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## Contesting Consent: Consent, Sexual Scripts, and Gendered Power

Julia Kristine Metz  
jmetz1221@gmail.com

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## ABSTRACT

### CONTESTING CONSENT: CONSENT, SEXUAL SCRIPTS, AND GENDERED POWER

Julia Metz, M.A.  
Department of Sociology  
Northern Illinois University, 2019  
Kristen Myers, Director

Within the past decade, the United States has seen an upsurge of affirmative consent policies being introduced or passed within the legislation of state governments and universities (Laker and Boas 2015). However, in a moment when the President of the US has been recorded saying “Grab ‘em by the pussy,” two Supreme Court justices have been accused of sexual misconduct, and a Secretary of Education has rolled back Title IX policies that had made progress in curbing sexual violence in schools, the meaning of sexual consent is now being contested more than ever. However, there have only been a handful sociological studies that have examined sexual consent, most of which, are out of date. In this paper, I use Connell’s (1987) framework of gendered power as related to masculinity and femininity as well as Gagnon and Simon’s (1986) sexual script theory to explore conceptualizations and uses of affirmative consent. After conducting interviews with 45 participants, I found that participants reframed affirmative consent in ways that validate hegemonic power dynamics within heterosexual sex. Subjects enacted masculinity in four ways when discussing consent: 1) by emphasizing men’s role as a protector, 2) negotiating if/ when to use consent, 3) distancing men’s actions from assault, 4) and 5) through methods of coercion. Subjects emphasized femininity in three ways when discussing consent: 1) through embracing women’s identity as sexual agent, 2) through the normalization of violence against women, and 3) to consenting to unwanted sex. While

participants in this study seemed to embrace consent policies, deeper analysis reveals that participants' use of consent—affirmative and non-affirmative—reinforced hegemonic relationships of power within sexual scripts: to the benefit of men. As such, contrary to their intent, current understandings of affirmative consent reaffirm rather than undermine gendered power dynamics in heterosexual sex.

Keywords: Sexual Consent, Sexual Assault, Coercion, Sexual Scripts, and Gender Power

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CONTESTING CONSENT: CONSENT, SEXUAL SCRIPTS, AND GENDERED POWER

BY

JULIA KRISTINE METZ  
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Kristen Myers

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## CHAPTER 1

### INTRODUCTION

Feminists have long used the sexual liberation movement to fight for women's ability to participate in and be understood as free sexual beings, who are not passive or controlled by men's sexuality. Within the feminist sexual liberation movement, the very act of women participating in sex that defied social rules—sex between lesbians, women's masturbation, sex with multiple partners, sex outside of marriage, S&M, etc.—was seen as an act of patriarchal resistance (Glick 2000). In the feminist fight for sexual liberation, the ability to participate in and express one's sexuality is understood as being shaped by access to power. Thus, the goal of sexual liberation does not become only sexual pleasure, but also the destabilization of sex from its heteronormative and patriarchal roots. In other words, sexual liberation hopes to provide a counter-narrative to heterosexual sex and sex perpetuates men's dominance over women (Glick 2000). Part of the feminist fight toward sexual liberation has focused on tearing down sexual boundaries, but more recent fights are urging us to put boundaries up through the adoption of affirmative consent policies. While affirmative consent seems to run in contrast of past pushes for sexual liberation, it hopes to achieve similar means. By adapting a culture of affirmative consent, feminists and educators on university campuses hope to continue de-stigmatizing people's— and particularly women's— active engagement in sex, while also pushing back against men's sexual entitlement (Laker and Boas 2015). In doing this, affirmative consent hopes to disrupt sexual practices in which people are subjected to domination and violence.

Affirmative consent policies call on sexual consent practices that are clear, informed, and enthusiastic between all partners. In conceptualizing consent this way, the hope is that all people will have more open communication with their sexual partner(s) and participate in sex in ways that are enthusiastic and pleasurable to them (Fischel 2019). In doing this, affirmative consent campaigns largely mimic the ideals of feminist rhetoric about women's 'empowerment' and 'choice' (Zheng 2016; Dyhouse 2013). However, affirmative consent was originally developed as—and still largely discussed—as a method of preventing sexual violence. Thus, although surface discussions of affirmative consent are based in consent being “sexy” and being a tool of sexual autonomy, the political discussion surrounding it focuses on the belief that it will prevent further sexual violence.

To explore this dynamic further, I use data from a broader study in which a research team and I conducted 45 in-depth interviews with students and alumni of a mid-sized Midwestern University on their definitions and practices of sexual consent, experiences with hookups, and experiences with sexual assault. Using Simon and Gagnon's (1986) sexual script theory, which explores the way individual's seemingly unique, naturally occurring experiences with sex are influenced by cultural norms and symbols, I find that participant practices of consent are mediated through understandings of gender and power. Using a gendered analysis, I argue that participants reframed affirmative consent in ways that validate hegemonic power dynamics within heterosexual sex. Participants executed masculinity when discussing consent in four ways: 1) by emphasizing men's role as a protector (2) negotiating if/ when to use consent (3) distancing men's actions from assault (4) and through methods of coercion. And participants highlighted femininity when discussing consent in three main ways: (1) embracing women's identity as sexual agent (2) the normalization of violence against women (3) consenting to

unwanted sex. While participants in this study seem to embrace consent policies, deeper analysis reveals that participants' use of consent— affirmative and non-affirmative— was found to reinforce hegemonic relationships of power within sexual scripts: to the benefit of men.

## CHAPTER 2

### AFFIRMATIVE CONSENT: ORGINS AND CONTESTATIONS

Within the social sciences, there has only been a handful of research exploring processes of sexual consent within Western nations. However, most of this research was conducted in the 1990's and early 2000's before affirmative consent laws gained national attention and therefore is quickly becoming outdated. Feminism has largely been driven by activism working against sexual violence and toward gaining more sexual autonomy for women. In the attempt to do this, recently feminists have tried to create a separate dialogue that moves away from an oppressor/victim framework and toward a framework of sexual empowerment and women's badassness (Dyhouse 2013). One example of this is Amber Rose's Slut Walk, in which participants march (typically wearing bras or nipple tassels, extremely short pants, and/ or underwear with fishnets,) holding signs or with their body painted claiming things like "NOT ASKING FOR IT." As we move into a culture in which sexual morality is not as highly prioritized as it once was, women are simultaneously understood as sexually empowered, autonomous agents and victims of sexual violence (Fjær et al. 2015). A similar example can be found when investigating one of the key policies that have recently come out of the feminist movement: affirmative consent. Recent activism on sexual assault within universities seems to have shifted the ways in which consent is discussed in our politics, media, and within educational institutions. Therefore, we must begin by grounding our research on consent in our current social and political climate.

## What is Affirmative Consent?

Historically, definitions of consent have often been vague or simply nonexistent (Laker and Boas 2015). Both legal and academic documents typically fail to explicitly define the meaning of consent, and those that do explicitly define consent do not have one standard definition. For example, definitions of consent vary by state and within those states, universities and other institutions might define consent differently—if at all. This becomes highly problematic, especially on college campuses, where incidents of sexual assault are magnified and normalized. Many gender scholars argue that maintaining ambiguous meanings of consent serves a “complex function” in maintaining patriarchal domination over women and femme identified bodies—identities who are most often victimized by sexual violence—this is referred to as “strategic ambiguity” (Laker and Boas 2015:22). The disconnect between legal definitions between states and within state institutions makes it easier to mystify and muddy the idea of consent in ways that benefit those who typically perpetrate (or might perpetrate) sexual assault.

However, in the 1990’s, a group of women including Juliet Brown, Christelle Evans, and Bethany Saltman, fought to change the way sexual consent was defined at Antioch College in response to learning about rapes occurring on their campus. Through their activism, they developed the concept of affirmative consent and fought to make it an official policy at Antioch College, where it was adopted into the university’s policy in the early 1990’s (Rosman 2018). Affirmative consent, as defined by California’s affirmative consent law (SB 967, DeLeón Bill 2014), is an

Affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative

consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In recent years, calls for affirmative consent policies have gotten louder. Affirmative consent policies no longer are restricted to Antioch College and have become policies at universities across the nation.

### Development of Affirmative Consent Policies

Although feminist groups have had documented discussions about campus sexual assault and affirmative consent since the late 1980's, affirmative consent remained on the fringes of college campuses because sexual assault was not acknowledged as a problem at universities by administrators or political figures (Rosman 2018; Smith 2014). When Antioch first adopted its affirmative consent policy, the media endlessly mocked it. For example, *Saturday Night Live* did a jeopardy skit entitled "Is It Date Rape?" (1993). In the skit, two players face off in a jeopardy game in which they have to guess whether a situation is or is not date rape, as defined by Antioch College (1993). The announcer is not able to finish reading the prompt without a participant buzzing in to answer that it is date rape, although the announcer never speaks long enough to describe a sexual encounter. The skit implies that nearly all college sex is date rape, unless it is painfully awkward and a sexual encounter between two extremely nerdy people. The school received backlash from around the country, people deemed affirmative consent to be unnatural and intrusive. Because of this backlash, affirmative consent never seemed to escape the Antioch "bubble" (Rosman 2018).

