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Most studies of rape-law reform outcomes focus on single cases. We advance this literature by studying outcomes more systematically—leveraging new cross-national and longitudinal reform data—and showing that reform outcomes have both global and national determinants. Our exploratory analyses show three main findings: (1) Rape-law reforms are strongly associated with elevated police reporting between 1945 and 2005. (2) The strength of the association depends on domestic contexts. The association is stronger in countries characterized by individualism, women’s mobilization, wealth, and education; it is weaker in countries with greater democracy and police strength. (3) The strength of the association also depends on global contexts. It is stronger in countries with dense linkages to world society and weaker under conditions of global institutionalization, as widespread diffusion gives rise to both ceremony without substance (i.e., domestic rape-law reforms without subsequent increases in reporting) and substance without ceremony (increased police reporting without antecedent reforms). In multivariate regression analyses, rape-law reforms, women’s mobilization, and links to world society all have positive and significant effects on police reporting. It appears that both global and domestic contexts—together and independently—importantly shape policy and practice.

The relationship between policy reforms and policy outcomes is a matter of enduring sociological interest. At present, most analysts are skeptical of the relationship, given substantial case-study evidence of decoupling. Here in the context of rape, we reconsider the main issues. To assess outcomes systematically, we merge an original cross-national data set on criminal rape-law reforms from 1945 to 2005 with data on police reporting. We expect reforms to increase police reporting, particularly in the context of country-level variables, such as individualism and women’s mobilization, and links to world society. With growing global institutionalization, however, we expect the reform–reporting relationship to attenuate, as widespread diffusion gives rise to both ceremony without substance (i.e., domestic rape-law reforms without subsequent increases in reporting) and substance without ceremony (increased police reporting without antecedent reforms). In multivariate regression analyses, rape-law reforms, women’s mobilization, and links to world society all have positive and significant effects on police reporting. It appears that both global and domestic contexts—together and independently—importantly shape policy and practice.

Between 1945 and 2005, countries around the world revised and rewrote their rape laws. Figure 1 shows the worldwide cumulative number of such revisions, focusing on reforms that expand-
ed or contracted the law’s scope (i.e., the acts and actors covered under the law) (Frank, Camp, and Boutcher 2008). The sheer number of changes—122 in 77 different countries—is remarkable, and the priority of scope expansions over scope contractions (119 versus 3) is overwhelming.1

A few concrete examples can help illustrate the nature and extent of the penal reforms. South Africa, for example, stripped gender from its rape law in 1988, dropping the restriction that perpetrators be male and victims female. It then became formally possible in South Africa for a man to rape a man, for a woman to rape a woman, and for a woman to rape a man. In much the same spirit, Antigua and Barbuda dropped its marital-exclusion clause in 1995, criminalizing nonconsensual intercourse between a husband and wife for the first time in that country. From Denmark to Pakistan, countries have similarly revised their criminal codes over the 60-year period in question, promoting changes in gender and family relations nearly inconceivable just a few decades earlier. Under these modifications, the kinds of persons subject to and protected by rape laws expanded dramatically.

Zimbabwe demonstrates a second type of scope expansion: the country broadened the range of activities legally constituting rape. Formerly, the term “rape” was reserved for nonconsensual vaginal intercourse. Article 8 of the 2001 Sexual Offences Act reads in part:

Any person who .|.|. with the male organ, penetrates any part of the other person’s body; or with any object other than the male organ, penetrates the other person’s genitalia or anus; or engages in fellatio or cunnilingus with the other person; shall be guilty of an offence and liable .|.|. to the penalties provided by law for rape.

With this reform, Zimbabwe greatly augmented the range of nonconsensual sexual activities that fall under the umbrella of rape. During this period, all kinds of countries worldwide—rich and poor, Northern and Southern, Muslim and Christian—made comparable policy alterations.

These examples, along with Figure 1, show widespread and deep transformations in the

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1 Grattet, Jenness, and Curry (1998) call these “domain” rather than “scope” changes. For the few countries that regulate rape subnationally, we use laws from the most populous province or state. We include only reforms in criminal codes, although we expect that provisions in criminal procedure and family codes followed suit.
criminal regulation of rape during the post-World War II decades. On a global basis, rape laws acquired enormous new reach and muscle. They now cover many more actors and many more acts (Frank et al. 2008).²

In adopting these regulatory changes, policymakers sought to curb levels of sexual violence. As Berger, Neuman, and Searles (1991:221) note, policymakers aimed at “increasing the reporting, prosecution, and conviction of rape cases; improving the treatment of rape victims in the criminal justice system; prohibiting a wider range of coercive sexual conduct; and expanding the range of persons protected by the law.” Clearly, aspirations were high.

But were such aspirations fulfilled? Did rape-law reforms bring about palpable changes in the treatment and handling of rape on the ground? Or were penal code revisions merely adopted by legitimacy-seeking officials and then left to become fallow? These questions orient our current study.

THE LITERATURE ON RAPE-LAW REFORM AND OTHER POLICY OUTCOMES

Most law and social science research is skeptical of the outcomes of reform, both in terms of policy revisions generally and rape-law amendments specifically. Armed with case-study findings, scholars typically underscore the deficits of reforms, stressing the “enormous ‘decoupling’ between the isomorphic ceremony of formal law and the chaotic idiosyncrasies of law in practice” (Fourcade and Savelsberg 2006:514, summarizing Carruthers and Halliday 2006).

