data were selected because they include a reference to a sexual assault. In eighteen of the twenty-two interviews examined, the interviewees report that their current or former partners sexually assaulted them. In one case, a survivor complains that her husband harasses her by bringing up the fact that she had been sexually assaulted by a stepfather when she was six years old. In another case, an interviewee mentions that her two older daughters were sexually molested/assaulted; one while at school and the other while at home by her husband. While the data include twenty-two interviews, they represent only twenty-one victims of domestic violence, because in the sample there is one instance of one woman reporting the same incident twice to different interviewers. For more sociodemographic information about the clients, please see the Appendix.

The participants in this study also include service providers to whom victim-survivors tell their stories of abuse. The interview sample contains a total of twelve interviewers and four interpreters. Eleven of the interviews are conducted in Spanish and eleven are conducted in English. In seven of the Spanish interviews, the interviewers are aided by interpreters who are also included as research participants in the study. Two of the interpreters are professional, state-certified interpreters, one is a student who is in the process of completing the state interpreter's certification, and the fourth individual is the client's female cousin who accompanied her to court.⁷ In the district attorney's office, the majority of the interviewers are bilingual, and they conduct interviews in both Spanish and English.

Following the methodology employed by Grossen and Apotheloz (1998) to extract from interviews those excerpts in which speakers refer to sensitive topics, I examined the corpus of transcripts in order to locate any references made by survivors, interpreters, or interviewers to sexual assault. Due to space constraints, my discussion and analysis will focus on the way that victims introduce or categorize incidents of sexual assault. In fact, only the victims' initial utterances or eventual categorizations that signify sexual violence are analyzed here. By categorization, I mean the victims' use of the word *rape* itself. I will discuss this in more detail later, but it is important to point out here that if a victim describes an entire incident of sexual violence and then concludes for instance, 'He raped me', this is not an *initial* disclosure in the narrative because the preceding narrative clauses refer to acts of sexual violence. Yet, because *rape* is the

123

very referent that I am arguing that some of the research participants are trying to avoid, it is, wherever it is mentioned, included in the analysis.

Of course these are not the only utterances concerning sexual violence made by victims in the interviews. The clients and interviewers co-construct various drafts of any one, discrete incident throughout the interview. This revisiting of an incident mentioned previously in the interview occurs with respect to the topic of sexual assault as well. I privilege the victims' initial utterances of sexual assault though, because they are the utterances that, if left undeveloped, might be too euphemistic to signify sexual violence to the interviewers.

Table 1, entitled 'Spectrum of directness for Latina women's references to sexual violence', is provided to present the analysis and findings in graphic form. As the title of the table suggests, the utterances are found to inhabit a range of directness, where, on one end, we find the disclosure of sexual violence to be highly explicit and, on the other end, sexual assault disclosures are nearly nonexistent. First, I examine each utterance to determine the degree to which it directly and explicitly refers to a specific and discernible act of sexual violence. In addition, I determine whether these utterances correspond to the reporting context, in other words, whether the lexical items, and more specifically, the euphemisms that victims use, are compatible with the 'sphere of communication' in which they are speaking. While the context for these interviews is not as official as that of a courtroom with a judge, both sets of interviews take place in courthouses. Also, the interactions under examination occur in an interview setting, that is a specific type of speech event with predetermined rules and preallocated turns for speaking (Briggs 1986; Fiksdal 1990).

The speech event of the protective order interview differs significantly from ordinary conversation. Generally, the linguistic and social context of the utterance serves to make the meaning of euphemistic substitutes clear (see Simons 1982 and Herbert 1990), but the analysis and discussion of the findings that follow bring to light cases where the protective order interview context complicates, rather than simplifies, the process of making the meaning of euphemism clear. In addition, I discuss the difference between contextually and culturally appropriate language by examining how interviewers and victims use terminology within this specific context. Terms that do not form part of the legal lexicon (e.g., legalese) are examined to determine the extent to which they are unsuitable for the context of these interviews. Thus, lexical items used by victims are placed along a spectrum of directness, and they are examined for their compatibility with the legal context.