It was not until around 2011, when sexual assault started to be viewed as a major problem on college campuses within the United States. This was largely thanks to student activists who raised awareness about the epidemic of sexual assault on college campuses during the 1990's and throughout the 2000's (Smith 2014). As student activists were able to create networks that transcended educational and state boundaries, they began forming organizations such as the "No More" campaign, which is a nonprofit organization that seeks to raise awareness about sexual assault and domestic violence through media campaigns, community education initiatives, and grassroots activism (nomore.org). Meanwhile, these initiatives gained national attention and eventually national action, such as the "Dear Colleague Letter"—a letter issued by the Office of Civil Rights in 2011 explaining universities' obligations in upholding Title IX—that warned universities that failing to meet the standards of Title IX could result in financial penalties (Smith 2014). The 2011 "Dear Colleague Letter" explained that universities were responsible for taking immediate action in response to Title IX reports (student reports of sexual harassment and sexual assault, for example) such as protecting the complainant appropriately, using a standard of a "preponderance of evidence," and conduct an independent investigation (U.S. Department of Education 2011). Furthermore, the letter stated that universities had an obligation to prevent sexual violence through programming, trainings, and similar campus initiatives.

Also, Section 304 of the Violence Against Women Act (VAWA) requires universities to track and report to the federal government about campus initiatives to reduce gender-based and sexual violence "including primary prevention and awareness efforts that provide students with information about consent in reference to sexual activity, safe and positive options for bystander intervention, and risk reduction" (Ortiz et al. 2015). With the reauthorization of VAWA in 2013, the Clery Act now mandates that universities track rates of sexual violence that are reported to

the university and make the statistics public. Now that there is widespread acknowledgment that sexual assault is a problem at universities across the country, university efforts that claim to prevent or spread awareness about sexual violence have begun embracing the slogan, “Yes Means Yes,” and are calling for affirmative consent as a requirement for sexual activity.

In 2014, states began signing affirmative consent policies into law. California was the first state to do this, and since, has developed the United States’ most comprehensive affirmative consent law by requiring high schools and universities to also adapt affirmative consent definitions. New York, Connecticut, and Illinois are the only other three states that have passed legislation changing their state definition of consent to match the standard of affirmative consent. But over other twenty states have seen pushes for similar legislation. Meanwhile, universities across the nation have also begun to change university standards for consent (Rosman 2018). This legislation has not only led to changes in the way universities define consent, but also changes in the way they train students. Now, many schools require students, faculty, and staff to complete Title IX trainings and bystander awareness programs. However, there is little evidence that these programs are actually effective at preventing sexual assault. In an evaluation of 140 different studies investigating campus sexual assault prevention methods, it was found that only 2.1% of the interventions were found to be effective at preventing violence (DeGue et al. 2014). Meanwhile, 2.1% of the interventions were found to be potentially harmful, 6.4% were found to be not effective, and 77.1% did not provide enough evidence to know whether it had any effect on sexual behavior (DeGue et al. 2014). This study shows that while universities may comply with Title IX requirements, there is little done to ensure these initiatives are effective or follow best practices. Thus, calls into question the motives of universities when creating these initiatives.



Calls for affirmative consent and policies that afford more protection of survivors align well with feminists' call for "girl power" and women's sexual empowerment (Dyhouse 2013). Instead of shaming women for having sex or creating the illusion that women are not actively engaged in sex, affirmative consent is intentional in emphasizing all participants' enthusiasm about sex, no matter their gender. Affirmative consent necessitates that women have an active and eager role in their own sexual experiences. At the same time, however, because these policies are created as a method of sexual assault prevention, affirmative consent training and other policies underscore how women are disproportionately targeted with sexual assault on college campuses. Thus, affirmative consent policies represent two seemingly separate narratives within feminism: women are simultaneously autonomous, empowered sexual agents and the victims of sexual assault.

#### Where We Are Now: Backlash

Despite the growing use of affirmative consent, the concept of consent is highly contested. Scholars, political figures, and many others have claimed that this policy will be used by women to call regrettable or unpleasurable sex, "sexual assault", an idea that has sparked fear into many (Fischel 2019). Although studies show that 63% of sexual assaults go unreported, and only 2-10% of reports of sexual assault are false, claiming that women lie about assault after having an unsatisfactory sexual encounter has been a common reaction to reports of sexual assault (Archambault n.d.). However, affirmative consent has given people new ammunition to fire off this excuse because of affirmative consent's focus on enthusiasm. Many critics of affirmative consent claim that affirmative consent's emphasis on enthusiasm between all partners means that all sex must be pleasurable in order to be consensual (Fischel 2019). However, this is

a gross exaggeration of what these policies mean by “enthusiastic.” Instead enthusiastic consent is supposed to exemplify that people should not have to be talked into consenting and should show willingness to have sex, free from coercion. Furthermore, it is intended to express sex positivity, in which partners are encouraged to speak openly about their wants and desires, in order to make sex more pleasurable. But by twisting enthusiasm into being synonymous with pleasure, critics are able to reinforce doubts about survivors by claiming that it was not assault, the person is just lying because they thought it was “bad sex” (Fischel 2019).

Under the Trump Administration many of the recent Title IX wins are under threat. Within the current presidential administration, President Trump, Secretary of Education DeVos, and other powerful leaders have conflated the idea of false accusations and deemed this time—a time in which affirmative consent is gaining traction, #MeToo, and #TimesUp—as “a scary time for young men”. The response to the belief that young men are in serious danger of being wrongly accused of sexual assault has resulted in political action, such as Betsy DeVos’ vow to roll back Obama-era Title IX policies (policies were created in order to achieve justice for sexual assault survivors). Betsy DeVos’ proposal includes policies that would reshape the process in which reported sexual assaults would be handled by campuses nation-wide. Her proposal includes weakening the power universities have to address off-campus assault, requiring “clear and convincing evidence” that the accused has committed sexual assault, and a new, stricter definition of sexual harassment (Rhodes 2019). Activists who seek to end sexual violence fear that these rollbacks will make it even more difficult for survivors of sexual assault to get justice. And while the overhaul of these policies is being done in the name of “due process,” the deeper message is clear: protect men. Within this narrative there is an interesting tension surfacing. Men are understood to be concurrently vulnerable and sexually dominant.

This idea has already played out on the national stage with the selection of new Supreme Court Justice, Brett Kavanaugh. After Christine Blasey Ford came forward about her experience of sexual assault, people came rushing to Kavanaugh's defense, many using the infamous expression, "boys will be boys" (Selk 2018). In other words, men cannot control themselves or their need to assert their sexuality. No one expressed this belief better than Kavanaugh's old friend, Mark Judge, who called this "the awesome power, the wonderful beauty, of uncontrollable male passion" (Selk 2018). The Kavanaugh and Blasey Ford hearings, as well as many other high-profile accusations of sexual assault, have set off national discussions about whose sexuality and bodily autonomy is most valued in our society and what establishes consent. While in our previous presidential administration feminists saw flashes of hope in the development of more stringent policies in response to sexual assault reports and the adaptation of affirmative consent policies, the Trump administration, backlash against survivors, and the current questioning of consent has revealed contradictory beliefs that men are simultaneously in need of protection from women and entitled to asserting their sexual dominance over women.

## CHAPTER 3

### SIMPLE AS TEA? UNDERSTANDING THE COMPLEXITIES OF DEFINING CONSENT IN RESEARCH

Many initiatives that explain consent often suggest that understanding consent is easy and simple. One example of this is the short film entitled, *Consent: It's Simple As Tea* (Blue Seat Studios 2015). In this video, a narrator explains that sexual consent is as simple as offering someone a cup of tea—the answer is “yes” or “no” and if someone cannot answer whether or not they want tea, they should not be offered tea. This analogy is easy for all to comprehend because it seems like common sense, it would be ludicrous force or coerce someone into having tea with you. By comparing sex to tea, the narrator exemplifies how nonsensical it is to ignore someone’s “no” during sex, as well. While the video is a cute and funny way to explain consent, unfortunately, the issue of consent is not that simple. The video ignores the many ways in which consent is conceptualized and how power dynamics within gender and sexuality shape these experiences. To understand the complexities of sexual consent, we turn to the social sciences and other academic research.

While sexual violence is a widely studied topic in the social sciences, research specifically investigating consent is still fairly limited. Understandings of consent are more widely discussed in legal and ethical journals, and the definition is typically only implied in the research. Furthermore, “the conceptualization of sexual consent is born out of the definition of sexual violence” (Fenner 2017:453), and rarely discussed outside of that context. The lack of a

cohesive, specific definition of consent, sexual scripts, and gendered power dynamics make its meanings and practices much more complex than simply “yes is yes” and “no is no.”

Muehlenhard, et al. (2016) argue that sexual consent is conceptualized in three ways: through an explicit agreement, implicit consent—“a behavior that someone else interprets as willingness” (462), and an individual’s willingness to have sex versus wanting to have sex. While related, each of these concepts needs to be understood as distinct from the other.