Certainly, much hard evidence shows tenuous reform-to-practice links. In the United States, for example, a wave of state-level rape-law revisions passed in the 1970s demonstrated little impact on practice even 10 years later. As Bachman and Paternoster (1993:556) note, “in the vast majority of jurisdictions, legal reforms have not been followed by significant increases in either the reporting of rape cases or the arrest and conviction probabilities for rape” (see also Horney and Spohn 1991).

Longer-term U.S. data show that reporting rates did creep upward over time, but the gradual rise seems to have little relation to earlier reforms (Bachman 1998; Baumer, Felson, and Messner 2003; Bryden 2000; Bryden and Lengnick 1997; Clay-Warner and Burt 2005; Spohn and Horney 1996). In Canada, a 1963 rape-law amendment registered modest to negligible effects on arrest and charge rates (Schissel 1996), while a 1983 revision only slightly increased police reporting and public awareness (Roberts and Gebotys 1992; Roberts, Grossman, and Gebotys 1996; Tang 1998). A 1988 rape-law reform in Israel generated little discernible change in the severity of sentences meted out to penal offenders (Ajzenstadt and Steinberg 2001). In these cases, reform outcomes fell far short of the intended goals.

Many scholars have thus concluded that rape-law reforms adopted during the postwar period were largely symbolic and passed by legislators bereft of serious enforcement intentions (see the discussion in Jenness 2004). Indeed, the available case-study evidence justifies such a view. Here, though, we stress that case studies not only resist generalization, but they scrutinize reforms at such a level that will almost inevitably highlight their limitations. In important respects, the literature’s prevailing research design restricts its capacity to assess outcomes systematically.

Facing these issues, some scholars have begun to amass more general empirical evidence on reform outcomes (e.g., Boyle, Songora, and Foss 2001; Carruthers and Halliday 2006; Dobbin et al. 1993; Edelman 1992; Grattet and Jenness 2007; King 2007; McVeigh, Welch, and Bjarnason 2003; Savelsberg and King 2005; Schofer and Hironaka 2005; Sutton 2000). This recent work moves beyond the simple question—Do reforms matter?—to evaluate the conditions under which reforms are more or less likely to matter. Although few studies consider cross-national data, and none to our knowledge analyze cross-national variations in rape-law

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² Between 1945 and 2005, many nation-states also changed the punishments for rape. Reforms increasing penalties outnumbered their opposite by nearly a two to one margin, and the median increase occurred about a decade later than the median decrease (Frank et al. 2008). Most decreases followed from the general midcentury rehabilitation movement, which reduced penalties not only for rape but for many other crimes as well (Murphy 1995).
reform compliance, this literature still informs our analyses.  

In particular, we draw on this literature to suggest that the relationship between rape-law reforms and outcomes should be stronger in the context of domestic modernization (i.e., individualization, wealth, education, and democracy), women’s mobilization, and police strength (Barnett 2002). We expect these country-level variables to predict tighter than average coupling between de jure and de facto reforms.

THE GLOBAL DIMENSIONS OF RAPE-LAW REFORM

On simple empirical grounds, there are good reasons to move beyond domestic factors to consider the global dimensions of rape-law reform. The evidence presented in Figure 1 strongly indicates that scope expansions did not crop up in independent country contexts between 1945 and 2005, but rather diffused in a worldwide wave (Boyle 2002; Engle 2005).

In making this point, we follow the lead of sociological neo-institutionalists who emphasize the world-cultural underpinnings of contemporary social life. From the neo-institutional standpoint, reality is socially constructed around definitional templates that establish what exists in the world, what those existents can do, and how they interrelate (Berger and Luckmann 1966; Jepperson 2002; Thomas et al. 1987). Given the long-term extensions of modern universalism and recent waves of globalization, reality’s templates are increasingly institutionalized in world society (i.e., built into the rules of international organizations and the assumptions of global culture) (Boli and Thomas 1997; Drori et al. 2002).

From the neo-institutional purview, nation-states and individuals, in particular, are not conceived as locally-situated natural actors, with inherent identities and interests, but rather as globally-constituted cultural enactors with scripted “identities” and “interests” (Meyer et al. 1997; Meyer and Jepperson 2000). For example, virtually all nation-states educate their citizens and extend suffrage to women, and they do so in highly isomorphic fashion, according to exogenous world models (Boli and Ramirez 1987; Ramirez, Soysal, and Shanahan 1997).

Virtually all nation-states also issue formal penal codes (Boyle and Meyer 1998; cf. Go 2003), the great majority of which have their roots in colonialization (Sanford 1988). For example, “a Criminal Code was originally introduced to the Protectorate of Northern Nigeria . . . modeled after a code that was introduced into the State of Queensland, Australia . . . which] was based on a Criminal Code drafted in Jamaica” (Ebbe 1993). In the realm of penal codes, imitation is overt and highly legitimated (DiMaggio and Powell 1983; Meyer et al. 1997; Strang and Meyer 1993). Almost universally, penal codes include rape prohibitions.

On these theoretical premises, we argue that the rape-law reform wave observed between 1945 and 2005 arose from a fundamental shift in the global institutional environment (Frank et al. 2008; cf. Edelman 1992; Savelsberg 1994). Stigmatized by the genocidal, nationalistic, and racist excesses of Nazism, formerly dominant models of society—grounded in families, nations, and religions—gave way to sharply individualized alternatives in the postwar era (Frank and Meyer 2002; Thomas et al. 1987).