Portions of the interviews where a sexual assault is discussed in more detail are examined in order to determine how meaning is negotiated

Table 1. Spectrum of directness for Latina women's references to sexual violence

Group A	Group B	Group C	Group D	Group E	Group F
Direct and explicit (legal, not euphemistic, and unambiguous)	Direct (not legal, euphemistic, yet unambiguous)	Less direct (legal, euphemistic and unspecified)	Less indirect (not legal, euphemistic and ambiguous)	Indirect (not legal, euphemistic and vague)	Inexplicit, nearly non-existent (possibly would not have been reported if interviewer had not asked)
#1 He raped me	#10 <i>Hace, la última vez que tuvo relaciones sexuales conmigo. fue a fuerzas, ...</i>	#4 <i>Y, y, él trató de, de abusarme sexualmente en el carro, ...</i>	#5 If I don't um, if I don't go sleep with him, uh, he, he, twists, my arm,	#6 He was pulling my clothes off. He was tearing them off ...	#3 No words were spoken about the sexual assault in the interview. Victim did write about it on the intake sheet, though.
#2 He raped me,	#11 It was, the last time that he had sexual relations with me, it was by force ...	tried to, to sexually abuse me in the car, ...	#9 <i>luego quiere sexo por, por dónde no se debe, y yo no soy una persona que a mí me ()</i>	#11 It happened Saturday, the night before that he forced 'himself on me.	#16 Sexual violence narrative was elicited by interviewer. Near the end of the interview the topic is re-introduced by the interpreter.
#7 So he tried to rape me,	#12 And see, I had a stepfather, right? And when I was seven years old, or six, he uh, he sexually, um, molested me, you know? Right?	me in the car, ...	'And then he wants sex where sex is not supposed to be had, and I am not the kind of person that ()'	#14 'forced himself.' [This utterance comes from an intertextual link (see Bauman and Briggs 1990) to the victim's conversation with the service provider prior to tape-recording.]	#19 Sexual violence narrative was elicited by the
#8 Try to, try to rape me again	#17 <i>No, Me, ah, me hizo que tuviera relaciones con él</i>	me in the car, ...			
#21 <i>Y trató de, de violarme tres veces</i>	'No, he uh, he made me have relations with him, ...'	me in the car, ...			
'And he tried to, to rape me three times.'	#13 Because one of my girls got molested at school.				
	#18 <i>Y, entonces, este, y me forzó a tener relaciones con él</i>				
	'And, then, um and he forced me to have relations with him, ...'				
	#20 <i>Yo tengo, yo le tengo miedo de él, eh, este, entonces, entonces, trató tres veces de intentar, de, de tener relaciones conmigo, ...</i>				
	'I am afraid, I am afraid of him, um, then, then, he tried three times to try it, to have relations with me ...'				
	#15 <i>Y me quiso morder, 'And he tried to bite me, ...</i>				
	#22 Sexual violence narrative was elicited by interviewer				

125

following up with 'Has he ever forced you to have sex', the victim responds that indeed he has forced her.

(1) Text #1: Negotiating the meaning of rape¹¹

(.15)

P: Has he ever raped you?

I: *¿Él la ha violado a usted?* 'Has he ever raped you?'

C: *No.* 'No.'

P: Has he ever forced you to have sex with him?

I: *¿La ha obligado a usted a tener relaciones sexuales con él?* 'Has he forced you to have sexual relations with him?'

C: *Pues sí porque si no lo hago, pues él () que se ve ah, enojado, y me (() agrediendo) verbalmente.* 'Well, yes because if I do not do it, well he () would be ah, mad, and he () verbally assault me.'

I: Yes because if I don't do it, that's when he's going to be assaulting me, verbally.

P: So he does force you?

I: *¿Así que sí la obliga?* 'So yes he does force you?'

C: *Pues* 'Well'

I: *a (tener) relaciones?* 'to have relations?'

C: *Sí.* 'Yes'

In this text, the interviewer introduces the topic of sexual violence immediately after a fifteen-second pause during which she is typing on her computer. This victim, in addition to forced prostitution, complains of the alleged abuser's violence toward her children as well. For this reason, it is worth mentioning that this interviewer, even after a substantial amount of violence is already discussed, still inquires about whether or not the victim has been raped. This is important because my transcriptions and ethnographic observation of some 100 protective order interviews in the district attorney's office indicate that most interviewers, after they deem that they have elicited enough evidence of violence to write about it in an affidavit, choose not to ask victims whether they have also endured some type of sexual violence (Trinch 1999).

