All in the Lacy Detail. Undressing the Victim and Stripping Back the Meaning: A Critical Discourse and Semiotic Analysis of the Use of the Underwear as Evidence in Rape Trials.

By

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Abstract

This paper employs both a Semiotic perspective and Critical Discourse Analysis to examine the use of underwear in the Cork, Ireland rape case, exploring how meaning is constructed through gendered symbols when employed in legal and online settings. Research examines data samples extracted from Twitter threads utilizing the hashtag #ThisIsNotConsent, which gained prominence in connection with the case under scrutiny. The primary objective is to explore public engagement with the semiotics of underwear as a symbolic element to discern the extent to which social media platforms can either inadvertently perpetuate victim-blaming tendencies or be used to mobilize against them, with a particular focus on the Twitter platform.

The results of this study show the multifaceted role of social media, particularly Twitter, in facilitating feminist digital activism against rape myths, victim blaming, and the promotion of victim support. The analysis of tweets related to the #ThisIsNotConsent movement reveals how social media technology and resulting networked individualism allows individuals to actively engage in conversations, publicly respond, and contribute to a global network of activists. Fusing Semiotics and Feminist Critical Discourse Analysis, the study unravels the interplay between medium, genre, gender, and cultural influences that shape the public's perception of victim blame.

Introduction

Main Research Question:

How does underwear become a symbol of meaning when utilized in rape cases within a court setting (as explored through Semiotics), how is Twitter utilized as a tool for public engagement (as explored through Critical Discourse Analysis) to both perpetuate or debunk rape myths and victim blaming?

Research Background

Rape, particularly acquaintance rape, is so common today that most people are likely to have encountered a friend or family member who has their own story (Anderson, 2005). Despite this, convictions remain low. The reason for this is partly due to the fact that the presence and perpetuation of rape myths make women reluctant to report their stories, as they fear being blamed or not believed (Milesi, 2020). The flipping of the narrative behind instances of sexual violence, to displace blame on the victim of rape rather than the rapist is known as victim blaming, and it suggests that the victim is somehow deserving of their attack or has brought it upon themselves (Turner & Grub, 2012). This phenomenon has perpetuated rape myths, stereotypes and gender power imbalances within society, making it a meaningful issue for exploration. One form of victim blaming is to place attention on the way a woman is dressed to suggest that sexual promiscuity can be implied by her clothing choice, and thereby becomes a signal of consent or "asking for it".

Within the courtroom, visual and physical evidence is utilized to support and/or communicate the truth about a case and construct a story of events. In trials involving rape, this evidence has sometimes been the underwear of the victim, once again suggesting that the clothing choice of a victim, such as her underwear, is a sign of meaning to be interpreted by her aggressor, and therefore may be used as evidence to non-verbally rationalize an argument of defense for the rapist. A similar instance happened in Florence in 2008, with a young woman's red underwear being cited in her gang rape complaint case as a reflection if her "ambivalent attitude towards sex" (Giuffrida, 2021). This in 2021 saw the ECHR condemning the Italian court for reproducing sexual stereotypes and the treatment of the defendant: "the life and dignity of this woman were trampled on just as her privacy, dignity and image have been trampled on," Carrano said. "I hope the Italian government accepts this condemnation and that it will work to train legal practitioners so that no further cases of secondary victimization are repeated in criminal and civil trials." (Giuffrida, 2021). Another public outcry resulted from another rape case being thrown out by a judge in Peru because again, the suggestion made by the victim's choice of red underwear was that she was "asking for it".

In such instances, the everyday artifact of a piece of women's clothing becomes a symbol of meaning, that is used and manipulated to communicate sexual promiscuity and consent, due to its sociocultural situation and context. This study is important for understanding how this phenomenon occurs, and how it is perpetuating rape myths that prevent victims from coming forward, particularly through social media echo chambers, as well as how protesting of these kinds of gendered attacks can occur through mobilization on these platforms.

Victim blaming is highly visible on social media due to the facilitation and mobilization of largely unmonitored, unsolicited and open conversations that are found to both contribute to victim blame and challenge it. These online platforms have granted individuals the power to influence other people, expose certain opinions and empower themselves through mass sharing of ideologies—damaging or not. Additionally, social media has become a growing platform for engagement with news media, and thus plays a role in shaping cultural and social norms, such as the adoption of rape myths in published news of sexual violence. There is a need to explore how the public engages with mainstream cases that endorse victim blame, to better understand how victim blaming in high profile cases are being negotiated by social media users. More research into the role social media plays in how rape myths are negotiated in online communication spaces and how this affects treatment of victims of sexual assault and societal attitudes as a whole is therefore required.

Case Study:

In 2018, a 17-year-old girl accused a man of rape in Cork, Ireland. During the trial, the girl's lace thong was used by a female barrister in court to successfully acquit her accused client of his rape charges. The thong was presented to the jury with the message: "You have to look at the way she was dressed. She was wearing a thong with a lace front." (BBC News, 2018). The case sparked an international outcry, including on social media, with users protesting the use of underwear as a way of suggesting the female in this case consented, largely through the hashtag #ThisIsNotConsent.

Aim of Research

Using this as a case study, this paper will explore court evidence from a Semiotic perspective, to examine how meaning is created through the object of underwear when used as evidence within a rape case. Feminist Critical Discourse Analysis will further inform this study, by providing the theoretical framework needed to analyze the online engagement with the case on Twitter threads utilizing images of the thong under the #ThisIsNotConsent online movement, to explore uncensored public engagement with the semiotic treatment of the underwear as a meaningful symbol.

In doing this, the research aims to discover the ways in which this Semiotic exploration of the iconic symbol of underwear within this rape case, can contribute to the understanding of how gender symbols are used and manipulated in the court setting and online, how this reinforces victim blaming, and how this was negotiated by the public on social media. This will mainly compare both female and male responses to mainstream sexual violence cases such as the Cork Ireland rape case, and determine whether social media can be used for social good or social detriment, in terms of how it affects victims by either perpetuating rape myths or mobilizing support through criticism of victim blame narratives. Both approaches will come together to examine what meaning is shaped when underwear is used as evidence in a rape trial, and explore the relationship between medium, genre, gender and cultural influence on this message.

Literature Review:

Rape Culture and Victim Blame

The term 'rape culture' was first coined by 1970s feminists scholars such as Brownmiller (1975), who explored the history of myths and misconceptions surrounding sexual assault, and argue that rape is not just a crime but a reflection of society (Brownmiller, 1975; Franiuk, 2008). Rape culture can broadly be defined as a socio-cultural context where aggressive male sexuality is viewed as a 'healthy,' 'normal' and 'desired' part of sexual relations. Women are, on the other hand, posed as beings who enjoy being the subject of this sexual advancement, and deserve or provoke rape if they do not abide by chaste femininity (Sills et al., 2015). Rape culture includes everyday trivializing of the 'rape', normalizing portrayals of male sexual conquest, and, most importantly to the case explored within this paper, widespread victim-blaming and "slut-shaming" (Sills et al., 2015).

Victim blaming is a term that has been associated with the more frequently used criminological term 'victim precipitation', coined by Wolfgang (1957), which was used to suggest a victim was a 'major contributor to the criminal act' as opposed to an innocent bystander in the case of homicide (Royal, 2019; Wolfgang, 1957). While victim blaming can therefore occur in a variety of situations, it is particularly likely in cases of sexual assault (Gravelin, 2019). Victim blaming has also been linked to the Just World Belief. This is the theory that an individual's actions will mean they get what they deserve and also deserve what they get (Hayes et al., 2013). Victim blame has also been assessed using "fault" and the extent to which victims are said to have "enjoyed" the experience, and others claim failing to label rape as rape is a form of victim blaming (Gravelin et al., 2019). Whatever the hypothesis behind it,

victim blaming is generally understood as the shift of responsibility from rapist to victim with the explanation: "she was asking for it" (Brownmiller, 1975).