### Let’s Talk About Sex, Baby: Understanding Explicit Consent

As Muehlenhard et al. (2016) argue, the first—and most obvious—way in which one can conceptualize consent is through explicit consent. Explicit consent is a verbal or written agreement between two people, which can be either ongoing or it can be a single event (Fenner 2017). This is the typical, legal definition that is ascribed to the general understanding of “consent.” Simply put, this definition is not specific to sexual consent (Muehlenhard et al. 2016). In a recent literature review of social science research on sexual consent, Muehlenhard et al. (2016) explained that individuals rarely conceptualize consent as needing to be explicit. According to focus groups conducted by Humphreys and Herold (2004), this might be due to the belief that asking for explicit, verbal consent is perceived to be “unnatural” and “awkward” (as cited in Muehlenhard et al., 2016: 473). Furthermore, research on written consent processes within sexual interactions is not available; this might be due to written forms of consent being a seemingly new phenomenon, often associated with the emergence of dating/ hook up apps. Therefore, for the purposes of this literature review, we will specifically examine verbal explicit consent.

While explicit consent can occur during sexual interactions, it is not the only way consent is defined by individuals. In 2004, Humphreys and Herold held focus groups with college students in Canada and found that college-aged people more generally defined sexual consent as a “mutual understanding” between two or more people to engage in sexual activity, made without any influence from drugs or alcohol. In these focus groups, individuals’ explanations of a “mutual understanding” were not always explicit consent. People identified “mutual understandings” as ranging in behaviors from overtly asking for sex to simply “not resisting” another person’s advances (217). In the focus group discussions, it becomes clear that meanings of “mutual understanding” are variable; and while these experiences would not be classified under Muehlenhard (2016) as “explicit consent,” participants perceived these actions to be explicitly consensual. These findings suggest that definitions of consent are vague, fluid, and dependent on what behaviors individuals interpret as a “mutual agreement”.

It is important to note that Humphreys and Herold’s (2004) study was conducted before affirmative consent policies gained traction, and there is little research that has focused on how individuals define sexual consent since then. Many universities now require students to undergo Title IX and other trainings that focus on sexual assault and sexual consent; moreover, some universities have adapted affirmative consent policies that specify students must freely give their verbal, informed consent before participating in sexual interactions (Laker and Boas 2015). Due to changing definitions of consent, it is important for this topic to be readdressed to better understand how students define consent over a decade later.

## Body Language: Implicit Consent

The second way Muehlenhard et al. (2016) define consent is as behaviors that “someone else interprets as willingness” (462). This theme points to non-explicit verbal and behavioral cues that one uses in order to indicate they want to have sex with a partner, and how potential partners read those cues. In 1998, Hall conducted a survey asking college students how they typically indicated a “yes” to sexual activity. The results of the study found 61% of participants indicated consent both verbally and nonverbally, 28% indicated “yes” nonverbally, and 11% consented verbally (Hall 1998). While these survey responses allow us to understand the general method through which college students indicated consent, it does little to give us insight on *how* they gave consent. Hickman and Muehlenhard (1999) created a survey listing “34 items describing ways that someone could respond to a sexual advance,” in which students had to choose which behaviors they would use and how often they would use them to agree to or refuse penile-vaginal intercourse. In doing this, Hickman and Muehlenhard were able to gain a better understanding of the specific behaviors students would engage in to show whether they consented to sex or not, and whether there were gender differences in the ways in which participants consented. Each of these behaviors were then subgrouped into one of five categories:

Indirect Nonverbal Consent Signals (e.g., touching their partner sexually); Indirect Verbal Consent Signals (e.g., asking if he/ she has a condom); Direct Nonverbal Consent Signals (e.g., starting to have intercourse with her or him); Direct Verbal Consent Signals (e.g., ‘saying I want to have sex with you’); and No Response (e.g., not resisting, not saying no, letting their partner undress them) (264).

Their results found few differences between men and women's patterns of giving consent and the most frequently used form of giving consent for both men and women was by having no response to their partner's advances. This finding differs from Hall's (1998) study, in which participants reported using verbal and nonverbal consent signals. However, it is possible that Hall's participants understood "no response" behaviors such as not resisting their partner to be a form of nonverbal consent.

Humphreys and Herold (2007) found that the perceived importance of consent changes based on the relationship of the partners and the type of sexual interaction that was occurring. For example, participants were less likely to require consent before behaviors like hugging, kissing, and fondling the breasts over the shirt, and most likely to require permission before sexual, vaginal, or anal intercourse. Furthermore, participants rated it less important for people in committed relationships to acquire consent. In their analysis, they found that gender did have a small effect on participants' responses. Typically, women sought out more explicit consent than men did, which the researchers noted was likely due to women being more conscientious about sexual assault. This also indicates that men are generally perceived—and sometimes even perceive themselves to be—always consenting to sex. Sexual scripts often include men as the initiator of sex, and thus, the one who must ask for consent, instead of give consent.

While the previously mentioned studies specifically investigated sexual interactions between heterosexual partners, Beres, Herold, and Maitland (2004) conducted research on how members of the LGBTQ+ community signal consent. They found that, as with heterosexual interactions, same-sex partners did not resist their partner's advances in order to indicate they consented to sex and were more likely to use nonverbal signals than verbal signals in order to ask for consent from their partner (Beres et al. 2014). However, in comparison to heterosexual



couples, LGBTQ+ partners were more likely to verbally ask their partner for consent. This slight difference has often been attributed to the lack of sexual scripts that are available to LGBTQ+ partners. Beres, et al. argue that because LGBTQ+ couples do not have platforms that affirm or normalize their sexual experiences, they create their own that stray away from norms of heterosexual partners. However, same-sex couples might often appropriate heterosexual sexual practices because in a hetero-patriarchal society, all occupants are immersed in messages about what sexuality and sexual communication should and should not look like.

Recent research on sexual communication practices shows similar results. In Laker and Boas' (2015) study, *Compliance is Simple, Consent Stories are Complex*, 11 college students participated in three rounds of in-depth interviews about their own experiences with consent and sexual negotiations. Laker and Boas also conducted "two one-time interviews... with students whose social identities or experiences could add dimension to understanding [the other] interviews" (24). In these interviews, students reported rarely verbally asking for consent. Instead, students used implicit behaviors like "tugging on [their partner's] pants and waiting for a positive response, or turning toward a partner rather than away to demonstrate agreement" in order to ask for consent from their partner(s). From the report, it is unclear what type of training or education the student participants have had about affirmative consent, but the results show that little has changed in regards to the way in which students practice consent within the past decade.

### Do You Wanna Touch: Wanted-ness and Willingness

According to Muehlenhard, et al., (2016), the final way that social scientists conceptualize consent is by exploring whether an individual desires to have sex versus whether

they are willing to consent to sex. They call this one's "internal state of willingness" (462). For example, some women will choose to have sex, even when they do not want to have it. This is exhibited in a survey conducted by Conroy et al. (2015) at a New York university, who found that 64% of heterosexual female respondents reported participating in unwanted sex without being coerced, threatened, or pressured and within that 64% of respondents, the majority of women reported having unwanted sex 25% of the time. Within this 64%, the majority reported, "just going with it" without saying "yes" or "no", but 4% verbally said "yes" to unwanted sex, and 21% reported "feigning desire." In these experiences, women report a willingness to have sex with a partner, despite their lack of desire, in order to accomplish specific goals such as creating intimacy, to satisfy their partner, and preventing their partner from feeling upset/ angry. While undoubtedly problematic, women made these choices with an understanding that they also had something to gain by having unwanted sex. In having sex with their partners, women were able to create feelings of intimacy, feel the satisfaction of pleasuring their partner, and to avoid conflict. However, as will be discussed in my next point, it is impossible to ignore the way in which social coercion, patriarchal values, and hetero-normative shape women's options and outcomes in participating in unwanted sex.

## CHAPTER 4

### SEX AND POWER: THEORIES ABOUT HOW SOCIETAL VALUES AFFECT CONSENT

To understand the power dynamic within practices of consent, we must root our analysis in its historical context and situate ourselves within feminist theory. Thus, to unpack issues of consent, I begin with Foucault's (1984) *The History of Sexuality*. In this section, I will discuss how institutional discourse has affected the way in which our society thinks and feels about sex. Then, I discuss Connell (1987) to explain how this power is manifested within gender (1987). Next, I explain Simon and Gagnon's (1986) work on scripts to show how gendered power plays out within practices of sex and consent. And finally, I introduce concepts by Butler (1999) and Fischel (2019) to expand my analytical frame for analyzing affirmative consent as it is currently understood and practiced by subjects in this study.

#### Sex, Shame, and Silence

Foucault's work helps to understand how the power dynamics of gender within sexual scripts through an in depth analysis of how institutional power has shaped people's knowledge of and feelings toward sex. In his *History of Sexuality, Volume I*, Foucault (1984) investigates the ways in which discourse throughout the eighteenth and early nineteenth centuries constructed new understandings of the sex. In his critique, Foucault points out the major flaws within repressive hypothesis theory, which asserts that sexual intimacy is suppressed within society due

to the rise of the bourgeoisie and efforts to only allow sex occurring between a married man and his wife for purposes of not pleasure, but procreation. However, instead of finding a silence around sex, Foucault argues that sex is simultaneously discussed and silenced—with institutions addressing the numerous ways in which members of society could and should have sex, while also shaming them for participating in and speaking about many forms of sex. To substantiate this, he points to the “explosion” of discourse surrounding sex in this time period.