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3 In 1998, Grattet and colleagues (1998:287) wrote that “the literature on criminalization is dominated by historically specific qualitative studies. . . Processes of innovation, diffusion, and institutionalization that operate at the intergovernmental level have not been fully explored.” Ten years later, this observation still holds true.

4 In countries where rape laws vary by state or province, subnational characteristics likely also condition reform outcomes. Boyle (2002) and Boyle, McMorris, and Gómez (2002) consider the relationship between individual characteristics and policy compliance, showing that reforms restricting the practice of female genital cutting are more likely to be adopted by educated women who are employed outside the home and exposed to mass media.

5 Penal code isomorphism appears both between and within countries: “Sometimes new legislation is virtually copied from other states” (Walker 1969:881, quoted in Grattet et al. 1998). Rationales for excluding rape from a penal code are almost unimaginable. The few countries that do so typically treat rape as a subtype of adultery, as in the Bible or Qur’an (Bokhary 1992). In these cases, the extramarital element trumps the nonconsensual element (see, e.g., Genesis 34 and Deuteronomy 22).

6 Individualism did not originate in the twentieth century. Berger (1970) discusses a long-term shift...
For example, the world’s economic and political spheres reconfigured around individualized “consumers” and free-standing “voters” (witness the global diffusion of neoliberalism and democracy). Even prosaic matters came to be understood as motivated by “individual actors.” The process disembodied men and women from corporate bodies and repositioned them as autonomous individuals with full-fledged sovereignty over their bodies and selves. Increasingly, these new models became institutionalized as natural laws and human rights (Boyle and Meyer 1998; Goodman and Jinks forthcoming; Suarez and Ramirez 2007; Tsutsui and Wotipka 2004).

These changes in the global-institutional environment carried profound implications for conceptions of rape. Before 1945, ideas of rape retained strong corporate emphases, prioritizing family integrity, national honor, and male privilege. Legal restrictions thus focused narrowly on extramarital vaginal intercourse, which threatened to destabilize the corporate order with “ruined” women and “bastard” children (Foucault 1978; Ramirez 1987).

With postwar individualization, however, corporatist conceptions of rape grew increasingly untenable. As persons gained ever more self-mastery, the violation of individual consent became an overriding concern. Vaginal intercourse steadily lost priority to sexual penetration in general. Standards defining rapists as male and victims as female surrendered to non-gendered conceptions of aggressor and defender, and laws denying the possibility of rape within marriage gradually dissolved. Reconceived in terms of individualized bodily integrity and autonomous personal choice, the scope and gravity of rape broadened and deepened (Frank and McEneaney 1999).

In intergovernmental conferences and organizations, international declarations and treaties, and international associations and nongovernmental organizations, these processes of redefining rape took place mainly within the framework of human rights. In 1993, for example, the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women, which proclaimed that “violence against women constitutes a violation of the rights and fundamental freedoms of women.” It called on states to pursue “all appropriate means and without delay [policies] eliminating violence against women.”

The shifting parameters of “rape,” we argue, motivated the rapid diffusion of rape-law reforms during the postwar era. As subunits of the wider world social system, nation-states—across cultural, political, and economic divides—were susceptible to standardized reform templates crafted in world forums by experts and professionals (including a cadre of globe-trotting law professors). These templates were disseminated at such gatherings as the 1995 Fourth World Conference for Women (Liu 2006). The effects of global individualization appear in the number and substantive homogeneity of rape-law reforms (i.e., their nearly universal tendency toward scope expansion).

The effects also appear in the widespread reclassification of rape between 1945 and 2005. In Poland, for example, rape went from a Crime of Lasciviousness to an Offence against Liberty, while in Panama, rape moved from a Crime against Good Customs and the Order of the Family to a Crime against Modesty and Sexual Liberty. In the Philippines, rape transitioned from a Crime against Chastity to a Crime against Persons. These penal code reclassifications signal the declining centrality of the collective order in the conceptual apparatus of rape and the ascending supremacy of individuated persons.

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9 Given their claims to represent universal principles of justice, criminal law reforms may spread even faster than, say, civil or family law reforms that involve more cultural variability (Boyle and Meyer 1998; Strang and Meyer 1993). Boyle and Preves (2000) document the role of global institutions in generating homogeneous anti-female-genital-cutting laws worldwide. Similarly, Jenness and Grattet (2001) find extreme isomorphism among the hate crime laws in the United States, despite sharp political and economic variations among the states (see also Hawkins and Humes 2002).
In some countries, the global individualization of rape also spurred the regrading of rape offences during the postwar period. Until 1989, for example, Article 315 of Paraguay’s Código Penal set harsher penalties for the rape of a married woman (four to eight years in prison) than the rape of an unmarried woman (three to six years), even if the latter were “an honest woman of good name.” This distinction rested on the grounds that the rape of an unmarried woman could be reconciled with the collective order—that is, the rapist could marry his victim. Today, such provisions retain little legitimacy and few codes still include them (Byrnes, Connors, and Bik 1997).

Rape-law revisions, no matter how widespread, do not increase police reporting directly. The case-study evidence indicates as much. Moreover, loose coupling between policies and practices is characteristic of global institutionalization (Goodman and Jinks forthcoming; Meyer and Rowan 1977; Weick 1976). There is little reason to expect an exception here.