Fraser (2015) argues that explorations of sexual violence against women have been rooted in the causational significance of misogyny (Fraser, 2015). Legal analysis, has, therefore, previously overlooked the other factors that perpetuate rape culture, including benevolent sexism. Benevolent sexists attribute more blame to acquaintance rape victims because they are seen to violate gender stereotypes (Lee & Mckimmie, 2010). The sexist ideologies at the centre of rape culture and victim blame, frame women as Beings that lack agency, meaning consent is not needed by males for sexual activity (Fraser, 2015). Temkin and Krahé (2008) have suggested that "there is probably no other criminal offence that is as intimately related to broader social attitudes and evaluations of the victim's conduct' as acts of sexual violence" (P.33). This was found to still be the case in a later study by Milesi et al. (2020), that showed different moral concerns among different cultures were found to affect the cause and treatment of victim blame.

Later research on sexual assault and victim blame identifies and examines how this can be found in two further primary perspectives. The first perspective, known as individual factors, explores how the characteristics of the observer influence their tendency to blame victims. The second perspective, referred to as the "rape perception framework," focuses on factors related to the victim, perpetrator, or the characteristics of the assault itself that influence victim blame (Gravelin et al., 2019). This research introduces a critique by highlighting the omission of a crucial third factor: societal and institutional factors. These factors encompass broader cultural influences, including gender roles, media representations, and prevailing rhetoric surrounding

sexual assault, which collectively contributes to an environment that promotes victim blame (Gravelin et al., 2019). By addressing this critical factor, the paper aims to provide a more comprehensive understanding of the complexities surrounding victim blaming.

Rape culture and misogyny have become embedded within our daily lives. In a study conducted by Rentschler (2014) wherein she explored the impact of social media on both the perpetuation of and feminist activism against rape culture, her participants described a 'matrix of sexism' in which elements of rape culture formed a taken-for-granted backdrop to their everyday lives (Rentschler, 2014; Sills, et al., 2015). Additionally, popular misogyny has become a normative reaction within our society (Banet-Weiser, 2015); 'boys being boys' within a 'lad culture (Keller, 2015). This normalization of damaging male behaviour manifests itself in reaction and response to instances of sexual violence which rationalizes and excuses sexual violence as an un-meaningful, expected and everyday occurrence. As a result, despite the sheer number of first-hand female encounters with sexual violence, women are reluctant to report through fear of not being believed, belittled or even blamed (Milesi et al., 2020). There is a need, therefore, to explore the ways in which social media is intertwined with our cultural understanding of sexual violence, and the ways in which it feeds into social attitudes towards victims, through exposure to mass commentary and opinions.

Rape Culture, the Media, News Media and Sexual Violence Cases

The international media and social media outcry in response to the case of the Cork rape that grounds this paper, suggests the kind of victim blame found in this story is a new phenomenon. This, however, feeds into what Chidgey (2018) coined as "organized forgetting"

(p.19) or "serial forgetting" (p.28) and suggests a need to explore rather than diminish its significance, particularly given perceptions of violence against women created by media portrayals have a profound effect on social policy (Carlyle et al., 2008).

Frow & Morris (1993), argue that every aspect of social life, which extends to the law (Bainbridge, 2010), is shaped and created through "a network of representations–texts, images, talk, codes of behaviour, and the narrative structures organizing these" (P. 345). Rape myths and narratives of victim blame are an object of such transmitted culture which gets shared and spread through the means of the media (Franiuk et al, 2008; Stubbs-Richardson et al, 2018). Rape culture is embedded within everyday media, actions and news that trivialize and normalize gendered violence, creating an increased unwillingness to believe the stories of victims, or feeds the belief that female victims "ask for it" (Anderson & Gonick, 2021). This is an important area of study, since Stubb-Richardson et al. (2018) found that the presentation of rape cases and the frequent appearance of rape myths within the media has the power to alter public opinion of sexual violence cases, and thus affect the victim (Stubbs-Richardson et al., 2018). Less attention in research has, however, nonetheless been paid to how this also occurs on social media and how this impacts the victims and survivors in these cases.

Carll (2003) argues that the vehicle of online platforms to mass publish information could be one of the most powerful tools in reducing violence against women. However, she finds that the way women are portrayed and stereotyped into the role of the victim in news coverage results in a significant impact on public perception and policy. She recommends an alternative, more

objective use of news coverage, to promote positive change (Carll, 2003). However for this to occur, it must be further explored what causes it to remain *unobjective* currently.

Research overwhelmingly points to the fact that media is a strong influential force and meaning shaper when it comes to people's perception of rape (Bonnes, 2013). Societal understandings of gender norms, learned and normalized through popular media, have contributed to legal decision-making in the case of rape trials, and news media shared via social media platforms has played a big part in this. This has been found in studies such as the one made by Ehrlich (2019), which explored the Steubenville rape trial and how social media evidence was also able to help deconstruct some of the discourses surrounding female sexuality that had an impact on the outcome of the trial (Ehrlich, 2019). Social media as a means of sharing news media and facilitating free and open conversations surrounding high-profile sexual violence cases, therefore play a huge role in the treatment of sexual violence and public perception, meaning more research into this is needed.

Rape Culture and Social Media

Changing forms of technology and the popularity of social media have allowed individuals to influence others in a readily available, public setting. Social media has become a digitized version of social reality, and therefore it lends itself to analysis and research (Stubbs et al., 2018). Digital media consumption in our society has become the standard way of acquiring news and viewpoints on social and cultural issues (Zaleski et al., 2016) and social media news has created new ways to share and engage in politics (Saifuddin, et al, 2021).

(Campbell, 2011) argues that:

"Today, rather than subscribing to a traditional paper, many readers begin their day by logging on to the internet and scanning a wide variety of news sources, including the sites of print papers, cable news channels, news magazines, bloggers, and online-only news sources . . . these new forms of news are taking over the roles of traditional journalism, setting the nation's cultural, social, and political agendas". (P. 261).

As a result, social media has become a growing area of engagement with news media and the roles they play in shaping cultural and social norms, such as the adoption of rape myths when publishing news on sexual violence, and is highly important to this study. The influx and integration of technology in our culture has made it so that individuals have the power to influence other people and expose certain opinions and ideas by empowering individuals with the ability to readily self-publish ideas in a public setting (Westerman et al, 2015) which extends its reach to the law (Bainbridge, 2010).

The context of the case study explored in this paper is situated within a significant cultural moment. It is a moment wherein both misogyny and feminism are highly visible within the consistent circulation of popular media cultures (Keller, 2015). Rentschler (2014) argues that despite the innovation and progression associated with social media, seemingly outdated gender power relations that remain present in offline spaces, are replicated online (Keller, et al., 2015; Massanari, 2015; Rentschler, 2014). This kind of sexism finds itself at the core of rape culture since narratives surrounding gender stereotypes are used to justify victim blaming in rape cases.

Collectively, current research suggests that social media is both used to victimize survivors of rape and empower and mobilize the digital feminist movement to stand against it. (Stubbs-Richardson et al., 2018) This could be explained by Banet-Wieser's (2015) suggestion that misogyny and feminism exist in tandem, with a call and response connection between them (Banet-Weiser, 2015; Stubbs-Richardson et al., 2018). While there are many prosocial uses of social media for example to protest (Keller et al., 2016; Mendes, 2015; Sills et al., 2016), harmful language and further harassment is also present on unmonitored online with large audiences. However, to date, little is known about how rape culture presents itself in social media, particularly in response to mainstream sexual assault cases (Stubbs-Richardson et al., 2018).

