

'Only yes means yes': How 'La Manada' case reshaped social and legal discourse

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Samara Velte of the NOR research team has investigated the social,

media and legal discourses that emerged in relation to the gang rape perpetrated during the festival of San Fermin in 2016, and proposes discursive analysis as a methodology for studying conflicts and social movements. Her work brings together the discourses and the relationships between them that were established from the time of the assault until the passing of the "Only 'yes' means 'yes'" law, and highlights its usefulness as an instrument for shaping identities as well as social actions.

The 2016 gang rape known as "La Manada" (The Wolf Pack) caused major social mobilization, attracted a great deal of media attention and even led to legal changes. The UPV/EHU researcher Samara Velte, back then a journalist for Berria newspaper, has produced a scientific analysis of the discourses that arose around that [sexual assault](#), and argues that discursive analysis offers tools for understanding social conflicts.

"In 2019 I published a book about the case, but it was a journalistic work. I took a critical look at the behavior of the media and the sentence handed down and realized that a scientifically based study was in order. So I produced a more academic version to show that by analyzing discourses it is possible to understand how social meanings are constructed within [social movements](#), and to prove that discourses are often instruments that promote social identities and actions," explained Velte.

To conduct the research, she analyzed 110 pieces of media content published at four specific moments: immediately after the assault (July 2016), during the trial phase (November 2017), after the sentence handed down was made public (April 2018) and after the passing of the "Only 'yes' means 'yes'" law (April 2023). She also analyzed three legal texts: the aforementioned organic law, the sentence and the associated individual vote. Finally, the author analyzed the discourses gathered during the protests and on the streets.

The UPV/EHU study found evidence of the influence exerted by the discourses throughout this period on the articulation of social identities. In other words, how they led people to feel or identify themselves as part of a certain group and to share certain meanings.

"For example, in the immediate aftermath of the assault, masses of discursive materials emerged. There were all kinds of messages and the social knowledge that already existed around sexual violence was highlighted. A negotiation was set in motion in society and in the media to specify what rape is, what sexual violence is, etc. It was then that the competition between the parties manifested itself and collective identities were articulated, and which gradually adopted one position or another in the social conflict," explained Velte.

From there, the study also explores the actions that were taken to influence the conflict by examining the interactions between the discourses. For example, the UPV/EHU study highlights the fact that during the trial a special effort was made to distort the discourses of the feminist movement and that, in reaction to that, mass protests were staged at that time.

According to Velte, "The social actors continually refuted each other, and the discourses disseminated by some to undermine the credibility of the feminist movement allowed the latter to articulate a very powerful collective identity."

However, the researcher stresses that social memory also plays a major role in the development of discourses, identities and social actions. In other words, the strength and capacity for mobilization of the feminist group was not simply a reaction to the gang rape of the San Fermin festival in 2016, but was also a clear consequence of everything that had been experienced in previous years.

"Discourses are not born out of nothing. Those protests were in response to a history of violence. It is no coincidence that it happened in Pamplona. Traumatic experiences had already taken place in that city, and which had left their mark on society. This led to work being undertaken to share knowledge and made it easier for that collective voice to take to the streets," says Velte.

The drafting of the law Only 'yes' means 'yes'

Regarding the legal texts drawn up in relation to the "La Manada" case, the UPV/EHU study highlights the passing in 2023 of the "Only 'yes' means 'yes'" law as a consequence of the discourse relations and the influence of social memory.

"Feminist voices penetrated places they had never reached before, such as the legal world. Until then, it had been a very closed world, and at that moment it opened up. It was recognized that many mistakes had been made, and the new law, which included a number of principles demanded by feminists, was passed," said Velte.

But at the same time, the researcher underlines the fact that the law triggered a counter-reaction, which showed that there were also other kinds of voices in society and that many still embraced the same punitive logic as before. As a result, some of the novel aspects proposed by the law were removed.

In Velte's opinion, this shows that "social conflicts are never completely resolved. There is always tension between interests and power relations. Everything is constantly being negotiated, but, at the same time, everything refers to something that has been said before. Thus, discourse analysis allows us to identify these trajectories well."

More information: Samara Velte, The Social Memory of Sexual

Violence: "You Touch One, You Touch Us All", *Violence Against Women* (2024). [DOI: 10.1177/10778012241289431](https://doi.org/10.1177/10778012241289431)

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