The victim's negative answer to the interviewer's question, 'Has he ever raped you?', suggests that for her, there is a semantic difference between *having been raped* and *having been forced to have sex*. Yet, unlike the clients in Group B who also seem to prefer to talk about sexual violence in terms of *forced sex*, as opposed to *rape*, this victim does not, of her own accord introduce the topic. Further evidence indicating that this victim does not conceptualize 'forced sex' in the same way as the women in Group B exists in her apologies for complying with what she considers *forced sex*. She apologizes for what she perceives as her own complicity in unwanted sex

by saying '*Pues sí porque si no lo hago, pues él que se ve ah, enojado, y me agrediendo verbalmente*', in this case, literally interpreted by the court interpreter as 'Yes because if I don't do it, that's when he's going to be assaulting me, verbally'.

This victim's offer of an apologetic reason for allowing her husband to have sex with her confuses the interviewer who then attempts to negotiate this seeming qualification. With her last question in this sequence, the interviewer secures a firm and unqualified 'yes' from the victim that affirms that her husband has in fact forced her to have sex. The way in which the interviewer represents this incident in the affidavit is shown in example (2).

(2) Text #2: Representation of sexual violence in affidavit

From the beginning of our relationship he has not worked, except that he forces me to be a prostitute, and he acts as a pimp. I am afraid to refuse because he hits me more. This even happened when I was pregnant. He also forced me to have sex with him many times.

The interviewer, rather than writing the word *rape* on the affidavit elects to represent sexual violence with the *forced me to have sex* construction employed by the victim. In so doing, the interviewer is either maintaining the decorum and delicacy set forth by the victim to discuss this sensitive topic or she is privileging the victim's semantic distinction between *forced sex in marriage* and *rape*. The interviewer attends to the victim's linguistic desires both through her verbal questioning technique as she revises her questions to meet with the victim's norms and way of speaking about sexual violence and in the way she portrays the sexual violence on the affidavit to which the victim will swear by show of her signature that everything contained within it is 'true and correct to the best of her knowledge'. These data speak of two distinctive conceptions of sexual violence—one for which the term *forced sex* euphemistically stand in for *rape* and the other for which the term *rape* means something altogether different than the term *forced sex*. Thus, it is not always discernible if a woman is avoiding the stigma attached to the word *rape* when she employs a euphemism for it, or if she used what scholars and service providers would consider to be euphemistic substitutes for the word *rape* because she makes a semantic distinction between *rape* and *forced sex*.

In interview #16, the third of these 'barely there' narratives of sexual assault, the negotiation of what is meant by *rape* or *forced sex* is carried out by the interpreter rather than the interviewer. But once again, it is the interviewer who introduces the *rape* topic. The following textual example is the first reference to the sexual assault that is made by the interviewer.

(3) Text #3: Interviewer first introduces the sexual assault

- P: Has he ever, um, forced himself on her, when um, he wanted sex? When um
- CF: *¿Se ha forzado él contigo cuando él cuando él quiere el sexo y tú no quieres?* 'Has he forced himself with you when he, when he wanted sex and you didn't want it?'
- C: *Sí.* 'Yes'
- CF: Yes.
- C: *Es que viene drogado, y a mí no me (gusta) tener relaciones.* 'It is that he comes to me drugged, and I don't (like) to have relations.'
- CF: Yeah, cause she doesn't want to have relationships with him when he's like that.
- P: Yeah.

It appears that the volunteer interviewer in the preceding text is involved in drawing an outline for herself so that she can refer to it when it is time for her to write the affidavit. Ironically though, once the interviewer begins to write the affidavit, she forgets about the sexual assault. After the victim has narrated several abusive incidents, the volunteer asks, 'OK, what else do we want to say?'. In example (4) notice how it is the interpreter, in this case, the victim's female cousin,¹² who, without even waiting for the victim's response to the question, reminds the interviewer that the victim has been forced by her husband to have sex with him.¹³

(4) Text #4: Interpreter's help in constructing a rape narrative:

- P: OK, what else do we want to say?
- CF: *¿Qué más quieres que pongan?* 'What else do you want them to put?'
- P: And you've been telling her what um
- CF: Yes.
- P: OK, um, has he um,
- CF: He has forced her to want to have um, relationships.
- P: OK. Uh
- CF: *¿Si te ha forzado a tener relaciones con él cuando anda así?* 'He has forced you to have relations with him when he is out of it?'
- C: ()
- P: Has he tried to actually rape her?
- CF: *¿Ha tratado de, de, es, de abusar de tí?* 'Has he tried to, to uh, to take advantage of you sexually?'
- C: *¿Cómo? Después, ¿Tener relaciones cuando anda con la droga?* 'What? After? To have relations when he is on drugs?'
- P: Yeah?