As discussed, some research has found that social media has provided a resource for combatting rape myths and victim blame. While Rentschler (2014) suggests that damaging offline attitudes make their way into online spaces, she also suggests that social media provides space for feminism to mobilize against rape culture. It provides the networked collective and feminist counter-public the resources, tools and knowledge to critically challenge rape culture (Sills, 2016). According to Keller et al., (2015) rape culture needs silence to flourish (Keller et al., 2015), and therefore the mobilization of voices and digitized feminist activism enabled by social media causes a problem.

There is, however, a dark side to this that remains largely untapped, and social media can also invoke rape culture and victim blame in a way that is damaging to sexual assault survivors (Anderson, 2021). Mendes' (2015) study surrounding the #MeToo movement found that there is

a hidden labour behind online activism and feminist hashtag campaigns. Their study found that participants felt there is hidden labour behind maintaining campaigns and public interest, and it remains difficult to receive compensation for time spent. Participants also revealed there is an emotional tax that comes with being exposed to stories of abuse, harassment, misogyny and sexism (Mendes, 2015). Additionally, in a study made by Stubbs-Richardson et al., (2018), Twitter users found to be engaging in and sharing victim blaming tended to have more of a support following and a higher rate of engagement with their own social media posts, meaning content rooted in victim blaming received higher levels of retweets than Tweets that were not (Stubbs-Richardson, et al., 2018). This suggests that while social media can be used as a forum for digital activism, it remains that damaging victim blaming is favoured by social media users and spread at a higher rate across the Twitter platform. There is a need, therefore, to explore how this platform intersects with news surrounding rape cases, to allow users to spread rape culture and victim blame.

Digital Feminist Activism, Social Media and Online Communities

Within the literature, social media has been much explored as a tool for digital activism. In their paper, Leong et al., (2018) argue that social media empowers individuals both with knowledge and an ability to contribute to social movements. They suggest however, that existing literature plays a disproportionate and predominant focus on the short-term impact of social media, resulting in a limited understanding of the platforms' potential across various levels of grassroots involvement for community movements, by adopting a multidimensional empowerment perspective (Leong et al., 2018). While in the context of an environmental movement, (Leong et al., 2018) derive that social media makes two key contributions: "(1) it

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extends our knowledge of grassroots organizing through a conceptualisation of the processes of how social media can allow individuals to assume a more proactive role in driving a social movement and (2) it provides a new understanding of the use of social media to sustain activism over time through the conceptualisation of social media empowerment mechanisms" (P.173).

In recent years, social media has been widely used as a tool for feminist social movements, addressing social problems such as sexual assault traumatization (Li et al., 2020). In the context of online activism in feminist movements, social media provides a new frontier for digital activism by leveraging online platforms for the dissemination of information and debate to influence the "offline" efforts to change policymaking (Brimacombe et al., 2018). This is due to the way in which social media, as stated by (Leong et al., 2018) "assumes a role in activism by enabling the powerless to voice widely shared grievances and organize unequally distributed resources" (P.173).

This encapsulates the idea of networked individualism. Networked individualism refers to the ability for individuals to move away from the tight-knit but loosely-formed groups usually rooted in communities, tradition and proximity, to find and form new relationships through a new social model of networked societies. This model allows individuals to be networked and form collectives, facilitated by digital technologies such as social media, which has pertinent implications for mobilization and relations between people and governments, especially in democracies (Wellman et al., 2003).

Social media technologies have enabled supportive and personalized groups to share pervasive information and its wireless portability enables a constant access to these communities. (Randall, 2001) suggests this "wireless connectivity enables telephone and Internet access anywhere and on the go." (P. 5). (Randall, 2001) has identified this the everywhere-nowhere phenomenon: communication will be every*where*, but because it is independent of place, it will be situated no*where*." (P.5).

This furthermore enables the acquisition of social capital, which is useful for feminist movements and online activist movements. Rheingold (2012) defines social capital as the resources garnered through networked relationships and the mobilization of communities to achieve their collective goal and common goods (Rheingold 2012). While some scholarship criticizes networked individualism and its afforded social capital for undermining traditional social communities and collectivism, the liberation from traditional cultural and misogynistic norms and echo chambers and share the necessary resources to support one another, as well as mobilize against rape myths and victim blame.

i. Twitter as a Platform

Twitter is a source for social scientists to study discussions of rape culture through a new social reality of how people are organizing and shaping culture and society. The function of Twitter is to provide users encouragement to increase online social influence (Stubb et al, 2018), and is found to be a space that facilitates open and unsolicited discussion of opinions, providing a useful insight into how social media can affect rape survivors (Keller, et al., 2015). Additionally, Twitter is event-driven, sparked by mainstream media news, which creates space

for the inclusion of public opinion and enables users the ability to provide their own commentary

or spin of the news (Stubbs-Richardson et al., 2018; Murthy, 2010). Twitter is also a platform for

up-to-date news exposure and sharing in a way that allows you to engage with the story through

personal thoughts, and it is therefore an appropriate platform for the exploration of this paper.

Overall, tweets are able to provide a snapshot of youth culture (Rentschler, 2014).

Semiotic Theory of Dress

Traditionally, the study of clothing and Semiotic Theory has largely been confined to the

field of fine arts and fashion (Yuet, 2009). However, this relationship between signs of meaning

and clothing, through a Semiotic understanding of dress has previously been limited. Using the

former to understand the latter could be used for purposes outside of these fields of fine arts and

fashion to explore gendered power relations in sexual attack in cases such as the Cork rape trial,

where articles of clothing are used to justify violence against women.

Clothing covers the body, and in doing so, it describes the body. Articles of clothing

therefore have multiple layers of significance that can contribute meaning (Sterling, 1995). For

example, (Yuet 2009) writes: "clothes convey meanings in society beyond the superficial,

enacting and even creating power relations between people" (P.2). As well as being able to

demonstrate power relations and societal status (Yuet, 2009), dress is also gender-specific and

therefore produces different signs of meaning when worn by a man or woman (Sterling, 1995).

For example, the underwear of the male is not culturally seen as a sexualized piece of clothing

that provokes sexual advancement, unlike when it is worn by the woman as seen in the Cork rape case.

Shefer (2018) also explores the idea that clothing, forms of dress and accessorizing the body within specific social conditions, allows people to perform their identities (Shefer, 2018), building from the research of Sterling (1995) which argues that a woman's choice of clothing has gendered, political content. Their clothing produces meaning through their being positioned between two prescribed, patriarchal expectations: the imperative to be modest and the need to be sexualized. The supposedly provocative dress makes a statement by defying the contextual norm of modesty (Sterling,1995), and this creates the kind of meaning relevant to the case study of this research: that the female was "asking for it" and therefore the victim is to blame for her sexual attack. Women's clothing when used as evidence, therefore, holds an important and relevant gendered, cultural and political meaning.

Semiotics and Law's Evidentiary System

This body of literature is emerging, however, is still limited in its existence. Despite this, it is found that within the courtroom, there is a ritual involved in storytelling and the construction of truth or a version of events. Maley & Fahey (1991) argue that there are two elements involved in this: the verbal and the Semiotics, and it is through these two discourse strategies that narratives are told (Maley & Fahey, 1991). From as early as 1991, in some of the first works that explore the crossover between evidence and Semiotic Theory, it is found that evidence is considered as a sign of meaning to convey something else through non-verbal communication. This was also found by Klink (1992) in 1992, who suggests that presenting evidence can be

thought of as a practice which uses both signs and implicit or explicit representations in order to convey knowledge about the 'facts' of an event (Klink, 1992).