Foucault explains the process of codifying sex first by his discussion of “ars erotica,” which focuses on sexuality and pleasure, versus “scientia sexualis,” which takes a more intellectual, distant perspective on sex. Within cultures that emphasize “scientia sexualis” like the United States, “the two modes of production of truth [around sex include] confession and scientific discursivity” (65). It is by doing this—associating sexuality with something that individuals must admit to and something that is simply a biological phenomenon—that Western cultures fail to promote sex as something that can be pleasurable, but instead promote other pleasures, such as “the pleasure of truth” (71). Thus, sexual pleasure does not occur by participating in the act of sex, but rather by understanding what institutional discourse dictates are the rights and wrongs of sex.

Institutions such as the church, medicine, literature, and the criminal justice system in the eighteenth century became increasingly involved with discussing and creating policies surrounding sexuality. In this process, institutional discourse surrounding sex was stripped of language acknowledging pleasure and displaced desire for sex with secrecy, shame, and fear (Foucault 1984). For example, Foucault points to the act of confession within the Catholic Church and the Puritan practice of creating an autobiography as a process in which, as Kelly (2013) explains “rather than desiring sex, having sex, Europeans of whatever sect were

encouraged to talk about sex” (33). However, in this context, the discourse dictates that sex is talked about as being sinful and should be discussed only in private, as a way of admitting wrongdoing. Similarly, the criminal justice system and medicine became increasingly interested in shaping and controlling sexuality under the guise of perversion (Foucault 1984). Foucault states,

The appearance in nineteenth-century psychiatry, jurisprudence, and literature of a whole series of discourses on the species and subspecies of homosexuality, inversion, pederasty, and "psychic hermaphroditism" made possible a strong advance of social controls into this area of "perversity" (101).

This process of the medicalization and legalization created a hierarchy of sexualities, in other words, a system in which sexualities were considered appropriate and which were mentally unstable and a danger to society.

Furthermore, as Foucault explains (1984), in the eighteenth and nineteenth centuries, states began taking interest in “the problem of population” (25). He asserts that “there was a progression from the crudely populationist arguments...to...subtle and calculated attempts at regulation that tended to favor or discourage, according to the objectives and exigencies of the moment-an increasing birthrate” (26). This discourse shaped sex as a biological tool for reproduction that both the state and individuals must learn to control; this led to a special interest in controlling the sexuality of adolescents. Despite the apparent silence around sex in schools, Foucault says that within the “internal discourse of the institution (28),” there is an immense amount of stress put on protecting and controlling children’s sexuality through the regulation of seating, dorms, and lesson plans.

Informed by discourse within multiple different structures, Foucault’s work reveals the many ways in which institutions have shaped language about sexuality to be a secret, shrouded in

shame. This shift created a sense of secrecy that can be further examined in the history of unclear definitions surrounding sexual consent. While sexual violence has historically been defined as a sexual act done to someone without their consent, the word “consent” has gone undefined throughout states and institutions (Muehlenhard et al. 2016; Laker and Boas 2015). The discourse around sexual consent, thus, is ambiguous but discussed, at the same time, similarly to how discourse around sexuality is secretive but discussed at the same time. This sense of secrecy and shame surrounding sex occurred simultaneously during bombardment Western societies with discourse about sexuality that is unsexy and subtle. This secrecy about sexuality is in direct opposition to feminist movements that have called for affirmative consent, which requires and encourages institutions and individuals to engage openly with sexuality in ways that are unashamed and enthusiastic.

Foucault (1984) explains that the repressive analysis of sexuality ignores the fluidity of power and instead assumes that power is only associated with the repression of sexuality. Instead, Foucault paints a much more complex picture of the way in which power interacts with individuals and institutions; for example, power shifts throughout different spaces, interactions, and contexts; no one is simply the dominator or the dominated. Power is always related to knowledge and local power mimics larger projects of power. As such, sexuality is constructed through multiple different systems of authority in ways that play out differently within different institutions but also bodies. This includes the regulation of women and children’s bodies, constructing sex only as a tool for procreation, and creating policies and a medical/psychiatric framework to study sexualities that do not conform to new norms. Thus, power and sexuality do not affect everyone equally by repressing all people’s sexualities, as the repressive hypothesis would suggest. Rather, people are affected differently by sexuality based on their gender, age,

race, sexual orientation, etc. throughout their lifetime. Specifically, this leads to the shaming and silencing of some sexualities and the sexuality of certain bodies more than others, for example women and people who are LGBTQ+. As stated by feminist scholars Pepper Schwartz and Virginia Rutter (1989), “society’s rules about pleasure seeking and procreating are enforced by norms about appropriate [gender] behavior” (19). In other words, sexual scripts are reliant on the unequal power dynamic within sexuality, as well as beliefs about how people should express their gender. To unpack this sexual double standard further, next I turn to feminist structural theory.

### Gender, Sex, and Power

To expand on Foucault and how unequal power shapes sexual scripts, we can use R.W. Connell’s (1987) analysis of the gender order, hegemonic masculinity, and femininity in *Gender and Power* and Butler’s (1999) analysis of gender performativity in *Gender Trouble*. Through the use of these two main theoretical frameworks, we are able to better understand the ways in which sexual experiences are constructed within gendered power; as well as better understand the ways in which these constructs can serve to maintain or subvert hegemonic power structures in which men hold power.

In Connell’s text *Gender and Power* (1987), Connell describes gender as a structure of social relations that are fluid, historically based, and socially constructed. In doing this, Connell refutes beliefs that traits of femininity and masculinity are biologically determined or as a result of “sex roles” but rather a result of active social practices. Using a structural analysis approach to gender, Connell identifies three structures in which scholars can understand gendered power: labor, power, and cathexis. Connell explains that within her approach structures are not “simply

patterns” but rather “the concept of social structure expresses the constraints that lie in a given form of social organization... these constraints on social practice operate through a complex interplay of powers and through an array of social institutions” (92). Each of these structures work together with significances that shift based on the geographic and social contexts in order to reinforce the gender order, which is defined as “a historically constructed pattern of power relations between men and women and definitions of femininity and masculinity” (99).

In Connell’s (1987) exploration of masculinity and femininity, Connell states that masculinity has typically been affiliated with traits such as authority, control, and aggressiveness (171). Meanwhile, femininity is associated with nurturing, submissiveness, and purity. While men typically display masculinity and women typically display femininity, Connell explains,

Each of the major structures [impinge] on the way in which femininity and masculinity are formed in particular milieu. Conversely, these structures must be seen as the vehicles for the constitution of femininity and masculinity as collective patterns on a scale far beyond that of an individual setting (182).

In other words, there is not one single type of masculinity or one type of single femininity. Rather, these traits are fluid, dependent on time and space, and have change over time. However, each of these masculinities and femininities are interrelated and exist within a hierarchy of gender in which men dominate over women (183). One primary way of exploring masculinity is by looking at dominance; dominance is believed to be one of the staples of Western masculinity (Pascoe 2019; Connell 1987). Connell argues that, while there are many forms of masculinity, “hegemonic masculinity” is the type that is most valued in a given society. It is defined by the maintenance of gender inequality through dominance over women and subordinate forms of masculinities.



Many theorists have built off of Connell's theory, exploring the ways in which men assert their dominance. For example, Karen Dunivan (1994) and Rose Weitz (2015) have explored the link between "protection" and hegemonic masculinity. These scholars explain that historically, masculinity in the United States has been shaped through expectations of men defending the nation, as well as serving as a guardian over women. The role of "protector" grants men who participate in these actions with a higher level of status within society, while also granting them permission to assert their dominance over women and over men through physical violence and the close monitoring of others (Dunivan 1994; Weitz). However, it enables to do so in the name of safety. Fulfilling a role of a "protector", of course, is only one way in which masculinity can be enacted. It is also important to clarify that hegemonic masculinity is not defined specifically through force or violence, but through the assertion of dominance (Connell 186). As such, hegemonic masculinity is versatile and can play out within numerous social practices and structures.

While masculinity is established through asserting dominance, Connell (1987) argues that femininity is largely associated with the concepts of passivity, purity, and maintaining relationships. Specifically, Connell discusses the concept of "emphasized femininity," which is "defined around compliance with this subordination and is oriented to accommodating the interests and desires of men" (183). Thus, within emphasized femininity, women's main goal is to perform for and be submissive to men. However, Connell expresses that there are also other forms of femininity that use some of these traits strategically. Connell (1987) argues that ideas about masculinity and femininity are reinforced through patriarchy—the "collective project in which the power of men and subordination of women is sustained (108)"— and can be found

within institutional discourse about gender and sexuality, as well as within interviews on practices of consent.