- CF: Uh, well, she says, was that, no. What's the difference between ...
- P: Well, if she was not ready for it, and he forced himself on her.
- CF: That's actually rape?
- P: It's called spousal rape.
- CF: *Dice como si él está, preparado de tener relaciones contigo y tú no.* 'She says that it is when he is prep, he is prepared to have relations with you and you are not ready.'
- C: *Mmmh, toma* 'Um, he takes'
- CF: *[Y él (le) toma de forza.* 'And he takes it by force.'
- C: *Sí.* 'Yes.'
- CF: Yes. It has happened like that. (.23) *¿Y no se forza?* 'And doesn't he force?'
- P: [That was not only just once, that was many times, huh?
- CF: *¿Hace más, varias veces que ha pasado eso? Que él se aforza contigo?* 'Has it been many times that this has happened?'
- C: *No, unas tres veces, no más.* 'No, just three times, no more.'
- CF: It's been like three occasions.
- P: OK.
- CF: *Porque tú no () pues preparada para hacer relaciones* 'Because you aren't () prepared for having relations.'
- C: *Sí, pero, no* 'Yes but, well'
- CF: *Y otra cosa es que se forza, ella es más bien como, abusar de tí.* 'And the other thing is that he forces it, and for her, it's more like taking advantage of you.'
- (.15)
- P: So when did she call the police? You, just this weekend?

Both this case and the one described before it lead one to wonder if sexual violence would have ever been disclosed had these particular interviewers in interviews #16 and #19 not been present to elicit it. Text #19 suggests that interviewers, even after having elicited the topic of sexual assault, may need a third party, in this case an interpreter, to reintroduce the subject if victims are reluctant to talk about or narrate it. These data raise questions about whether other victims would have disclosed sexual violence if someone would have first attempted to elicit it and second, taken the time to negotiate the meaning of ambiguous terms or employ the culturally appropriate elicitors to account for the linguistic variation found among women from this ethnolinguistic community. These two clients, when asked if their spouses have raped them, say no. When asked if they have been forced to have sex, however, both reply affirmatively.

In text #16, the client's cousin, recognizing the victim's hesitation to admit to having been forced to have sex, even asks the interviewer for a definition of rape. Her utterance, 'Uh, well, she says, was that, no. What's the difference between ...' provides us with some evidence to conclude that one unambiguous euphemism for rape among this community is *abusar de uno*, in the sense of 'to take sexual advantage of one'. I draw this conclusion because once the interviewer explains to her (with a colloquial definition of rape, I might add), 'Well, if she was not ready for it, and he forced himself on her', the victim's cousin after several lines of negotiation with the victim, finally gets her to admit that she has been raped. Even after the admission though, the interpreter insists on informing the client that 'being forced to have sex', according to the interviewer is the equivalent of 'having been raped'. In her own words, the interpreter returns to the topic to tell the victim how the interviewer has defined sexual assault with her utterance, '*Y otra cosa es que se forza, ella es más bien como, 'abusar de ti'*' 'And the other thing is that he forces it, and for her [meaning the interviewer], it's more like "taking sexual advantage of ju"'. Again, we see, as Michael, Gagnon, Kolatta, and Laumann (1994) suggest, what lay people, including victims, define as rape differs from what institutions consider to be rape. *Rape* and *forced sex* are clearly different for some women, while for others, *forced sex* is just a euphemism for *rape*. Bergen (1996) provides evidence and an explanation for this claim as her study explores Anglo women's definitions of *rape* and *forced to have sex* in order to untangle the semantic differences believed by some women to differentiate or distinguish the two. Basically she finds that very violent sexual acts in which male partners behave in ways for which their female partners claim to not recognize them (i.e., like strangers/stranger rapists) are considered rapes whereas sexually violent acts accomplished with significantly less force and in which a spouse still looks/acts like himself are considered to be acts of forced sex. Bergen's (1996) research leads her to conclude that for many women 'rape' is a violent sexual act that is perpetrated by a stranger, often with tremendous force, violence, and threat to one's life. Wood and Rennie (1994) corroborate this conceptualization as the women in their study are also reluctant to call what happened to them a rape, just as they are hesitant to identify the perpetrator as a rapist.