Later, Kibbey (2000) finds that not only does physical evidence become a meaning signifier in the courtroom, but that the Semiotics of a trial is actually crucial to the credibility of the evidence presented: "credible evidence is the delicate link between how society lives and how the law is practiced" (P.161), and how society is lived, is evident in how Semiotics can explain the constructed meaning of an object presented to the jury. When looking at physical evidence through a Semiotic perspective, therefore, evidence could be seen and used as a form of rhetoric (Klink, 1992). Furthermore, Ehrlich (2001) concluded that the digital images used in trial were given a linguistic status, which had an impact on the outcome of the Steubenville rape trial.

The evaluation of visual elements used in law has been of increased interest within research in the fields of Legal Sciences such as Criminology and legal evidence (Verenich, 2017), and therefore the exploration of this through Semiotic Theory to address how meaning is assigned to visual evidence like the underwear, situated within its original Communications field, may provide a new, and relevant contribution for these fields. While the legal system may not formally acknowledge the ways in which it borrows the Semiotic system when using evidence, the two systems can be seen to coexist in the courtroom (Sterling, 1995, P.89). This is due to the fact that visual evidence such as patterns, images and symbols have an effect on how we view certain kinds of evidence, since visual artifacts have the power to both communicate a more

complex meaning and/or represent difficult concepts (Verenich, 2017) such as gender nuances and the supposed complexities of consent.

Research on the linguistic and discursive dimensions of rape trials (e.g. Ehrlich 2001; Matoesian 2001) has demonstrated how defense lawyers are able to undermine the credibility of complainants by strategically invoking 'rape myths' in both their questioning and argumentation which they support not with empirical evidence, but the attribution of responsibility to victims and exoneration of perpetrators (Ehrlich, 2019). Few studies, however, have shown how this rape myth discourse is invoked and created through a semiotic understanding of the empirical evidence used.

(Amann & Cetina 1988) suggest that viewing visual evidence could be an exercise of "truth-transporting activity" (P.134) and that evidence can be seen as visual sense data (Amann & Cetina 1988). This kind of truth-transporting via physical evidence could take place through the practice of visual argumentation that is later explored by Blair (1996). Blair (1996) explores the possibility of visual arguments to find that they are not distinct in essence from verbal arguments because arguments are always propositional entities, and in the case of verbal vs visual, they are merely expressed differently. However, the effectiveness of most visual communication is not attributed to the argument it conveys (Blair, 1996) it is therefore attributed to the argument it *implies*. The introduction of Semiotic Theory is therefore needed in this area of study, to determine how meaningful arguments and understanding can be applied to visual elements and therefore implied. In this research paper's case, this is concluded through a rapist's defense that argues consent through the visual sign of the underwear.

Gender, Critical Discourse Analysis and Online Spaces

Fairclough (1995) & Janks (1997) were two of the earliest and leading contributors to the study of Critical Discourse Analysis. Janks (1997) later built upon Fairclough's (1997) three part approach to Critical Discourse Analysis, which foregrounds the idea that there are multiple ways to explore language. With Critical Discourse Analysis, text can be viewed from a critical standpoint to analyze visual signs and discourse, how they work in context and so on. Critical Discourse Analysis, therefore, enables us to analyze language as a form of social practice (Fairclough, 1995; (Janks, 1995).

Later, the expressed need for explorations of Critical Discourse Analysis, through the lens of Feminist Scholarship, has emerged and increased, since through language and discourse there is the power to politicize gender (Lazar 2005). Lazar (2005) was one of the first to provide research that sits at the juncture of Critical Discourse Analysis and Feminist Scholarship, leading the way in exploring the relationship between discourse and gender power dynamics, and the way they are subtly enforced through gendered language that would otherwise remain unnoticed (Lazar, 2005). Feminist Critical Discourse Analysis is a newer approach that focusses on the ways in which gender is discursively produced. While Feminist Critical Discourse remains under the umbrella of the Critical Discourse Analysis tradition itself, it questions the motivations of the original scholars such as Fairclough, Janks & Van Dijk, who were not interested in the analysis of gender. There is a need therefore to combine the studies and use the findings already found among the field of Critical Discourse Analysis research from a feminist perspective, into one specific approach that uses its basic premises to explore gender (Lehtonen, 2007).

Furthermore, in his study of a feminist critical discourse analysis of Ghanaian feminist blogs, (Nartley 2020) notes "even though one of the aims of critical discourse analysis (CDA) is to demonstrate how social inequality, power abuse and discriminatory practices can be resisted, most studies have centered on the deconstruction of oppression and ideologically driven discrimination rather than the reconstruction of resistance" (P.657). As previously noted in aforementioned studies rooted in social media engagement and mainstream sexual violence cases, online communication spaces were also found to be used to mechanize a digital feminist movement that seeks to challenge rape myths and rape culture. More studies that use Feminist Discourse Analysis are therefore needed to demonstrate how this kind of approach can not only highlight the more subtle forms of victim oppression and gender inequality, but how it is simultaneously resisted.

Additionally, more research is needed into how Critical discourse Analysis can be redefined to better understand participatory online spaces, particularly since (Majid, 2020) "this new digital communication dynamic cuts across the established paradigms of mass and interpersonal communication and forces some careful reconsideration regarding the presupposed dynamics of media and society" (P.120). Social media has created new possibilities for engagement with politics, which has brought about a new host of literature. However, the impact of social media on redressing or augmenting gender inequality in engagement remains underexplored (Ahmed, 2020). The presence of social media has redefined the way we communicate, which brings new challenges and opportunities for studies using Critical Discourse Analysis, since both, as argued by (Bouvier, 2018) "the relationship between text and ideology, and between the author and reader, appears to have changed" (P. 178).

Critical Discourse Studies aim to advance our understanding of how discourse contributes to social processes, structures and change (Majid, 2020), and therefore, more studies into the discourse found in online engagement are needed, especially in the context of victim blaming and rape myth so it can be further used for societal change.

Conclusion: Summary of Existing Literature & Gap in the Research

Within current research, there is an existing acceptance of the intersectionality and relationship between gender, law and physical evidence. Emerging in research, for example, is the use of the Semiotic Tradition to explore the cross-over between these themes, particularly the Semiotic exploration of Law's evidentiary system within studies rooted in the field, such as Criminology. Among this research, is the conclusion held by the majority, that evidence becomes a signifier when used in the court setting and is, therefore, an object of meaning that is shaped and communicated within this context.

There is also an existing body of literature that argues online news media is a strong influential force and meaning shaper when it comes to people's perception of rape and sexual violence. Research suggests however, that when exploring how language is used throughout online engagement as it pertains to sexual violence and victim blame, it would be better explored through Feminist Critical Discourse Analysis, that focuses on the discursive implications they have on gender imbalances. This research mainly focuses on the ways in which online communication platforms such as Twitter, give people a new mechanism to comment share and engage with damaging gender norms and stereotypes that contribute to the acceptance of rape

myths. Rape myth acceptance, just world beliefs and victim blaming are all learned through

primary socialization, such as through family or secondary socialization such as through social

media (Stubbs-Richardson et al., 2018; Akers & Jensen, 2006; Berger & Luckmann, 1966).

There is a need to therefore further explore the role of social media as part of this secondary

socialization of rape culture.