In *Gender and Power*, Connell (1987) discusses cathexis as one of the major power structures in which we can easily unpack gendered power. She defines cathexis as “the construction of emotionally charged ‘objects’ (i.e., other people) in the real world” (112). Within the structure of cathexis, there is an assumed eroticism around sexual difference; this leads to “the systematic exaggeration of gender differences (113),” within which there is unequal power. Within these emotional relationships, men hold more power than women. However, despite these patriarchal structures, women have agency, which allows them to still be able to make decisions for themselves within these systems (see also Walby 1990; Moore and Reynolds 2004: 40). In other words, as Moore and Reynolds (2004) say, “women are engaging in sexual relations on what might be regarded as an ‘uneven playing field’, but they are still playing, and can achieve some general ‘victories’ ... particularly in interpersonal relationships and have subjective satisfaction” (40). Through the development of this analysis, feminist scholars are better able to identify the ways in which women are able to participate in sex with men, without solely being victims.

Butler (1999), on the other hand, explains that not only is gender socially constructed, but sexuality and sex are as well. And furthermore, by performing gender, we continue to recreate and support heterosexual and patriarchal powers. Butler’s theory of gender performance suggests that there is no preexisting or naturally occurring gender, but rather gender is enacted and imitated and then understood as real. Thus, in order to break down gendered power, we must transgress gender itself. Butler explains,

If sexuality is culturally constructed within existing power relations, then the postulation of a normative sexuality that is ‘before,’ ‘outside,’ or beyond power is a cultural impossibility and a politically impracticable dream, on that post-pones the concrete and contemporary task of rethinking subversive possibilities for sexuality and identity within the terms of power itself (30).

Thus, within Butler’s framework, the implication of performing gender is that we enforce restrictive ideas that reinforce beliefs that people are born with pre-existing identities.

Furthermore, we validate and perpetuate systems that allow for the domination of men and subordination of women. Specifically, in working within the system of gender, we perpetuate “masculinist domination and compulsory sexuality”, in which all people are expected to be heterosexual and are expected to display their sexuality specifically according to their gender (1999:25). For example, within compulsory heterosexuality discourses about gender relate women and femininity to passivity, submissiveness, and acquiesce of men’s needs (Butler 1999, Connell 1987, Hlavka 2014).

In conclusion, systems of power, heteronormativity, and patriarchy shape the way in which we understand and practice sex—and ultimately—consent. It is vital that academic and advocacy work on consent are situated within a framework that does not victimize or disempower marginalized groups, while also recognizing the comprehensive role that power and identity play within our lives.

### Sexual Scripts

Power relations within gender become increasingly obvious within sexual scripts. Sexual script theory, developed by Simon and Gagnon (1986), is a psychosocial theory that explores the way in which societal values influence and regulate sexual behavior. Simon and Gagnon explain that sexual behavior is molded through societal values of sexuality while simultaneously seeming

“natural” and specific to an individual interaction between two people. This has resulted in essentialist assumptions that sex is natural to all people, and therefore, does not need to be discussed.

In Simon and Gagnon’s (1986) sexual script theory, there are three layers to sexual scripts: cultural scenarios, interpersonal scripts, and intrapsychic scripts. The first layer of scripts, cultural scenarios, are socially constructed and institutionalized patterns or behaviors that guide and inform individual actions and thought processes; the second layer, interpersonal scripts, are seemingly unique and spontaneous interpersonal interactions in which the patterns that occur rely on cultural scenarios and symbols to dictate roles, conversations, and body language; finally, intrapsychic scripts are the individual thought processes in which people manage their needs and desires. Within this process, although each script is important in creating sexual experiences, interpersonal and intrapsychic scripts are constructed and informed by the cultural scenarios. In other words, symbols, language patterns, body language, and roles within individuals’ sexual experiences are determined by what society claims to be “normal”, which is informed by expectations of gender and gender power dynamics.

According to Simon and Gagnon (1986), “interpersonal scripting... draws heavily upon [dominant] cultural scenarios, involving symbolic elements expressive of such scenarios” (106). In examining this with a feminist lens, we begin to understand how masculinity, femininity, and structural power affect men and women differently within sexual scripts, based on how they are expected to express their gender. Sexual scripts have been shaped by the gender binary of men and women, which have historically been understood through what sex individuals have been assigned at birth, based off of their sexual anatomy (or, in the case of people who are born intersex, based off of sexual anatomy that was surgically given to them by a doctor, without their

consent) (Butler 2004). By assigning people with a gender at birth, we also assert specific cultural norms, symbols, and expectations onto them, for example traits associated with femininity and masculinity.

In “The Gendered Nature of Sexual Scripts”, Wiederman (2005) discusses the ways in which children are taught to comprehend and take care of their own sexual anatomy begin to shape their understandings of pleasure and shame. Children with penises, for example, “readily discover that their genitals feel good when handled and are not necessarily any “dirtier” than other parts of their body that they can see,” when taught about hygiene (497). Furthermore, because their sex and gender are assumed to be the same, they are raised to embody masculine values such as dominance, assertiveness, competitiveness, and leadership. And as discussed in the previous section, womanhood and femininity are typically associated with pleasing, nurturing, purity, and playing a submissive role to men. According to Weiderman, these values within femininity combined with lessons about female anatomy in which female-bodied people are taught to be cautious with their sexual partners, as to avoid pregnancy and disease, create a difference in sexual scripts between cisgender men and cisgender women—men and women whose personal identity and gender correspond with the sex that they are assigned at birth. Thus, the relationship between sex and gender shape children and young adults’ beliefs about sex and their experiences within sexual scripts.

Within sexual experiences between men and women, sexual scripts are determined within this framework in which men are the assumed initiators of sex, while women are the designated gatekeepers of it (Simon and Gagnon 1986; Weiderman 2005). This is particularly problematic because this dynamic reinforces men’s dominance and leaves it up to women to say “no” to men in ways that they deem clear enough to accept. However, as discussed in the previous section,

women's refusals are often not considered legitimate, due to assumptions that they are playing hard to get or not communicating clearly enough to convey their disinterest (Kitzinger and Frith 1999). Thus, when sexual scripts ascribe men to be the initiators of sex, men can take assert their dominance further by ignoring or not truly listening to women if they refuse. Furthermore, by ascribing women as the gatekeepers of sex within these scripts, we uphold victim blaming like attitudes in which we can more easily blame women for "letting" a man sexually assault them.

A script in which one partner is a man and one partner is a women is considered the "traditional sexual script"— the script that which effectively serves to dominate and delegitimize other sexual scripts (Rostosky and Travis 2002; Doston-Blake et al. 2012). Expanding upon Simon and Gagnon's (1986) original theory, theorists such as Rostosky and Travis (2002) and Wiederman (2005) have suggested that sexual scripts vary across societies and cultural groups. Nonetheless, sexual scripts within Western society typically do not stray far away from the dominant, traditional sexual script, which relies on heteronormative practices and gender performances (Wiederman 2005; Doston-Blake 2012). This is because sexual scripts are largely informed by societal definitions and beliefs about sex; thus, in societies where sex is often assumed to be penile- vaginal penetration, there are less clear sexual scripts for other types of sexual interaction (Doston-Blake et al. 2012). This might explain why some studies have found that LGBTQ+ partners report using more verbal sexual communication than heterosexual partners.

However, recall that Beres et al. (2004) have shown that LBGTO+ partners still use "no resistance" or a lack of refusal more often than verbal indicators of consent. While these two studies seemingly contradict one another, they make a great deal of sense when being analyzed using sexual script theory. LGBTQ+ partners have less readily available sexual scripts and

therefore, have more room to create their own sexual scripts that allow for more verbal communication. Sexual scripts within the LGBTQ+ community, thus, remain largely informed by the traditional heteronormative sexual scripts and gender, so while these scripts might differ slightly, participant behavior is still influenced by the gender binary, as well as expectations of gender.

In conclusion, sexual scripts ultimately rely on historic and current power dynamics within society including heteronormativity, patriarchy, and the gender binary. In the United States, where women are expected to perform femininity by being nurturers, showing acquiescence to men's sexual desires, and through passivity, while men are expected to perform masculinity through being sexually driven, confident leaders, heterosexual sexual scripts rest on an imbalance of power. Affirmative consent policies do not do anything to negate these roles and, in many ways, might even reinforce them.

#### Gendered Power within Sex and Sexual Scripts

Much like in Butler's (1999) explanation of gender performance, sexual scripts appear to be naturally occurring, however, they only exist because we continue to practice them and hold value in them. Consequently, in doing so we continue to perpetuate systems of power within sex and consent in which we reinforce masculinist values. Despite changing tones within society in which calls for better methods of sexual violence prevention grow louder, we continue to perform gender and sexual scripts in the same ways. Within sexual scripts, this means men are understood to be the initiators of sex, due to assumptions about the link between masculinity and uncontrollable sex drives, while women are, then, assumed to be gatekeepers of sex, due to beliefs about femininity and passivity. Therefore, while exploring the connection between

gendered power, sexual scripts, and consent, we begin to see the malleable nature of the matrix of power in which men are able to continue to express their dominance over women and others. This dynamic can be better understood by looking at recent research on men's role in sexual violence prevention, the normalization of sexual violence against women, and boundary work within seemingly sexually liberal societies.