The literature, however, often discusses loose coupling one-sidedly as involving only ceremony without substance (i.e., policy reforms without subsequent changes in practice). The flipside, we argue, is equally important. Global institutionalization also gives rise to substance without ceremony (i.e., changes in local practices without antecedent policy reforms) (Hafner-Burton and Tsutsui 2005). For instance, couples enter into marriage-like relationships without ever getting married (Wosick-Correa 2007), and countries expand student enrollments without ever adopting compulsory schooling laws (Meyer, Ramirez, and Soysal 1992).

We argue that the global individualization of “rape” not only promoted reforms in public policies but also promoted changes in private practices. New rules of sexual engagement came to the fore—prioritizing the cardinal rule of individual consent—and these changed the nature of legitimate (and illegitimate) sexual interactions. This process augmented the public authority of local rape victims, increased the criminal responsibility of local perpetrators, and intensified the reception of both by personal confidantes and public authorities, notably the police (Boyle 2002). The new models of rape—carried by the media, school curricula, activists, INGOs, and sometimes penal codes—encouraged victims to speak out and impelled police to take notice.

These arguments have three main implications for our object of analysis here, police reporting:

1. **World-level coupling.** As global individualization proceeded over the postwar period, the meaning and significance of “rape” shifted and deepened, fueling both rape-law reforms and increased police reporting. Developments on the policy side encouraged developments on the practice side, and vice versa. For example, reforms extending rape’s coverage—first to anal and next to oral intercourse, then to penetration by other body parts, and finally to penetration by objects (a path followed roughly by Spain between 1989 and 2003)—catalyzed the creation of outreach and education programs for the police and the public. These programs aimed to increase reporting through awareness workshops, police toolkits, training manuals, and revised accounting rules. While individualized policies and practices diffused unevenly, they arose hand-in-hand in world society. We thus expect close world-level coupling between the proliferation of rape-law reforms and elevated police reporting.

2. **Tighter country-level coupling among nation-states with dense links to world society.** Given the global origins of the individualizing catalyst, we expect nation-states with denser ties to world society to register higher postreform increases in police reporting than would their counterparts. Denser ties (e.g., more INGO chapters and IGO memberships) indicate more conduits channeling global materials into domestic storerooms, as well as more receptor sites unscrambling global signals for local constituencies (Frank and McEneaney 1999). These ties have increasingly conveyed individualized models of rape policy and practice to nation-states and their citizenries. We thus expect closer reform–reporting coupling among densely-linked countries.10

3. **Looser country-level coupling after global institutionalization.** With increasing global institutionalization, we expect a diminished linear “effect” of domestic rape-law reforms on heightened police reporting. Global institutionalization both enables legal reforms in countries lacking the will or capacity for enactment, and it motivates increased police reporting in countries lacking

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10 The linkage effect appears in many contexts (e.g., Frank and McEneaney 1999; Ramírez et al. 1997; Schofer and Hironaka 2005; Shandra, Restivo, and London 2008).
penal amendments. In the latter case, for instance, global institutionalization means that women’s INGOs, such as La Strada International, are increasingly likely to provide support to resource-strapped police forces (and to circumvent resistant ones), boosting rape reporting regardless of reform. We thus expect global institutionalization to weaken the national policy–practice link.11

DATA AND METHODS

To examine these issues systematically, we build on a new cross-national data set of rape laws and their amendments in countries worldwide between 1945 and 2005 (Frank et al. 2008).12 The data set documents more than 100 scope reforms, which, as seen in Figure 1, were overwhelmingly expansive, criminalizing and protecting more actors and penalizing more actions under the rubric of rape.

For our primary analysis, we whittled the initial case set down to 51 reforms in 40 countries, based on the availability of data on our dependent variable (i.e., reported rapes per capita in the years before and after reform) (Archer and Gartner 1984; Burnham and Burnham 1994; Council of Europe 1999, 2003; International Criminal Police Organization 1950–2005; United States Department of Justice 1971–84). To be included, a case must have police reporting data for at least three of the five years both preceding and following reform (preferring four or five years whenever available). We set the limit at five years to capture reform effects most directly. Each country must also have a population of at least 500,000 in 1980. Police reporting data may be disproportionately unavailable for the poorest and least democratic nations.

Police reporting is one of the foremost goals of rape-law reform (Human Rights Watch 2004). According to one observer, rape “is probably the most under-reported crime” (Menon 1983:833), and victims’ reluctance to report offences is a constant problem. This reluctance stems from the all too common aspersions, sometimes with dire consequences, cast on victims’ character (Spohn and Horney 1996). In Tajikistan, for instance, “shame, fear of perpetrators, fear of disclosure, etc. all prevent the victim and her relatives from reporting . . . [and] if a victim is thought to have suggested or invited a sexual relationship, part of society is inclined to accuse her” (International Helsinki Federation 2000:437). Indeed, the problem is so pervasive that reporting numbers are only indirectly tied to actual rape rates. In the United States, for example, the percentage of rapes reported to the police is estimated at 10 to 50 percent (Williams 1984), while in South Korea, one women’s group estimates that in 1990, only 2.2 percent of rapes were reported.13

Police reporting is critical, but it is somewhat limited as a reform–outcome indicator because it simultaneously represents (1) victim reporting behavior, (2) police recording behavior, and (3) the actual incidence of rape (Jensen and Karpos 1993; O’Brien 2003). For our purposes, the conflation of (1) and (2) is unproblematic: we expect reforms to facilitate changes in both victim reporting and police recording. However, the difference between (1) and (2), on one hand, and (3), on the other, is important. In this study, we cannot rule out the possibility that police reporting rises because rape-law reforms spur systematic increases in the actual incidence of rape. There is, after all,

To some extent in common-law countries, laws can be reinterpreted without statutory reform via case law.