An overwhelming amount of research found this same conclusion: that social media can

be a significant component in both embedding rape culture into our society through its setting of

the nation's cultural, social and political agendas, and how it can be an effective tool for the

mobilization of feminist activism that rejects victim blame. Despite this, there is a concerningly

small amount of research into the ways in which social media has an influence on the outcome of

rape trials and resulting public perception. Additionally, despite victim blame being rooted in

gender myths and stereotypes, this existing literature is rarely done using the Feminist approach

to Critical Discourse Analysis, which would highlight not just the more subtle forms of victim

oppression and gender inequality, but how women are not always the victim role, and rape myths

can also be resisted online. This research is crucial for understanding the ways in which social

media content could affect rape survivors and society as a whole.

Temkin & Krahé (2008) have suggested that 'there is probably no other criminal offence

that is as intimately related to broader social attitudes and evaluations of the victim's conduct' as

acts of sexual violence (Temkin & Krahé 2008 P. 33). Within cases such as the Cork rape case,

the symbol of the underwear is considered part of the victim's conduct due to social attitudes and

evaluations of her thong. The introduction of the Semiotic Tradition to explore cases such as this

one, is a relevant contribution that can be brought from the Communication field it lives in:

namely *how* broader social understandings and settings are attributed to a sign that is therefore

used to communicate meaning. A semiotic study of the sign of the underwear when used in a rape case, therefore provides additional theoretical insight to draw out this process of meaning-making.

In conclusion, research acknowledges the potential for a Semiotic exploration of visual evidence in law and the presence of rape myths and victim blaming in online media coverage through Feminist Critical Discourse Analysis, however, they have rarely been brought together. This research aims to fill the gaps in the current body of literature by exploring the two ideas in tandem: by understanding victim blame through the Semiotic understanding of the underwear, and the perpetuation of rape myths through online engagement, with the aim of finding the extent of societal damage this causes. It looks at how the use of underwear in particular can be explored Semiotically in the court setting to create meaning and perpetuate victim blame—which also has not been explored within the Communications field. While Semiotics has been used to explore the shaping of visual evidence in law, these meanings are defined by the Sociocultural context through a Socio-legal or Sociological lens. The research will contribute a nuanced exploration of the way in the underwear specifically is used as an artifact or symbol of meaning online and in rape trials, to construct and legitimize female social inequality within a Sociolinguistic framework that is rooted in the Communications field in which it belongs, by exploring Twitter threads.

Analysis: The Role of Semiotic Ideologies and Understandings in the Cork Rape Trial

Data Selection

This study aims to explore the ways in which a specifically visual responsive approach using the very sign that sparked this social media outcry, is able to reveal both the collective culture behind feminist digital activism against rape culture in response to this case, and the ways in which this interacts with the slut-shaming and rape culture surrounding the protested meaning assigned to the underwear being sexual consent.

To achieve this, tweets were collected and used as data to explore the interaction between those perpetuating and operating under rape myths, and those revoking them by supporting victims. The preliminary search for tweets was made using the hashtag search #ThisIsNotConsent; the hashtag that became attached to the Cork across social media platforms, including Twitter. This narrowed the scope of Twitter data to tweets discussing rape culture, but particularly in relevance to the specific case explored in the paper. The pool of tweets was then narrowed to a 2-week time frame following the highly prevalent mass media publications of the case's detail, to monitor the resulting discussions that were happening on the platform in response. Given this analysis is rooted in Semiotic theory, this preliminary search was then further narrowed to threads that were initiated with user-published photos of thongs. Threads with a minimum of 6 comments were selected for final analysis to ensure adequate and balanced data for analysis.

Method

The discussion and results are grounded and achieved in two communication theories: Critical Discourse Analysis and Semiotics. The analysis employed Critical Discourse Analysis to

examine the negotiation of discourse within Twitter threads, that demonstrate uncensored public engagement with the Cork rape case. Specifically, it focused on the interaction between victim blamers, which predominantly reflected male users leveraging their societal power to reinforce gender inequalities and perpetuate rape myths, and feminist digital activists aiming to challenge and dismantle these perspectives. To support this investigation, Semiotic analysis was utilized to critically examine how these discourses, which endorse and uphold the scaffolding for rape culture within wider society, are communicated and entextualized through the symbol of underwear. The study focused on how this symbol conveyed meaning within its specific context across the Twitter online forum. The findings of this analysis revealed that the symbol of underwear served as both a means to legitimize gender inequalities that contribute to rape myths, but was also reclaimed by online feminists as a discursive tool for protest against these myths.

Qualitative data and emerging themes

Upon analysis of the data extracted from the 11 different filtered threads on Twitter, there were four themes that consistently emerged, creating categories for the coding process: "rape myths and victim blaming" (particularly present through benevolent sexism, the Just World Theory, "she was asking for it" and rape trivialization), "feminist fatigue", "feminist digital activism", "social media and digital activism". This thematic labelling and organization of tweet data enabled grounded analysis and cross-theme analysis to explore the interactions between victim blamers subscribing to rape myths and victim supporters using Twitter as a platform for feminist digital activism.

Discussion and Results:

Rape Myths and Victim Blaming: "*Women just being female creates such an irresistible sexual urge in men they can't control themselves so therefore it's not the man's fault. ☐*"

One of the most common rape myth frameworks through which victim blame was argued was through benevolent sexism that framed women as Beings that lack agency, meaning consent is not needed by males for sexual activity (Fraser, 2015). This sexual objectification of women in society, which is seen through the hypersexualization of the symbol of female underwear, is seen to cause a great acceptance of violence against women and victim blame. These tweets followed similar trends, responding to images of thongs with comments such as:

"Those are hot",

"Not much material there. Very nice",

"Show us some Irish 🍀 buts over the age of 18 years old",

" Hot just gunna save this picture in my folder".

These kinds of tweets reinforce myths that once a man is sexually aroused he cannot help himself (Graveline et al., 2019), and all self-caused by teasing what the symbol of the underwear has come to represent for male sexual desire.

In a previous study conducted by Basow & Minieri (2011), it was discovered that men were more inclined to hold women responsible for their own sexual assault (Basow & Minieri, 2011). The present study yielded similar findings, however, tweet data also suggested that this tendency may stem from a desire to justify male sexual dominance and the societal expectation of female submissiveness. The symbol of the underwear was seen to be utilized throughout these tweets as a means of maintaining societal gender power imbalances by perpetuating rape myths. Furthermore, sexual assault is viewed as a consequence of a female's violation of gendered sex roles that reinforce male dominance and exploit women (Gravelin et al., 2019). This is evident in tweets such as:

"We strike at dawn 🐗"

The tweet along with the user's choice of emoji suggests images of lace thongs posted on Twitter have aroused some kind of uncontrollable, animalistic urge within men that will cause them to "strike" against women, which is the same messaging incurred by the legal argumentation of this case. No responses to this tweet were made suggesting either a refusal to engage with such views or a feeling of fear or hopelessness in doing so.

Feminist scholars have argued that sexual assault is a function of gendered sex roles that support male domination and female exploitation, and that violence against women may be motivated by a need for power. Different moral concerns among different cultures were found to

affect the cause and treatment of victim blame (Milesi et al., 2020). For example, one of the most consistent engagers was a self-identified Muslim man:

"pls speak respectfully in a public forum perhaps women can stop flaunting their body parts also this idea of competing with men as equal lands women into trouble Creator has made men as responsible 2take care of women & children whn u send wmn out 2wrk unless necessary its hell"

The "offence" of the victim is linked to the underwear and what it communicates. With men being taught to be sexual instigators (Gravelin et al., 2019) the attempt for a woman to be sexually equal by dressing herself in a symbol of sexual instigation causes "trouble" and hell".

Some suggest that women have been granted this ability to compete with men, and therefore should not displace the blame of their actions onto others:

"Feminist selective agency. Women are free to do as they wish right up to the point where they suffer negative consequences for their actions, then it's everyone else's fault."