In efforts to prevent sexual violence, many institutions such as universities and the military have focused on training men through three methods: "addressing men as potential perpetrators", explaining that men can also be victims of sexual assault, and through bystander awareness (Scheel et al. 2001:258). However, while these initiatives seem to embody feminist goals, they can quickly become problematic. While focusing on men's role in sexual assault prevention, these programs have not typically done anything to breakdown men's sexual dominance over women, but rather reinforced it through emphasizing men's need to protect women by asking for consent (because it is assumed that men are the initiators of sex) and monitoring other men.

This dynamic, however, has been most investigated so far while looking at how bystander awareness programs have reinforced men's role as a "protector" over women, in which women become passive objects for men to save, while also being able to uphold the status of a "good" man (Weitz 2015). In a study on sexual violence prevention within the military, Rose Weitz (2015) found that training U.S. military members to protect their women comrades from being sexually assaulted resulted in the belief that "male comrades... embodied a superior type of hyper-masculinity that could be harnessed for good" (175). And thus, idealized qualities associated with hegemonic masculinity (beliefs of ownership over women, aggression, and physical power) as being able to protect women. Furthermore, the distinguishing of "good" men



often led to military members neglecting that sexual assault was being perpetuated by their fellow brothers and rather reinforced beliefs that women needed to be protected from other militaries and those who they were in combat against (168). Therefore, not only did this bystander awareness policy lead to men's dominance over women, but also it often led to the regulation of men who were assumed to be untrustworthy or enemies, rather than those most likely to be the perpetrators of assault within their platoon.

However, this sort of expression of dominance can also be found outside of the military. In a study on the relationship between masculinity and sexual violence, Pascoe and Hollander (2016) found that relationship between men and sexual assault exemplified "new hybrid masculinities" in which "young men can simultaneously position themselves as 'good guys' who don't rape, while symbolically engaging with sexual assault to signal the dominance that is constructive of Western masculinity at this historical moment" (67). In their article, Pascoe and Hollander report that men did this by distancing themselves from sexual assault due to the increasing political discussion around rape culture, while also expressing their masculinity over women and other men through establishing the Western value of sexual dominance. Pascoe and Hollander refer to this concept as "mobilizing rape (69)" and refer to it as a new resource for masculinity. Within this dynamic, men are still seeking out new avenues of dominance that will fit into our changing culture, in which rape culture is being called out more and more. However, by mobilizing rape men are able to either engage in sexual violence or use it as a symbol to simultaneously call out rapists and make claims their own masculinity, depending on the situation and how much it will benefit them. Thus, despite seeming progressive or liberal when talking about ending sexual assault, many men are actually doing this as another form of dominance work.

Furthermore, despite efforts toward a safer society, free of sexual violence, we find that both men and women have normalized the sexual violence that women face. This research reveals important beliefs about what women are expected to endure and how they are expected to interact with sex throughout their lifetime. Women have normalized sexual violence within their lives and, often times, walk through life expecting to experience a certain level of unwanted sexual attention. This is especially reflected in Heather Hlavka's (2014) research on young women's experiences with sexual harassment and abuse. Despite participants being only three to seventeen years old, the young girls in the study reported believing that men were just "naturally" more violent, and specifically sexually aggressive toward women. When speaking about sexual violence that occurred to them or others that they knew, young women were, often times, seemingly dismissive of the violence that occurred to them because it was believed that it was just what men do to women. Hence, not only was violence expected but also women often minimized it at alarmingly young ages. Exploring how young women frame their own experiences of sexual violence, they do not seem to believe it was due to their helplessness or the immediate victimhood of women, but rather an underlying "understand[ing of] their position in a patriarchal sexual system" (353). Therefore, many women associate their experiences with sexual harassment, unwelcomed sex, and other sexual violence as being a consequence of womanhood.

Meanwhile, men have normalized violence against women through beliefs about entitlement of sex and acceptance of methods of coercion. In their recent book *Gender, Power and Violence*, Hattery and Smith (2019) explore this within fraternities in which beliefs about consent are frequently manipulated and distorted. In this excerpt, Hattery and Smith explain that there are multiple methods in which men use coercion, however, claim that the sexual experience

is consensual because they eventually get a “yes”. These methods include: riffing, “working a “yes” out, and rape baiting (27-28). The riffing strategy refers to a technique in which men talk their way into a situation in which they will be able to have sex with a woman. While working a “yes” out refers to men trying to “seduce” women after they refuse to have sex with them the first time, such as giving them something else to drink (27). Finally, men use rape baiting—or strategies to increase their probability of having sex like specifically targeting underclassman—to identify women who they can easily “work out a yes” with. In interviews, however, men did not believe this to be rape or any form of sexual assault, as long as women finally “gave in” (28). In doing this, men were able to construct their own definition of consent in order to fulfill their own sexual gratification and used their role as the initiator (and now the initiator of consent) of sex in doing so. However, they refused to see this as a form of violence.

Despite women’s exposure to violence within sexual relationships between men and women, women are not solely victims of sexual violence. The sexual liberation movement has seen some success in pushing back against the culture of sexual morality (Fjær et al. 2015). And likewise, the feminist movement has highlighted women’s ability to participate in and enjoy casual sex (Dyhouse 2013). While this does provide some pushback against sexual scripts, in a recent study on liberal hookup culture, Fjær et al. (2015) explore the ways in which women within a Norwegian high school seemingly supported women’s sexual empowerment and expressed believing that women should have the ability participate in casual sex, they would draw boundaries when discussing their own sexual experiences (960). In their findings, Fjær et al. (2015) suggest that this may be evidence of persisting sexual double standards in which, despite holding liberal values, there is still a disparity in the way in which men and women are

able to freely participate in casual hook-ups. Ultimately, this shows that while sexual empowerment seems to defy sexual scripts, gendered power is still in play—simply less overtly.

Despite recent changes in the way consent and sexual violence are approached, the implications of these studies suggest that gender and power still inform sexual scripts. And moreover, these new strategies can be used to perpetuate hegemonic forms of power. To understand this further, I unpack this in my study on conceptualizations and practices of sexual consent below.

### Troubling Consent

Due to recent social and political shifts surrounding consent, there has been a surge of emerging theoretical literature trying to explore the topic more thoroughly. Most of this literature questions the possibilities and limitations of affirmative consent. For example, *Screw Consent*, written by Joseph Fischel (2019) investigates this applying feminist values such as non-exploitation and gender equity through a series of logic and ethics tests that criticize affirmative consent on three bases: “insufficiency, scope, and inappositeness” (22). In these arguments, Fischel exemplifies how affirmative consent—sexual or otherwise— can be used to justify destructive and dangerous behaviors, as well as limit the sexual autonomy of people who have disabilities that which the state deems as unable to make informed decisions. Thus, while affirmative consent is a key component of healthy sexual experiences, affirmative consent can be used in ways that do not actually achieve feminist outcomes. It is important to remain critical of the concept of consent and continue to explore its abilities, while also being cognoscente of the ways it can be used or undermined to enact or perpetuate intrapersonal and systemic violence.

Not only can affirmative consent be coopted or used in ways that enact violence, but consent itself is a social construction built within an unequal society. Consequently, consent can be used to reinforce gender norms and unequal power dynamics. In *Querying Consent: Beyond Permission and Refusal*, Jordana Greenblatt and Keja Valens (2018) use a collection of essays from multiple disciplines to exemplify how our feminist understanding of affirmative consent must expand far beyond simply asking “yes” or “no,” and instead consider the inequalities the concept of consent is created upon and the inequalities consent maintains. The editors state,

Consent positions bodies and desires with or outside of institutions, discourses, , and structures of cultural intelligibility, agency, and property. It is used to map and regulate sexual desire, gender relationships, global positions, technological interfaces, relationships of production and consumption, and literary and artistic interactions. [Therefore, we must place] consent’s anxious historical boundaries into conversations about its conceptualization and the often contradictory ends and means through which it works (2).

When looking at sexual consent and affirmative consent policies, we must be critical of how these consent policies took form, the assumptions they rest upon, and the inequalities they reinforce or fail to challenge. For example, According to Jozkowski et al., expectations of gender create a “double standard” between men and women’s ability to communicate sexually. In 2017, researchers at the University of Arkansas asked students about what behaviors they perceived to be “normative consent communication” (Jozkowski et al. 2017). Exploring consent practices by “deconstructing and reconstructing participant’s claims,” Jozkowski et al. found that student’s beliefs and practices of consent “endorsed sexual double standards and [men believed] that obtaining sex was a conquest” (238). The men who participated in the study felt that they had to convince women to have sex with them, and if a woman did not consent immediately, they had to try to convince them—if they couldn’t, they were “quitters”. At the same time, women who consented to sex too quickly, without initial refusals or coaxing from their partner and women

who consented without the assistance of alcohol, were deemed as “sluts” or “too easy.” Thus, consent negotiations seem to be intricately tied to power—specifically who has the power to assert their control within giving and receiving consent.

Moreover, affirmative consent policies complicate sexual scripts. While sexual scripts create an illusion that sexual experiences must be spontaneous and that asking for consent is not necessary because it should be naturally obvious when partners are consenting to having sex, affirmative consent pushes back. Policies that require partners to use verbal, affirmative consent imply that sexual consent is not always obvious and that healthy sexual communication is not natural.