The victims in Group F barely make mention of sexual violence. In fact, they do little more than answer affirmatively to the interviewers' questions. On their own accord, the victims in these final interviews do not provide any narrative clauses to constitute a sexual assault narrative. In interview '22, for example, the victim, when asked by the volunteer interviewer if she has been sexually assaulted, says 'Oh, yes', but the issue is never

further developed and her report of sexual assault does not make its way into the affidavit. In cases like these last two, if sexual assault becomes part of institutional memory, it is due to the linguistic work carried out by the interviewers who first ask about sexual violence, negotiate its meaning with victims and formally write it down on the official record. The words used to describe sexual violence in interviews #16 and #19 are contextually appropriate for the report genre because they are supplied by institutional interviewers and not by victims.

Conclusions

By examining how the taboo subject of sexual violence is discussed in an institutional setting, this study suggests that the process of 'truth production' in the sociolegal system is problematic from the perspective of sociolinguistics. Other studies in language and the law have helped to break down common sense notions of 'accuracy' or of 'precision' in the types of representation that come from the institutional memory of our legal system. Berk-Seligson (1990), for example, argues that court interpreters, though thought to be rendering the Spanish spoken by witnesses into English so that the court may understand it, are in fact actually changing what litigants say in the process. Several other researchers (see Walker 1990; Slembrouck 1992; Coulthard 1996) show how written representations, often thought of as *the official record* are significantly altered versions of the oral speech they are meant to represent. The data shown in the foregoing suggest that divergent norms and ways of narrating taboo subjects pose yet another threat to the potential of institutional memory to represent events. This is true because euphemistic substitutes for direct referents, when left unnegotiated, are sometimes too indirect to amount to a disclosure of a sexual assault. Additionally however, we see that the incompleteness of a report of domestic violence occurs sometimes because victims are reluctant to report sexual violence and other times because service providers seem hesitant to ask about it and to negotiate its meaning. While the data suggest some overlap between the lexicon used for sexual assault stories and sexual assault reports, they also indicate areas where linguistic items perhaps appropriate for storytelling would fall too far outside of the report genre to be considered adequate enough to amount to a disclosure. A future project might attempt to further delineate the sexual assault lexicon for stories and reports by examining the full and often multiple excerpts within the interview transcripts where sexual assault is narrated.

On the one hand, the data support claims in the literature that sexual assault reporting is difficult because of the social stigma attached to the

victim and because of the stigma attached to the crime. On the other hand, however, when we understand that meaning is negotiated and that linguistic taboos are at work on the interviewers as well as on the victims, it becomes clearer that Latina women who avoid the taboo referent *rape* actually employ creative strategies to report sexual abuse that allow them to avoid the cultural transgression of speaking about it directly. The range of variation shown for this group of Latina women indicates that the majority chooses to disclose sexual violence without offending their interlocutors or attaching themselves too closely to the stigma of the acts they narrate. Perhaps the question we should begin asking is not whether or not women disclose, but rather how they disclose sexual violence in their sociocultural contexts.¹⁴

The institutional expectation that victims frankly and on their own, that is without prompting, encouragement, or show of interest on the part of the interviewer, disclose subjects that are culturally marked as linguistically prohibitive topics of discourse, runs counter to both the victims' and even some of the service providers' norms and ways of speaking. As the interactional sociolinguistics approach to discourse would predict, sexual assault reporting in institutional settings is the linguistic responsibility of both the interviewer and the interviewee. Looking at the interviewer's verbal behavior, it is clear that he or she has a significant amount of linguistic power in the process of determining whether a sexual assault gets reported. Yet, the data also suggest that showing interest and concern about sexual violence by merely asking a question about it is not a guarantee that victims will disclose sexual violence. While some service providers, like the victims with whom they speak, also seem to prefer less direct means of expression to refer to sexual violence, their euphemistic substitutes are often contextually appropriate. Some victims, however, employ euphemistic substitutes that may be culturally appropriate, but are frequently contextually ill fitting.