"Naa one of those feminists who believe an allegation should lead to being found auto guilty when a Woman accuses a man"

Tweets under this category also highlighted that sociocultural and sociolinguistic implications of the underwear are a backbone for the arguments presented in support of victim blaming and rape myths. Twitter threads are therefore shown to remain grounded in the wider cultural

understandings and associations of the symbol. This is largely due to the tangible affect of institutional and societal factors such as gender roles, media, and rhetoric surrounding sexual assault on the overall promotion of victim blame (Gravelin et al., 2019). For example, one user tweets:

"a jury of people who get subconsciously influenced by walking past nonsense like this from [@marksandspencer](#) on our high streets, from retailers who should know better".

Although this user disagrees with the underlying premise, they recognize the cultural associations attributed as holding largely sexual connotations through advertising, mass media, retail marketing and so on, have a significant impact on how the symbol is perceived and, by extension, influence on the framing of the discourse surrounding it.

In a separate thread, a post displays images of protestors holding up their own underwear at a walk, in Ireland, which shares:

"So proud of the women in Ireland & disgusted that anyone could say that unwanted advances of any kind & rape is ok because what someone is wearing suggests a person is 'open to meeting someone & being w/someone.' And in court! [#ThisIsNotConsent](#)".

Another user responds to this with:

"Dear melina.lets look back on the history of marketing and mind set of those type of under garments. Those type of garments on their origin symbolized ready for love making or in modern terms sex &seduction when the top house coat came off"

This context of the underwear being historically marketed as sexual is something that re-emerges in multiple tweets in this category, for example:

"Yea..lace panties. Multi billion dollar so called fashion industry. Just the intention is contentious".

"Why not? Not saying in this case but if you plan to go to someones house and your wearing clearly sexy outfits underneath that shows some form of intent to have some form of intercourse, Of course not 100% because situations change but he would have been done if there was evidence"

Culturally, the underwear then is seen as a symbol of "love making", "contentiousness" or sexual promiscuity, meaning it can be held up as a sign that communicates just this. Through analysis of these Twitter threads using Critical Discourse Analysis the significance of the social understanding of underwear in this context was revealed, simultaneously uncovering a sociolinguistic dimension in the language and communication related to the symbol. This language is seen to be symbolically contained in the sign of the underwear when examined through a semiotic theoretical framework, shedding light on its significance.

A compelling example that illustrates this is:

"Law has a concept called "performance" which is fully binding in all contract law. It means if I do actions as if we were in an agreement I cannot state otherwise at a later date. If you are staying in someones house, dont just give them $500 randomly. It is rent".

What this tweet is suggesting is that the underwear in this context acts as a symbol of this legal concept of "performance" given its discursive and symbolic associations with rape myths and slut shaming. Much like this referenced notion of "performance" in contract law once we act in the agreement, or at least suggested agreement with another individual, this becomes a binding contract that cannot be undone at a later stage, the act of choosing to wear a thong here implies agreement to sexual intercourse and thus a binding contract, due to the meaning held by the sign. This is encapsulated in further tweets:

"In domestic violence law they say witholding or controling finances is abuse.well starting off with sex then charging for it is also abuse and can leed to rape indictment threw manipulation hence duel beds in the 1950s and no cover thiefs."

This argument likens the abusive act of withholding finances under domestic law to the act of initial "agreement" to sex signaled through the lace thong, and then refusing. As the former is punishable by law given its attempt to oppress or torture an individual, the latter too is punishable, however, this time through "rape indictment". Again rape myths are manifested in

the idea that the symbol of the underwear has a discursive implication, being "performance": an

un-retractable signal of sexual consent.

A further states:

"No, but it certainly constitutes an INVITATION"

Semiotic understanding highlights the effect of how rape myth discourses present across social

media are entextualized through the sign of the underwear when used by users who subscribe to

rape myth ideologies. What becomes clear is that clothing can become articles of meaning that

communicate something about intention. A clear example of this is found in a tweet from another

user commenting on this issue:

"If I wear a Uzi submachine gun into a bank. It is fair assumption by others I am there to rob

bank. Why is it so difficult for women to understand this. Any wonder men think your stupid?

Get woke dummies" .

However, this illustration is hypothetical, and the underwear being used as a sign in this

context demonstrates a very real example of how gendered symbols are being used to

disproportionately affect women and both maintain and justify damaging power dynamics. This

is illustrated in a response to another tweet maintaining the same position. One user attempts to

challenge this victim blaming sentiment:

"Insane!! I guess @victoriasecret should have signs -"safe"underwear and "consent"

underwear, so we know what we sign up for when buying them. So disappointing!!

#thisisnotconsent".

This however does not dismantle the power of the sign, but rather highlights that the sign alone communicates something so strong in what it symbolizes, precautionary clarifications are needed to prevent manipulation of its usage in a way that further embeds rape myths and victim blaming within our society.

These cultural understandings of the sign of the underwear are seen to transpire in slut shaming argumentations that reflect The Just World Theory. Therefore, as well as discursive implications surrounding consent, notions of blame and responsibility are also tied up in the symbol of the lace thong. The Just World Theory suggests that good things happen to bad people. These ideas are captured in tweets such as the following examples:

"More u expose ur body the more u will attract men & more chances of rape cover or wear a Hijab the less the chances do not get it It is in every religion"

"why men cover & wear pants & suits & wmn wear skirts showing legs or cleavage to attract who strange men why not she show 2her husband only not strangers wmn is already attractive"

Tweets such as this suggest that in wearing this symbol, a woman communicates herself as having a self-perception that deviates from the expected chaste and virtuous image she is

supposed to uphold, instead associating herself with the derogatory label of a "whore" and meaning bad things can justifiably happen to her. The extent to which this sign communicates the woman's "badness" and deservingness of bad things happening to her, depends on the level of blame and responsibility that may be placed on her on account of her clothing's semiotic readability.

Blame is defined by (Gravelin et al., 2019) as: "a value judgment of the extent to which one should be held accountable for (and perhaps suffer from) a negative event and is typically measured using a rating scale of how much is the victim to blame for her assault" (P.4), while responsibility is "the extent to which the victim's choices or actions contributed to their assault and is typically accessed by asking participants to assign a percentage of responsibility to the involved parties" (P.4) . Blame is seen to be harsher, however, this perspective overlooks the underlying assumption that assigning responsibility implies some level of blame. In other words, you can't be blamed for something you weren't responsible for and vice versa. While the Just World Theory may see perceivers more comfortable in attributing responsibility than blame (Gravelin et al., 2019), there is still an attribution of both to their rape case. Lessening the importance of the assessment of responsibility vs blame in victim blaming also contributes to the continuation and overlooking of the severity of victim blame.

Social Media and Digital Activism: *__Just joined Twitter as my fury dictated that I had to do something as this is so beyond belief in a so called develop country__***."**

Tweets in this category evaluate the role of social media technology in facilitating and mechanizing discourse and communications surrounding rape myths, victim blame, and victim support as they orbit the sign of the underwear and its significance within this context.

Twitter is seen to allow individuals to readily contribute and publicly respond to conversations hosted on the platform surrounding the use of underwear as a symbol of meaning within this rape case. The global reach and accessibility of the platform also enabled the protest's visibility beyond the local scale activism taking place in Cork, and free, unfiltered engagement beyond the opportunities made available by traditional media publications. Multiple tweets speak to the worldwide reach afforded by the platform, for example:

"Thanks to you Ruth, this story made the news tonight here in Australia. We wouldn't have heard about it otherwise".

"Very proud of you here in Canada".