Although states, universities, and anti-sexual violence organizations have begun pouring financial resources into teaching consent as a method of preventing sexual assault, this tactic rests on the assumption that sexual assault is simply a miscommunication. However, there are many problems with this assumption, according to Meuhlenhard et al. (2016). First, the fallacy of miscommunication takes a depoliticized stance on sexual assault and lacks any sort of intersectional analysis of how power contributes to these experiences. Research from the Department of Justice finds that women are more likely to experience sexual assault than men, and amongst women, Native American/ Native Alaskan women, women who hold multiple racial identities, and Black women experience are at the highest risk. Furthermore, the 2015 U.S. Transgender Survey found that 47% of transgender/ gender non-conforming people had experienced sexual violence at least once during their lifetime (see also Howard Brown Health 2017). Finally, a nation-wide study at the University of Michigan found that college students who identify as lesbian, gay, or bisexual are 2.5 times more likely to experience sexual assault than heterosexual students (Howard Brown Health 2017). These findings suggest that gender and

race affect power dynamics within sexual assault that go unaddressed by consent education and indicate that the issue of sexual assault extends deeper than simply being a “miscommunication” issue. Consent education programs typically do not acknowledge these nuances and rely on the assumption that sexual assault is simply an interpersonal issue that is not connected to larger societal problems tied to sexism, homophobia, or racism.

Second, affirmative consent policies rely on the assumption that miscommunication is a legitimate reason why sexual assault occurs. However, there is no empirical evidence from which this argument began and rather this assumption is highly heteronormative and based off assumptions that men and women act or speak differently while consenting to sex (Muehlenhard 2016). This assumption ignores already existing data on consent practices. Previous studies have shown that there are very few differences in the way women and men show consent (Hickman and Muehlenhard 1999; Muehlenhard et al. 2016). Furthermore, as discussed in earlier sections, even when women do not directly say “no” their refusals follow normative patterns of refusal, and thus should not be a form of miscommunication (Kitzinger and Firth 1999). The idea that miscommunication is one of the causes of sexual assault—and affirmative consent’s implied endorsement of this thought process— not only relies on inaccurate assumptions about the causes of sexual assault, but it also makes this a readily available excuse for people who ignore their partner’s refusals.

Additionally, affirmative consent training is used as a method of sexual assault prevention; however, we must question how patterns of perpetration and victimization of sexual assault are informing the conceptualization of affirmative consent at institutional and individual levels. Because men are associated with being perpetrators and women are assumed to be victims, how does the conceptualization of affirmative consent reinforce or breakdown this

dynamic? Furthermore, if conceptualizations of affirmative consent reinforce the assumed sexual aggressiveness of men and vulnerability of women, how might the use of affirmative consent uphold the initiator/ gatekeeper dynamic within sexual scripts? What problems might arise if the use of affirmative consent does not resist binaries and expectations of gender? These are questions I hope to explore in my study.

Teaching young people about verbal consent and to practice healthy sexual communication is beneficial for helping increase their feelings sexual agency and better equips people with the tools to discuss their sexual needs and desires with their partners (Laker and Boas 2015). Furthermore, specific and clear policies surrounding affirmative consent push back against previous, undefined and ambiguous uses of the term. Finally, because affirmative consent policies and sexual consent education have only just begun to emerge, there is little known about what the full range of benefits they might bring, the effectiveness of consent education, or how they might shape positive sexual interactions within institutions that have created an affirmative consent policy (if at all). However, our understanding of affirmative consent cannot stop at “Did you check that box... Good!” Instead, in the words of Joseph Fischel (2019) we must “screw consent... in our politics”, we must “‘exert pressure’ on consent by ‘twisting, tightening, or pressing’ upon it, releasing consent’s capture of our imaginations in order to invite more-promising values, norms, and concepts into our efforts for a safer, more democratically hedonic culture” (4). In our efforts to build a more feminist world, we must continue to engage in dialogue and research that begins to trouble the concept of affirmative consent. Using theoretical framework provided by Foucault (1984), Connell (1987), Butler (1999) Pascoe (2016), and Simon and Gagnon (1986), I hope to continue this dialogue.



## Research Question

Current research has left many questions about sexual consent unanswered and most research specifically investigating consent is out of date. In the era of the Women's March, #MeToo, and accusations of sexual assault committed by Supreme Court justice nominees, discussions about sexual assault and consent consume the news and our newsfeeds. As legal definitions of consent begin to shift into a new paradigm of affirmative consent, it is vital that we revisit the subject of consent and begin to unpack how people understand sexual consent and practice it. As such, this research project seeks to answer two questions: what sexual scripts do participants use when negotiating sexual consent? And how does gendered power play out in participants' understanding and practice of consent? My research hopes to contribute to growing literature on affirmative consent by investigate how students define and practice consent within an institution that adapted affirmative consent policies.

## CHAPTER 5

### RESEARCH METHODS

The data used for this research were taken from a research project begun by Dr. Kristen Myers and Dr. Patricia Wallace, who sought to understand sexual assault on a university campus. Initially, the study was aimed at sorority and fraternity experiences sexual assault. However, due to problems with accessing participants, Dr. Myers and Dr. Wallace decided to open the study up to all university students and alumni. During this time, I was invited onto the research team and served as Dr. Myers's Research Assistant. Together, we revisited the interview guide to expanded topics discussed in the interview to also discuss participants' experiences with hookups and sexual communication. After all interviews were collected and transcribed, I did the analysis on my own. So while the data-collection was a collaborative process, I was the only person who did the coding and analysis for this paper.

#### Data Collection

Data were collected through face-to-face interviews. All researchers conducted interviews. Interviews were semi-structured, allowing participants to answer questions openly while also giving interviewers "some control" over the format of the interview (Hesse-Biber 2012:474). This method was particularly helpful because it allowed interviewers to work in clear and coherent transitions into the interview in order to ensure each major topic was touched on.

Furthermore, in-depth interviews were the best possible method to use in order to understand participant's definitions and practices of consent and are a frequently used method in research about sexual scripts (Doston-Blake 2012). This is likely because in-depth interviews seek to learn about participants' subjective experiences within a given issue (Hesse-Biber 2012).

Interviews are a particularly useful method for this research for multiple reasons. First, face-to-face interviews allowed for students to give in-depth, highly detailed descriptions of their sexual encounters and their understandings consent. Second, in-depth interviews help researchers understand the processes through which students developed their understanding of consent over time. Third, in-depth interviews revealed experiences with nonconsensual sex and sexual violence sex that students possibly would not have self-identified as such. Conducting surveys about consent practices and sexual assault might have overlooked these experiences and would have missed out on valuable data. Finally, conducting interviews to ask participants how they define consent (different than how it is practiced) allowed us to hear first-hand definitions from students without them being able to rely on the answers from peers in a focus group or the Internet, which can be easily accessed while taking a survey.

To conduct semi-structured interviews, researchers must create a "specific interview guide with a list of written questions that the interviewer would like to answer" (Hesse-Biber and Leavy 2012:474). For our research, the interview guide consisted of questions about participants' experiences with hookups (often defined by students/ alumni as casual sex between two or more people), understandings of consent, and understandings of and experiences with sexual assault. We also asked participants about how they learned about consent, including trainings and programs in high school and at the university. Using the semi-structured method to interview participants was particularly helpful for our research because it allowed for interviewers to

progress from talking about specific sexual experiences, to how participants defined and learned about consent, to experiences of hearing about or personally experiencing sexual assault in a fluid and coherent way.

Interviews were conducted through April 2018 to October 2018. They lasted an hour, on average. Participants were offered \$10 for their participation in the study. The interviews were audio-recorded through the interviewer's cell phone and range from about forty minutes to one hour and fifteen minutes long. After the interview was conducted the audio recording was stored under the participants' pseudonym in a shared Dropbox.

### Research Context

This research project was conducted at a public university in the Midwest that has 17,000- 22,000 students. College campuses are a particularly important location to explore issues of consent. Despite having to complete trainings that focus on sexual assault prevent and Title IX policies, campuses continue to be a site in which students are constantly surrounded by messages that condone or turn a blind eye to sexual violence (Hattery and Smith 2019). This combination creates conflicting messages about consent and sexual assault. Furthermore, studies find that at least one in four bachelor's degree-seeking women will experience sexual assault before graduating from a four-year university, and one in six men will (RAINN 2016). Therefore, many campaigns focused on sexual assault awareness and prevention (the No More Campaign and It's On Us Campaign, for example) have specifically targeted universities as a site to focus their efforts on.

For example, the university from which participants were recruited requires all students to complete a Title IX training course at the beginning of the fall semester. These trainings aim

to teach students the affirmative definition of consent, the definition of sexual assault, about bystander awareness, safety, and resources on campus. The university also has messages about Title IX and consent on flyers posted around the university. By choosing this site for our research participants, we were aware that participants had been exposed to (at least one) unifying message(s) about consent and affirmative consent policies. This might not have been the case if we recruited participants from other populations.