These data cannot directly address whether the social stigma attached to rape victims keeps some women from coming forward to report sexual assault, yet they do suggest that once women are in the reporting context, the sociocultural taboo prohibiting speech about rape can have an important impact on the way an account of domestic violence gets told. In fact, the data indicate that the interdiction upon speaking directly about sexual violence within the context of a former or current intimate-partner relationship may be a source of discrepancy in victims' accounts of rape. The record of violence in the sociolegal system is important for several different reasons. For individual victims seeking either restitution or retribution, accurate institutional records are crucial to their cases in an adversarial legal system that allows for the impeachment of victim

testimony by exaggerating discrepant versions of their accounts (Frohmann 1991; Conley and O'Barr 1998; Matoesian 2000). Moreover, what victims say about the types of abuse they have suffered serves as the information used by agency representatives to make decisions on their cases. A large part of what social and legal agencies consider to be advocacy work consists of making referrals to other agencies where victims may also turn for assistance. Dziegielewski, Resnick, and Krause (1996) and others (Bergen 1996; Kelly and Radford 1998) argue that the interviewer to whom the victim of domestic abuse is currently speaking might be the only person with whom a victim of domestic violence speaks before she returns to the abusive situation. The researchers argue that undisclosed sexual assaults may result in negative and serious consequences for victims who return to an abusive relationship with inadequate and incomplete treatment plans. Securing disclosure of sexual violence will not only act to better serve individual victims, but it may also facilitate the work done by service providers as well as the work done by researchers, by ensuring more accurate accounting of the types of abuse survivors encounter.

Concordant with the findings of Dwyer, Smokowski, Bricourt, and Wodarski (1996), my ethnography and the data presented here show there to be definitional problems with and differential commitments to accurate record keeping among agencies. The paralegals in the district attorney's office record demographic information and data about the types of violence encountered by domestic violence survivors. Their database, however, contains no questions, and thus no statistics, on marital rape or sexual violence. In contrast, the pro bono law clinic's database does include a question about sexual assault. Victims are asked to answer 'yes' or 'no' to a question that asks whether the alleged abuser 'sexually assaulted or attempted to sexually assault [them] or another member of [their] household'. Even if this question is asked uniformly in every interview, an answer of 'yes' or 'no' does not reveal much about the nature of sexual violence in intimate-partner relationships. To the problem of the constraints inherent in the question, we must add the additional caveat that not all interviewers that I observed in my field sites, had (or took) the time to ask victims the questions for the database. Thus, the statistics that they have compiled are at best incomplete, and at worst, completely misleading. From a sociopragmatic standpoint then, institutional memory as it is stored in various types of narrative genres, in this case in a domestic violence report, can only be as complete as the interaction that went into its production.

In addition to showing how euphemism can get in the way of meaning making in sexual assault cases, the analysis conducted here also suggests

that we cannot assume that *rape* will be defined by all victims, or all service providers for that matter, in identical ways. These different meanings and definitions strongly support claims in the literature referred to in this article that suggest that sexual assault is entrenched in taboo because of the stigma which adheres to the act, its victims, and its perpetrators. Ironically, it may be that the nearly universal sociocultural repugnance toward this condemned act is precisely what contributes to the seeming hesitation of victims to come forward for help; as service providers too seem to prefer to hear about other, perhaps culturally less offensive or at least conversationally less sensitive, acts of violence.

Appendix

Table 2 includes some sociodemographic information about the clients so that the reader can have some idea of who the speakers are. The first column indicates the interview number from which initial utterances referring to sexual violence were taken. To locate a particular utterance, the reader should match the interview number with the group in which it is analyzed. This can be found by looking for the group under the column entitled 'Utterance group type'. The exact utterance can then be located in Table 1 (Spectrum of directness for Latina women's references to sexual violence) on pages 16 and 17 in the body of the article. The meanings of the other headings are as follows:

C age	The client's age at the time of the interview.
C country of origin	The nation in which the client was born. In addition to the regulations of a Federal Certificate of Confidentiality that I obtained to conduct this project, I choose to not be more specific about the clients' place of origin so as to protect their anonymity and to respect their privacy.
C years in US	The number of years the client has resided in the United States.
C educational level in years	The number of years the client attended formal schooling and the terminal degree obtained.
C employment	The type of work the client is doing at the time of the interview.
Interview language	The language in which the interview was conducted. Where 'interpreted' is indicated, the interviewer spoke English and the client spoke Spanish, and thus an interpreter was used.