"Wow! Do you all realise this has gone global & the world's disgusted by the disgusting laws your country has? Doesn't this cow realise that she is now a potential victim of rape because she wears underwear that is according to her a rape invitation?!"

The network-based strategies behind the feminist digital activism across the platform and documentation of these responses to victim blame and popularized rape myths (Garrison 2000) "compose a movement culture that is disparate, unlikely, multiple, polymorphous" (P.149),

located not in movement organizations, but in the network-ability of feminist online response (Rentschler, 2019). Tweets analyzed under this coded theme found that this polymorphous nature of social media digital activism extended to not just organizations but physical space and time. Tweets surrounding the symbol of protest the underwear adopted across Twitter were found to contain the idea that social media engagement with the #ThisIsNotConsent movement were made in the placement of an ability to join the protests physically:

"I don't think I can get into town tomorrow but wholeheartedly support your action in the dail today and the protests. This was an absolute disgrace".

"Just joined Twitter as my fury dictated that I had to do something as this is so beyond belief in a so called develop country. Unfortunately live in Auckland NZ so unable to join protests. Can an appeal be made? If so can people donate to victim so she can get support etc?

Social media digital activist strategies of collective engagement through documentation of protest and combative interaction with victim-blaming sentiment were therefore able to simultaneously reclaim the symbol of the underwear with a new meaning through feminist digital activism, and create a network that transcends spatial and time limitations, offering long-lasting and universal accessibility.

This also speaks to the benefits of networked individualism and social capital afforded by online spaces, which sees individuals increasingly networked within "looser" networks that provide real-time succor and support (Chan, 2013), rather than tight-knit groups embedded in

and created by traditional norms and cultures (Wellman et al., 2003). This enables like-minded feminist digital activists to come together, find support and collect as a network to overcome the restraints of traditional cultures of misogyny and damaging gender constructs they grew up in. Furthermore, social media technologies have enabled supportive and personalized groups to share pervasive information and its wireless portability enables a constant access to these communities. (Randall, 2001) suggests this wireless connectivity enables access anywhere and on the go…reflecting the everywhere-nowhere phenomenon, that enables communication to be every*where*, but independent of place, meaning it is situated no*where*." (P.5).

Feminist Digital Activism: "Enough of this misogyny #ThisIsNotConsent"

Social media and technologies made easily accessible by mobile phones is allowing the rise of feminist digital activism to protest rape culture and enable women to fight for their safety in more visible, salient and far-reaching ways than physical protesting: through crowdsourcing and collective networking (Rentschler, 2016). Social media then, was able to allow feminist mobilization and compose a movement culture against rape culture. Twitter provided this networked collective and the feminist counter-public the tools, resources, access and knowledge to crucially challenge rape culture (Rentschler, 2019), (Sills, 2016). This networked-enabled use of social media offers the ability to respond and dismantle cultures of sexualized intimidation and violence (Garrison, 2000), (Rentschler, 2014).With rape culture needing silence to flourish (Keller et al., 2015), this mobilization of voices and digitized feminist activism enabled by social media causes a problem.

Rape myth debunking that comes through the feminist digital activism argues that rape can never be justified through rape myth and victim blame argumentation. Users hit back at these myths with a collective force that *"This is a piece of clothing, a thong. It is not an invitation to invade my space. #ThisIsNotConsent"*.

Social media was seen to be both used to perpetuate and tear down rape myths, however, the networked collectivism of online feminists was seen to foster a movement culture that overpopulated tweets subscribing to rape culture in attempt to counter the prevalence of rape myths and victim blaming associated with the #ThisIsNotConsent movement. Tweets were seen to stand in solidarity with victims, with some even sharing their own experiences:

"Hugs to you sister! You are not to blame and you are not alone! You have so much support!!!"

"Bravo young women across the world for championing this cause It deserves attention from all".

"Love this 💝 so inspiring"

"I stand with you and all survivors of rape. State and society MUST stop blaming and shaming survivors!"

"I am a victim of this heinous crime and this ruling is disgusting at the least and archaic at its worst. I show my lace-fronted thong in solidarity to all women of sexual related crimes. #ThisIsNotConsent"

In attempt to dismantle misogynistic rape myths:

"Bravo. Enough of this misogyny #ThisIsNotConsent"

"How about fucking men take ownership of their actions, stop blaming the victim and admit violent rapists are pathetic arseholes with no respect?"

"wtf.......time for the revolution to start.....smash the patriarchy. And I don't do pics online but I can add that I wear Bonds knickers and #ThisIsNotConsent #SistersResistance with Gif "im going to start tackling guys in football jerseys and saying look how hes dressed he's asking for it"

Feminist Fatigue: *"I am annoyed that we have to say this in 2018"*

However, a further finding that was made, was the presence of feminist fatigue and burnout in tweets such as:

"I am annoyed that we have to say this in 2018. Keep protesting keep united #ThisIsNotConsent"

"Thank you and fair play to you Ruth, I am sick of misogynism and victim blaming in Ireland #ThisIsNotConsent"

In high profile rape cases such as this one, social media sites like Twitter become aggregators of online misogyny (Sill, 2016) and therefore potentially act as a catalyst for dangerous conversations and feminist burnout. This highlights an aspect of utilizing social media for feminist digital activism against rape myths that has received limited research attention—the negative implications stemming from the very features that make the platform such a valuable activist tool: visibility and wide reach. While social media provides a free and expansive platform for feminist activists to challenge rape myths and victim blaming, it also affords the same platform to users who disseminate and perpetuate rape myths. Anderson (2021) suggests this is damaging to sexual assault victims (Anderson, 2021), however, the tweet data from across these threads suggests the damage also applies to women more widely, who suffer the effects of victim blame and rape myths.

This represents a dark side to social media protests against sexual assault that remains largely untapped. Mendes' study surrounding the #MeToo movement found that participants felt there is hidden labour behind online activism and maintaining feminist hashtag campaigns as well as public interest, referenced in tweets such as: "*old news",* and that it remains difficult to receive compensation for time spent .This was often pointed out by the opposing voices throughout the analysed Twitter threads:

"It's been proven time and time again that Irish protests do not work,a few thousand people on the streets at a planned time,then back to work,in France they bring the country to a standstill until they get their way, we need to do that, for real change"

Participants also revealed there is an emotional tax that comes with being exposed to stories of abuse, harassment, misogyny and sexism (Mendes, 2015). Additionally, in a study made by Stubbs-Richardson et al, (2018) Twitter users found to be engaging in and sharing victim blaming tended to have more of a support following and a higher rate of engagement with their own social media posts, meaning content rooted in victim blaming received higher levels of retweets than Tweets that were not (Stubbs-Richardson, et al., 2018). This suggests that while social media can be used as a form of digital activism, it also perpetuates them, since it remains that damaging victim blaming is favoured by social media users and spread at a higher rate across the Twitter platform. There is a need, therefore, to explore how this platform intersects with news surrounding rape cases, to allow users to spread rape culture and victim blame.

Furthermore, (Rentschler 2014) explores the idea of "feminist response-ability" (P.68) which suggests that there is a feeling of responsibility to engage with rape culture via social media through a blend of testimonials, advice giving and creating cultures of support. This pertains to Oliver's (2021) notion that the capacity to respond to others constitutes a response-ability, requiring a social address that contains both (Renstchler, 2014) "the condition of possibility of response…and the ethical obligation to respond and enable response-ability from others" (P68). This disaffirms a politics of recognition (Renstchler, 2014) "in favor of a model of witnessing based in the mutual co-constitution of address and response to others—in other

words, a politics of communicability" (P.68). With the catalytic and saturated nature of social media and online misogynists, this response-ability of online feminists to create supportive cultures may cause feminist burnout and feelings of fatigue, as reflected in statements of exacerbation within tweets such as:

"*I am annoyed that we have to say this in 2018*".