The data set documents criminal laws on rape, adultery, sodomy, and child sexual abuse from 1945 to 2005. The data are complete (i.e., covering all four crimes for at least 75 percent of the eligible years) for more than half of the world’s 194 countries. For another 50 countries, coverage is substantial, with data on all four crimes for at least 40 percent of the years in question. In the original data, changes along both punishment and scope dimensions count as reforms. For our analyses, we exclude punishment revisions, which early on were driven by processes independent of rape.

anecdotal evidence of similar backlash processes (e.g., linking civil rights legislation to lynchings in the American South) (Egerton 1994). At a general level, though, the logic is difficult to defend. If rape-law reforms systematically provoked backlash rapes, the environment for reporting would almost certainly deteriorate, militating against increased reporting. While reform may provoke a backlash in some cases, we are confident that it more generally promotes changes in victim reporting and police recording and is thus a valid indicator.

Police reporting is still just one of rape-law reform’s desired outcomes, and a relatively symbolic one at that. Reporting is a crucial first step toward law enforcement, but it must be followed by investigation, arrest, conviction, and sentencing before law enforcement is complete (Jenness and Grattet 2001; McVeigh et al. 2003). While police reporting is currently the lone outcome measure available on cross-national and longitudinal bases, additional outcome measures would be desirable.14

We created our dependent variables from the raw reporting data. First, for each case, we calculated the ratio of the average number of reported rapes per capita in the years after reform over the number reported before reform (for the non-reform cases, we calculated the after/before ratios around a midpoint year). This process yields the percentage change in average police reporting over time for each case. By converting the raw numbers into percentages at the case level, we limit the impact of cross-national variations in reporting practices, which otherwise render, “cross-national comparisons of crime levels . . . hazardous when based on official crime statistics” (Von Hofer 2000:77).

We then used these data in exploratory and regression analyses to test for relationships between reporting ratios and the various national- and world-level variables discussed above. Initially, we compared the reporting ratios of reform and non-reform cases to establish the general relationship between rape-law reforms and increased police reporting. We then sorted the 51 reform cases by each independent variable (e.g., democracy and education) and calculated the average percentage changes in average police reporting for high and low subgroups, splitting the sample at the medians and calculating average reporting ratios across each subgroup. We measured all the time-varying independent variables at about 1980 to coincide with the onset of the global rape-law reform wave. Table 1 shows other independent variable details.

Finally, to test for the global institutionalization effect (i.e., a broad loosening of the coupling between reforms and reporting at the country level) we split both the reform and non-reform cases at 1990 (the median year of reform) and averaged the percentage changes for the pre- and post-1990 subgroups. Given that time coincides with the world cumulative number of scope revisions, the subgroups serve as proxies for lower and higher levels of global institutionalization.

RESULTS

Figures 2, 3, and 4 compare police reporting ratios sorted by country- and world-level characteristics. We emphasize three main findings. First, rape-law reforms were strongly associated with increased police reporting between 1945 and 2005. Figure 2 compares reporting ratios for the reform and non-reform cases (average percentage changes in average police reporting after/before reform or the midpoint year). On average, police reporting rose an impressive 75 percent during reform periods, but only 3 percent during non-reform periods. These findings discredit the notion, still common in the literature, that rape-law reforms represent nothing more than symbolic or ceremonial gestures that are not meant to be enacted. On the contrary, we observe a strong general relationship between rape-law reforms and subsequent increases in police reporting.15

Our second main finding is that among the 51 reform cases, four of the six country-level independent variables covaried as expected with

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14 It would be useful to develop more complex and variegated indicators of rape-law reform outcomes, including measures of enduring organizational change. See the discussion of “implementation regimes” in Zald, Morrill, and Rao (2005).

15 According to Elster (1998), even the most cynically adopted reforms create conditions for positive change. This is the “civilizing force of hypocrisy” (see also Hafner-Burton and Tsutsui 2005).
outcomes during the postwar decades. Figure 3 presents the results according to the strength and direction of the association between the reporting ratios and the independent variables.

Of the six country-level variables, individualism shows the strongest bivariate association with police reporting. Among the most highly individualized countries, pre- to postreform reporting grew a remarkable 119 percent on average, compared with 63 and 51 percent among the medium and low individualism countries. As Tocqueville noted long ago, people in more individualized settings are more likely to take personal responsibility for maintaining the balance of justice, and victims or police officers are more inclined to recognize nonconsensual sexual contacts as criminal violations with clear public significance. More individualized cultural settings encourage more police reporting, and individualism thus exhibits a strong association with rape-law reform outcomes.

