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# Tonic Immobility in Rape: A Little-Known Reality



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#### Abstract

Tonic immobility is an involuntary behaviour that has been studied in victims of sexual violence. The aim of the present communication is to reflect on the consequences of this phenomenon and to draw the attention of legal actors to the behaviour of victims.

Keywords: Sexual violence; Tonic immobility; Rape; Victims

#### Introduction

Sexual victimization is a serious social problem that affects more than 3 million women in Europe (European Union). In Spain, according to the Macro-survey on violence against women (2015), 1.4% of women aged 16 years or older report having suffered sexual violence from a partner or ex-partner. Four reactions of the victims to these threats have been described: fear, fight, flight, and paralysis or freezing [1]. Tonic immobility, a reaction to danger that is facilitated by intense fear, physical restraint, and the perceived inability to escape, explains why many people become paralyzed in a traumatic situation.

The involvement of tonic immobility in victims of traumatic events is unknown. In recent decades there has been an interest in trying to demonstrate the presence of the phenomenon of tonic immobility (TI) in survivors of sexual violence, although only about ten studies have been developed [2-5]. The prevalence of TI in is variable, although some studies have even stated that this phenomenon is present in most rape experiences [6,7]. Research on TI in victims of sexual violence is necessary and important. Clinically, TI can have catastrophic consequences for victims. While living through a situation of sexual violence has been found to be one of the most traumatic experiences a person can go through, the experience of TI for these victims is traumatic. Several studies have found that sexual trauma is more associated with TI than any other type of trauma [8].

Researchers Marx et al. [4] found that 47% of rape victims reported that their experience with TI was terrible. Furthermore, the risk of experiencing TI and suffering from post-traumatic stress disorder is higher than other traumas [9]. Also, self-blame

among women who experience TI is more pronounced, because they blame themselves for not having been able to prevent or avoid the attack [10].

From the point of view of forensic sciences, victims who experience tonic immobility must be recognized to avoid discrediting their speech in the legal field because they have not shown active resistance to sexual aggression [5]. Therefore, finding an explanation for the immobility behavior of someone experiencing sexual assault helps to clarify the idea that the absence of active resistance is not a symptom of consent. Issues such as this phenomenon have been largely ignored by the legal community due to the lack of scientific research on the subject [11]. Instead, victim statements are questioned, and traditional expressions and behaviors of force and resistance are considered in determining whether a crime has been committed.

Current laws continue to promote the standard of proof and blame victims of sexual violence. Legislation requires evidence of the victim's resistance of violence or lack of consent and puts the focus more on the narrative of victims of sexual assault, rather than the reality of sexual assault. Victims who experience TI are unable to consent or resist, simply because they feel threatened, and the threat is so extreme that their bodies respond by employing an inhibitory defense mechanism. It is therefore necessary to continue researching and analyzing this behavior so that it is not related to the consent of the victims. It is time to incorporate in its provisions the lack of capacity to consent or resist as a TI process, and the victims who suffer from it should be treated as non-consenting victims, per se, of sexual assault.

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# **Conclusions**

The scarce research on tonic immobility has shown that this behavior is present in victims of sexual violence. It is necessary to have a better understanding of this phenomenon to educate professionals involved in social legal care and in the recovery of victims.

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