While social media can be used as a form of digital activism, it remains that damaging victim blaming is also rallied on social media and deployed across platforms.

Unexpected findings

Given the initial search filter was made using the hashtag #ThisIsNotConsent, tweets that focus on or at least reference victim blame were expected. While there were nuances that were identified and explored, there was one particular finding that was unexpected, and that was the contribution of female Twitter users to these damaging rape myths and victim-blaming sentiments.

Self-proclaimed female users for example, commented in response to images of a lace thong with comments like:

"*That looks like consent to me and I'm a girl*".

"*No but it certainly constitutes an INVITATION*"

One user responds to a tweet saying "smash the patriarchy" with:

"Smash the patriarchy? You know it was a female who said her wearing a thong meant she was asking for it? You women are the biggest slut shamers going, stop pretending it's us men. #ThisIsNotConsent"

Beyond these tweets , and returning to the contextual grounding of this study, as this user points out, it was a female barrister who initially made this connection between the symbol of the underwear and consent in this case study, that in turn sparked these wider protests about victim blaming. In conjunction with these twitter threads, more female engagement with rape myths was seen than anticipated. Gravelin et al., (2019) have suggested in their research that, given the gendered nature of sexual assault, the response is also expected to be gendered. They suggest there are two contrary hypotheses surrounding how gender may affect victim blaming: "on the one hand, because rape is mainly a concern of women, they might be expected to blame less as a function of in-group solidarity. On the other hand, (Gravelin et al., 2019) "just world ideology might suggest they might blame more: precisely because of the greater threat that sexual assault poses to women. Victim blaming may help women distance themselves from the reality that they could be victimized themselves" (P.6). The latter hypothesis could explain this unexpected finding, since the Just World Theory can be used to distance women from this fate if they subscribe to the belief that only bad things happen to bad people, and they are not deserving of victimization.

One alternative explanation offered in data from across these threads is that the normalization of rape culture and victim blame discourse, in this case, encapsulated in the use of the sign of the thong, has caused desensitization amongst women and by extension, unconscious participation.

This position can be summarized in one of those tweets:

"Misogyny at it's finest! 🙄 Unfortunately, it has been so successful it's made women unwitting participants in their own subjugation. Education and a broader mindset is our only way forward".

Ethics of Data Selection

The utilization of tweets as a source of data in this research paper raises important ethical considerations. Twitter users are required to agree to a set of terms and conditions, including the provision that they should only share content they are comfortable sharing with others. Given this requirement, tweets can be considered public and ethically acceptable for use in this study, particularly in the case of open discussions on Twitter that involve the use of hashtags to associate thoughts on a subject with others' thoughts on the same subject (Towsend & Wallace, n.d.). This paper specifically focused on tweets related to the #ThisIsNotConsent hashtag, and therefore the use of this hashtag or engagement with it suggested a willingness to contribute to this debate and can reasonably be considered to expect a greater visibility of their data. However, to uphold ethical standards, the tweets used in this study were presented in a fair and neutral manner, respecting their original publication capacity as publicly available content.

Anonymity is a crucial consideration in research ethics, especially in qualitative research and when data sets are shared beyond the original researcher. This emphasis on protecting participants' identities becomes even more critical when accessing sensitive subject matter, as (Towsend & Wallace 2016) raise: "discussions related to criminal activity, financial problems, mental health issues, extramarital activity, controversial political opinions, and activism" (P.11). The inclusion of political opinions and activism in this research adds to the sensitivity of the subject matter. Therefore, the references to tweets were made anonymously, without including Twitter handles, to protect the identity of unwitting participants.

It is, finally, important to note that this paper focuses on one specific case involving a white woman, and it does not attempt to generalize to all female and or cultural experiences of rape, rape myths, or victim blame stereotyping. Future research is necessary to explore these aspects further.

In summary, the use of tweets in this research paper adheres to ethical considerations by treating them as publicly available data, respecting anonymity, and addressing the sensitivity of the subject matter. By navigating these ethical considerations, valuable insights can be gained from the data while safeguarding the privacy and well-being of social media users.

Future Research and Limitations

This study has provided valuable insights into the topic of victim blaming; however, it is important to acknowledge certain limitations that may have influenced the findings. Additionally, these limitations highlight areas that require further research in order to develop a more comprehensive understanding of victim blaming attitudes.

Firstly, it is crucial to note that there is currently limited consensus within the existing literature regarding the predictors of victim blaming. Although this study contributes to the body of knowledge in this area, future research should aim to address this gap by investigating the various factors that influence victim blaming attitudes. By exploring individual characteristics, societal norms, and cultural influences, researchers can gain a deeper understanding of the nuanced dynamics involved in victim blaming and potential methods for mitigation.

Furthermore, an important omission in the present study, which is also reflected in the wider body of research, is the limited exploration of race and its influence on victim blaming. This is a problematic oversight, as it fails to address the experiences of non-white women who are disproportionately affected by sexual assault and gendered sexual stereotypes. Additionally, there are prevalent myths and stereotypes surrounding black male assailants and white female victims, which further underscores the need for research in this area. Future studies should strive to include diverse racial and ethnic groups in their samples and examine the intersectionality of race and victim blaming attitudes to better understand the nuances of this issue.

Finally, it is worth noting that the data collection method utilized in this study, focusing on Twitter conversations using the #ThisIsNotConsent hashtag, may have resulted in a limited and potentially skewed sample. While this narrow sample selection was deliberate to capture specific conversations about rape in relation to the case this paper focused on, it is important to recognize that the findings may not represent the broader range of attitudes and opinions on victim blaming. Future researchers that have the resources available to them should consider a

more broad approach that employs multiple data collection methods, such as surveys, interviews and content analysis from a variety of online platforms, to obtain a more comprehensive and diverse understanding of public perceptions and influences on this topic.

Conclusion

This paper aimed to contribute to the understanding of how gender symbols are used and manipulated in the court setting, and how this is represented and received amongst online media spaces to shape meaning through different genres. Critical Discourse Analysis and Semiotic Theory were used to explore how gender ideologies and societal power imbalances take shape using a sexualized gender symbol within the context of the court, and how this is then discussed within discourse on online medias to both create and sustain a complex and nuanced structure of gendered hierarchy as well as try and dismantle it. It hoped to critique the ways in which this discourse perpetuates victim blame and rape myths and how Twitter provided a valuable tool for political critique for action.

The results of this study highlight the role of social media, particularly Twitter, in facilitating feminist digital activism against rape myths, victim blaming, and the promotion of victim support. The analysis of tweets related to the #ThisIsNotConsent movement reveals how social media technology and resulting networked individualism allows individuals to actively engage in conversations, publicly respond, and contribute to a global network of activists. The symbol of the underwear, as a signifier within this context, was reclaimed and given new meaning through feminist digital activism.

The study demonstrates that social media platforms like Twitter offer a powerful tool for feminist mobilization and the challenging of rape culture. Through crowdsourcing, collective networking, and the dissemination of counter-narratives, feminist activists use social media to respond to and dismantle cultures of sexualized intimidation and violence. The movement culture fostered by networked collectivism transcends spatial and temporal limitations, allowing for long-lasting and universal accessibility. This study has importantly highlighted the damaging use of gendered symbols to perpetuate rape myths and gender inequality, as well as uncovered the presence of feminist fatigue and burnout among activists. Future research and efforts should focus on mitigating the risks associated with online misogyny and the perpetuation of damaging narratives, as well as female experiences beyond the confines of this case. Further research and increased education on this topic is essential for change-making in attitudes and practices.

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