The next three country-level variables also demonstrate substantial associations with police reporting ratios among the 51 reform cases. The first variable is women’s mobilization. In

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### Table 1. Descriptions of Independent Variables

<table>
<thead>
<tr>
<th>Description</th>
<th>Median (SD) for Reform Cases</th>
<th>Source</th>
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</thead>
<tbody>
<tr>
<td>Individualism</td>
<td>Categorical variable (2 to 0) for Western Protestant, European Catholic, and other countries</td>
<td>1 (.86)</td>
</tr>
<tr>
<td>Women’s Mobilization</td>
<td>Number of women’s rights associations around 1986.</td>
<td>6 (9.83)</td>
</tr>
<tr>
<td>Democracy</td>
<td>Scale of liberal democracy (0 to 100), measuring extent of political liberties and democratic rule around 1980.</td>
<td>89 (33.59)</td>
</tr>
<tr>
<td>Police Strength</td>
<td>Police personnel per 100,000 population around 1980.</td>
<td>3.21 (1.83)</td>
</tr>
<tr>
<td>Links to World Society</td>
<td>Number of IGO memberships in 1977.</td>
<td>58 (18.28)</td>
</tr>
<tr>
<td>Global Institutionalization</td>
<td>Dummy variable representing first half (low) and second half (high) of cumulative world reforms, 1945 to 2005.</td>
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Notes: We made the following substitutions and adjustments. For women’s mobilization, we assigned the former Soviet and Yugoslav Republics the value of the Soviet Union and Yugoslavia, respectively, and we reduced outliers U.S. and U.K. to the level of Canada. For democracy, we assigned the former Soviet and Yugoslav Republics the value of the Soviet Union and Yugoslavia, respectively; Germany was assigned the value of West Germany; Namibia was assigned the value of South Africa; and Slovakia was assigned the value of Czechoslovakia. For police strength, we substituted the values of Armenia for Azerbaijan, Ukraine for Belarus and Georgia, Rwanda for Burundi, Latvia for Estonia, Kazakhstan for Kyrgyzstan, and Slovenia for Macedonia; we also reduced outliers Canada and West Germany to the level of Paraguay. For linkages, we assigned the former Soviet and Yugoslav Republics the value of the Soviet Union and Yugoslavia, respectively; Germany was assigned the value of West Germany; and Slovakia was assigned the value of Czechoslovakia.

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16 The intercorrelations between the four independent variables range from .37 (women’s mobilization and wealth) to .64 (women’s mobilization and individualism).
countries with higher levels of women’s mobilization, rape-law reforms in the postwar era were connected with considerably stronger increases in police reporting than were seen in countries with lower women’s mobilization (a subgroup-to-subgroup difference of 107 to 47 percent). Accountability seems the likeliest mechanism. Women’s organizations often advocated for rape-law amendments, and after their passage, these organizations frequently played watchdog, outreach, and support roles. They pressed governments (and helped police) to fulfill their policy promises and educate local women about their rights (Kunovich and Paxton 2005; McVeigh et al. 2003).

The second variable is wealth. From pre- to postreform, the average percentage change in average police reporting was about twice as high in rich countries as in poorer countries (99 versus 51 percent). The standard account is that wealth offers a broad indicator of state (and citizen) capacities, including, for example, the money to train police officers, the flexibility to hire social workers, the wherewithal to improve citizen access to police stations, and the ability to buy cell phones and other communication technology. Richer countries (and their richer police departments and individuals) have more resources available to pursue the enactment of rape-law reforms than do their poorer counterparts.

Education is the third country-level variable. Nation-states with higher than average levels of education had rape-law reform outcomes half again larger than countries with lower levels of education (90 versus 60 percent). As with individualism, the core mechanism is likely cultural. Better educated citizenries and police officers

Figure 2. Percentage Changes in Police Reporting, from Ratios of Average Reporting Five Years After and Before Midpoint; Reform versus Non-reform Cases

![Percentage Changes in Police Reporting](http://asr.sagepub.com)
are probably more likely than those with less education to be exposed to modern scripts of individual efficacy, which raise sensitivity to regulatory reforms and authorize empowered approaches to the law (Boyle 2002). The education finding, like those on individualism, women’s mobilization, and wealth, is in the expected positive direction.

The democracy result, however, is unexpected, showing a small negative tie to reporting levels in our sample. Between 1945 and 2005, rape-law amendments in more democratic countries were associated with slightly lower reporting ratios than the ratios in less democratic countries (72 versus 85 percent, respectively). The difference is small, but still, the result is unanticipated given the idea that more democratic governments should be more accountable than their less democratic peers to policy reforms. One interpretation of the finding is that police reporting in the more democratic group was already relatively high, muting the effects of reform. There might also be gendered dimensions to democracy (Connell 1990) that are poorly captured by our index, which broadly measures political liberties and democratic rule. Alternatively, accountability demands might emanate primarily from the wider world, overpowering country-level political factors (we touch on this last possibility below).

Finally, and also surprisingly, police strength shows a moderate negative bivariate relationship with police reporting ratios. Countries with larger police forces showed somewhat smaller increases in police reporting postreform than did countries with smaller police forces. Between 1945 and 2005, the average percentage change in average police reporting from pre- to postreform was 56 percent for the heavily policed group and 88 percent for the other group. More police personnel do not simply yield increased police reporting. Perhaps the type of policing matters more than density (Grattet and Jenness 2007), or perhaps police density better indicates governmental control, by more authoritarian states, rather than citizen protection.17

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17 Recent work on hate crime reporting shows a positive relationship between community policing and reporting (Grattet and Jenness 2007). We know
From many sociological purviews, the country-level results in Figure 3 are largely sensible. Between 1945 and 2005, rape-law reform outcomes were more pronounced in more individualistic countries, countries with higher levels of women's mobilization, richer countries, and countries with better educated citizenries. We stress, however, that despite substantial variations, police reporting rose in every subgroup of countries. The consistency is striking, suggesting the possibility of global dimensions to rape-law reform outcomes.

We therefore consider the relationship between reporting ratios and world-level characteristics (see Figure 4). First, among the 51 reform cases, we gauge the effects of exposure to world society. Nation-states with denser linkages registered markedly higher elevations in postreform police reporting (97 percent) than did their analogues (52 percent). Dense ties represent the rich connective tissue between global institutions and nation-states. Authorized and legitimated blueprints for proper policy enactment—sometimes together with enabling resources—clearly flowed through such tissue between 1945 and 2005, raising the prospects for reform compliance.

Next, Figure 4 considers our global-institutionalization argument, according to which the increasingly broad diffusion of legitimated and authorized recipes for rape-law reform and police reporting decoupled the tie between policy and practice over time. As a first test of this idea, the second column pair in Figure 4 shows that among the 51 reform cases, rape-law amendments adopted under conditions of low

Figure 4. Percentage Changes in Police Reporting, from Ratios of Average Reporting Five Years After and Before Midpoint, by World Characteristics
global institutionalization were associated with decidedly more robust elevations in police reporting than those adopted under conditions of high global institutionalization. The pre- to postreform percentage increase in the former group was almost twice as large as in the latter group (99 versus 53 percent, on average). This finding, although predicted, is also counterintuitive. One might guess that global institutionalization would strengthen the relationship between reforms and practices under the accumulating weight of the system. It seems, rather, that earlier reforms occurred disproportionately in countries characterized by individualism, mobilized women’s movements, wealth, education, and dense linkages to world society—exactly the kinds of places most favorably disposed to policy enactment. With increasing global institutionalization, however, reforms washed into countries with weak domestic outcome supports (for a general discussion of this process, see Tolbert and Zucker 1983; see also Hafner-Burton and Tsutsui 2005; Ramirez et al. 1997). While reporting rates rose even in these countries, the diminishing results indicate looser coupling between rape-law reforms and police reporting with global institutionalization over time. The finding represents the rise of ceremony without substance.18

Figure 4 also shows the other side of the institutionalization effect (i.e., heightened levels of police reporting even in the absence of domestic reforms). For the 66 non-reform cases, the third column pair compares the percentage changes in police reporting before and after non-reform midpoint years under conditions of lower and higher global institutionalization. In absolute terms, the differences observed are modest: a 3 percent rise in police reporting under conditions of low global institutionalization versus a 7 percent rise under high conditions. In relative terms, however, this is substantial, representing increases of over 100 percent. This finding suggests that even in the absence of country-level reforms, police reporting levels climbed more rapidly with global institutionalization. This finding represents the rise of substance without ceremony.

Altogether, the exploratory analyses presented in Figures 2, 3, and 4 bear out our expectations. Between 1945 and 2005, policy reforms were strongly tied to policy outcomes in general, and both country- and world-level factors conditioned the strength of the association. To confirm these findings, we ran ordinary least squares regressions of police reporting ratios (average percentage changes in average police reporting) on both national and world variables for both reform and non-reform cases. To correct for correlated error, resulting from the few countries that adopted multiple reforms, we estimated robust standard error terms. Note that in pooling the reform and non-reform cases, the police reporting ratio ceases to be a “policy outcome” in the strict sense: countries both with and without policy shifts are included. We included six independent variables: domestic rape-law reform (dummy), domestic modernity (the strongest indicator of which is log GDP per capita), domestic police strength (officers per 100,000 capita), domestic women’s mobilization (number of associations), links to world society (IGO memberships), and global institutionalization (measured by the cumulative world number of scope reforms over time). The measures of domestic women’s mobilization and links to world society are the most highly intercorrelated of the independent variables (.71), so we ran them separately. Table 2 shows the results of the regression analyses.

Strikingly, we observe only three significant variables in the equations. The effect of reform itself is positive and significant in both models, and the effects of domestic women’s mobilization and links to world society are positive and significant in Models 1 and 2, respectively. These results confirm in part what is shown in the figures. Between 1945 and 2005, police reporting increased more in the wake of rape-law reforms, as well as in countries with higher levels of women’s mobilization and denser links to world society. Both domestic context and exposure to the global context prove salient.

With these factors controlled, however, none of the other variables register a significant effect on police reporting ratios. Reforms, women’s mobilization, and links to world society are all more immediate precursors to police reporting.

18 Further demonstrating this point, in the handful of countries that revised the scope of their rape laws more than once between 1945 and 2005, the initial reforms were associated with stronger reporting increases than were the subsequent reforms.
ratios than are domestic modernity or domestic police strength. Even global institutionalization shows no effect during the period of inquiry, although we stress that our results should be interpreted with caution given the small case base.19

The findings in Table 2 refine the exploratory results presented in Figures 2, 3, and 4. They also raise the possibility, given the collinearity of links to world society and domestic women’s mobilization, of a path relationship leading from world links to domestic women’s mobilization to police reporting (Keck and Sikkink 1998). Indeed, a regression of women’s mobilization on world linkages and four other country-level variables (see Appendix, Table A1) shows that world linkages is a strong and significant predictor of women’s mobilization, along with democracy, education, and individualism.20 The results lend support to the view that world linkages seed local women’s mobilization, which in turn encourages heightened police reporting. The line between world- and country-level variables is thus blurred.

CONCLUSION: THE “OUTCOMES” OF POLICY REFORM

At the world level between 1945 and 2005, rape increasingly came to be regarded as a fundamental violation of individual human liberty, rather than an affront to collective morality. As conceptions of rape shifted in world society, criminal regulations sharply broadened and police reporting markedly increased in all kinds of countries.

This study examines the conditions that gave rise to increased police reporting during the postwar period. Both domestic women’s mobilization and links to world society facilitated increased reporting. So did legal reforms themselves, contra some views in the literature. We also find, however, that domestic policy “outcomes” were not strictly dependent on domestic policy reforms, especially with increasing global institutionalization. The direct effects of reform on reporting diminished over time, and police reporting rose in countries without antecedent reforms.

In this light, the case-study literature makes sense. In particular country contexts, rape-law reforms are undoubtedly only loosely coupled with reform “outcomes.” But the case-study lit-
erature remains limited by the fact that it emphasizes only one side of the equation: the rise of ceremony without substance. With global institutionalization, we also observe the rise of substance (increased reporting) without ceremony (domestic reforms).

As discussed earlier, our outcome measure may represent not only victim reporting and police recording but also the actual incidence of rape. Reporting increases could indicate backlashes. This interpretation is difficult to reconcile with our overall findings, however. While a systematic backlash would almost certainly heighten barriers to reporting, we show on the contrary that rape-law reforms were strongly associated with elevated police reporting. Furthermore, reform outcomes were stronger in the context of domestic women’s mobilization and dense links to world society. It is difficult to fathom why these contexts would enable more intense backlashes than would their counterparts. We are thus confident that increased police reporting primarily gauges changes in victim and police behavior.

Still, our measure of rape-reform outcomes is narrower than we would prefer. A multiple-indicator measure, with data on arrest, conviction, and sentencing rates, as well as data on enduring organizational change (e.g., in police departments), would obviously be better (Jenness and Grattet 2001; McVeigh et al. 2003; Zald et al. 2005). In future work, we hope such data can be collected on sufficiently widespread bases to use in cross-national and longitudinal analyses.

To test the generalizability of our findings, future cross-national and longitudinal reform-outcome studies should be conducted in other criminal-law domains. The intensity of public discourse in recent decades may make rape a special case, in which outcomes are more tightly coupled with reforms than usual. Our study is only a starting point for systematic research on the relationship between criminal-law reforms and related practices.

Despite its limitations, this study suggests new directions for work on policy and practice. In particular, we challenge the notion that domestic reforms and local conditions stand alone in catalyzing domestic outcomes—a vision that assumes a linear, country-level causality with high degrees of official commitment and capacity, as well as high degrees of public awareness and empowerment. We find evidence of another process. In the context of rape, global-institutional developments generated new conceptions of legitimate sexual interaction, and these conceptions diffused globally, enabling changes in both domestic policies and local practices, with less sensitivity to national conditions than the conventional literature implies. Ultimately, we argue, both nation-states and citizens are constituted within a dynamic, wider world social system, which means that domestic “reforms” need not always precede desired policy “outcomes.”

According to our findings, IGO experts and women’s rights advocates (themselves tightly connected) played central roles in promoting changes on the ground (e.g., as consultants to legal-reform initiatives and promoters of individual rights). They provided conduits and receptor sites through which new globally individualized conceptions of “rape” took root in local realities, enabling alterations in policy and practice. By this logic, rape-law reforms were as much indicators of a country’s openness to changing global-institutional conditions as they were independent spurs to heightened police reporting.

With regard to rape during the postwar period, there may or may not have been hard-wired connections between domestic “policy reforms” and domestic “outcomes” in particular country contexts. With global institutionalization, such connections increasingly do not matter. Spurred by emerging global models of the individuated human person and individualized human sexuality, policy changes and reporting practices both exploded on the world stage and diffused globally, elevating freely given consent to paramount status across the spectrum of sexual interactions.

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APPENDIX

Table A1. Ordinary Least Squares Regression of Domestic Women’s Mobilization on Country- and World-Level Variables (Coefficients and Robust Standard Errors)

<table>
<thead>
<tr>
<th>Model 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant</td>
</tr>
<tr>
<td>(5.319)</td>
</tr>
<tr>
<td>Links to World Society (IGO memberships)</td>
</tr>
<tr>
<td>(.041)</td>
</tr>
<tr>
<td>Wealth (log GDP per capita)</td>
</tr>
<tr>
<td>(.796)</td>
</tr>
<tr>
<td>Democracy (Bollen index)</td>
</tr>
<tr>
<td>(.016)</td>
</tr>
<tr>
<td>Education (tertiary enrollment ratio)</td>
</tr>
<tr>
<td>(.068)</td>
</tr>
<tr>
<td>Individualism (categorical)</td>
</tr>
<tr>
<td>(.963)</td>
</tr>
<tr>
<td>R square = .69</td>
</tr>
<tr>
<td>N = 116</td>
</tr>
</tbody>
</table>

*p ≤ .05; ** p ≤ .01 (two-tailed tests).

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