### Participant Recruitment

For this project, we completed 45 in-depth interviews, which were not limited to any specific gender, sexual identity, or age. In doing this, we were able to best identify campus patterns of giving/ receiving consent that transcended a single identity group. Participants were recruited by professors within the Sociology, Psychology, and Women, Gender, and Sexuality Studies departments and through social media platforms such as Facebook and Instagram (listed under Appendix A). Students were also given flyers and small recruitment cards announcing the study and the email address students could contact if they were interested in participating (listed as Appendix B). After students emailed us with inquiries about participation, we worked together as a research team to determine who would be most appropriate to interview that student. This was determined by whether one of the researchers was currently teaching the prospective participant, whether one of us had a professional/ personal relationship with the prospective participant, and our availability. This way, if a student currently had one interviewer as a professor or teaching assistant, they were not interviewed by that interviewer but could still participate in the study.

## Study Participants

To study how individuals used sexual scripts and how gendered power played out within conceptualizations and practices of consent, we conducted forty-five in-depth interviews that discussed participant experiences with hookups, sexual communication, and sexual assault. We interviewed 27 women and 18 men across a variety of academic backgrounds. Participants were mostly undergraduate students, with the exception of three graduate students and three recent alumni. The overall sample was diverse along several other dimensions, as well. The average age of participants was 23.8, the youngest participant was 18 and the oldest was 47. Racially, 22 subjects were white, 9 were Latinx/ Hispanic, 7 were Black, four identified as Bi-racial, and three participants were Asian. Participants self-identified the gender of their sexual partners. Three women discussed having sex with both men and women, 22 women reported having sex with only men, and one woman reported only having sex with women. And finally, 14 men reported having sex with only women, three men reported having sex with only men, and two participants only used gender-neutral pronouns to describe their partners. A full list of participant demographics is located in Appendix C.

## Data Collection and Analysis

Once all of the data were collected, research funds were used in to get the interviews transcribed using an online transcription service called “Transcribe Me!” After the transcriptions were returned, they were divided between each of individuals on the research team—which consisted of two professors, one graduate student, and two undergraduate students—to be cleaned and reformatted.

At this point in the research, I worked alone. Once we finished cleaning and formatting the interview transcriptions, I began coding for this thesis. I systematically coded transcriptions using a grounded theory approach (Corbin and Strauss 1990; Charmaz 1996). Grounded theory requires researchers to create “analytic codes and categories developed from data, not from preconceived hypothesis” (Charmaz 1996:28). To code the interviews, I began by identifying a list of broad but relevant codes/ themes from within the interview guide and transcriptions were coded through NVivo. The list included codes such as affirmative consent, coercion, reason for use of affirmative consent, reason for not using affirmative consent, and misconceptions about affirmative consent. These are a few of the codes that were found to be most helpful to identify themes that began to emerge within the data. Next, I moved into axial coding in which “categories are related to their subcategories, and the relationships tested against data” (Corbin and Strauss 1990:13). The use of axial coding was particularly helpful for establishing relationships and patterns within each of the codes and allowed for deeper investigation of the conditions in which the patterns arose (Corbin and Strauss 1990).

Difficulties emerged while in the process of selective coding because I came down to two “‘core’ categories”— consent mediated through masculinity and consent mediated through femininity (Corbin and Strauss 1990:14). However, these two concepts are connected by their relationship within sexual script theory in which initiating sex is attributed to men and masculinity, while the gatekeeping of sex is attributed to women and femininity within heterosexual relationships and institutions. Thus, while it was difficult to pinpoint one perceive theme, the two discussed in this paper have an important relationship within hegemonic discourse about sexuality and consent.

## Ethical Considerations

After students emailed the researchers expressing interest in participating in the study, we sent them a follow-up email explaining that the interview discusses consensual and nonconsensual sexual experiences. This way, participants knew that we would also ask them about experiences with assault. This was reiterated again in the consent form and the form also included crisis hotlines a participant could call or text if they felt any distress after completing the interview. Many students reported that by the end of the interview, they felt as though they gained insight into their own beliefs about consent. Other participants compared the interview to talking to their therapist.

After noticing patterns of misinformation amongst students, researchers also took some time after the interview to review the university's definitions and policies on consent and sexual assault with the participants. As feminist interviewers (Hesse-Biber and Leavy 2012:), we believe that this step was crucial in practicing ethical research; misinformation about sexual assault and confusion about resources on campus could potentially lead to further violence against students or prevent them from accessing resources that can, for some, be crucial to dealing with sexual violence. In doing this, we hope that there was also an educational component to the interview that will help prevent students from perpetuating and/or being victimized by sexual violence in the future. To respond to other misinformation and beliefs that arose during the interviews, such as the sentiment that affirmative consent is awkward, weird, and ultimately not sexy, the research team designed an intervention program called Sexcessful Conversations. Sexcessful Conversations was an interactive event that challenges participants to think about how our ideas of sexual consent were formed and the many factors that influence it.



It was designed to facilitate open, honest conversations about experiences with sexual communication and on how to incorporate affirmative consent into sexual communication. The event consisted of five different activities that participants rotate around; two trained leaders facilitate each activity and a discussion afterward. The first time the program was run was October 24<sup>th</sup>, 2018 and had between 25 participants. We hope to replicate it again in the future.

## CHAPTER 6

### FINDINGS

Based on my analysis of the data, I argue that masculinity and femininity—cultural concepts shaped by unequal gender relations—inform sexual scripts as participants negotiate consent in sexual intimacy. Because of this, consent does not undermine power dynamics within sex between men and women, but rather reinforce it.

#### Masculinity and Consent

Masculinity and gendered power informed the ways that men negotiated sexual consent in four ways 1) by emphasizing their role as a protector, 2) negotiating if/ when to use consent, 3) distancing their own actions from assault, and 4) through methods of coercion. Here, I will show how masculinity played out in each way, drawing on Pascoe and Hollander's (2016) concept of "mobilizing rape," exploring the role consent plays in this issue. As men conceptualized and negotiated consent, they often reaffirmed their masculinity and dominance over women and sometimes over other men.

#### Men as Protectors

Emphasizing men's status as a "protector" of women fails to breakdown power

imbalances between men and women during sex. Rather, emphasizing this “protector” identity reinforces beliefs about women’s fragility and men’s dominance.

In our study, men discussed doing this in many ways. Some participants discussed how fraternities and masculine institutions would address sexual violence. For example, Rick (age 24, Latino) stated:

My fraternity.... one of our national philanthropies, or our national events is “Rape is a Man's Issue”.... We’ve been hosting it for the last three to four years. And it's shed light on, you know, consent...So, what we do is we tailor it to the guys, you know, we invite the girls too, but we so the guys- in a way so the guys can understand, you know, and explain it to them. And you know, it gets really intense because you know, for a lotta times like the guys that will be in there, they feel like it's just another one of those, you know, oh, it’s just another one those trainings. But you know, like, what’s crazy is like, the girls that come- like we had one girl- a couple girls actually before like just breakdown and start crying because it's such a heavy topic. And like, I think- not that it's a good thing you know? They shouldn’t be crying but I think that it really does do a good job of showing like the guys like, “Damn.” This is for real... And we tell them too, like everybody has a mother, everybody has a sister, everybody has a cousin. You know, like this- something like this can happen to anybody who you know.

Rick and his fraternity focused on men being the agents of change for sexual assault prevention and encouraged men to ensure they were getting consent from their partners before having sex. Rick cites relying on appeals of men’s pathos— explaining sexual assault’s relativity to women who they care for—in order to get men to take the issue seriously. Relying on emphasizing the vulnerability of women who men might have close relationships with, Rick believed that men were swayed to be more aware of sexual assault, and thus, better equipped to protect women. Rick’s concern and his drive to protect women were further emphasized later in the interview, when he discussed his experiences coaching a powder puff football team. Rick recalled:

During Homecoming and stuff like, with those girls [from the powder puff team], like we're on a Group Me. And then right before Homecoming... I was like, “Look guys”. I was like, “be careful this weekend, you know, a lot of things can happen. Like, don't go anywhere alone.” You know, and they really appreciated that because I looked at them all

like my little sisters, I was like you know, “just be safe.”

Once again, Rick drew on the vulnerability of women by referring to them as his “little sisters.” Despite all of the women on the powder puff team being college-aged adults, he infantilized them and implied that it was his job as an older brother figure to warn them about the possibility of assault.

Other participants discussed strategies they used in their own sexual experiences to help protect women. Jason (age 24, Bi-racial), for example, while discussing a routine he used to hook up with women, talked about how he would initiate the consent process by texting women before they came over and straightforwardly asking them, “Do you want to hook up?” He said:

If they say, “yeah,” and they show up to my house, then it’s like, I take that in the context of consent. But, at any point time- that’s why the hang out period is so important too, is like at any point in time you can like—I wish people would understand that they have the right and ability and all that stuff to like, nope this is not for me, I’m fucking leaving. So, that’s why the hang out period is pretty critical... I think my consent is implied because I’m like asking you to come over and hook up. I think like that at no point time am I gonna rescind my consent from that. Because it’s something I want, and I’m asking for. But I try to allot that ample amount of time and ability.

As a part of his routine, Jason discussed hanging out with women for about 45 minutes to allow them to feel more comfortable. During this time, they would watch TV, occasionally have a drink, and talk to the women he invited over. Thus, according to him, despite his partners already saying “yes” over text, he would “allot... ample time and ability” to give them an opportunity to change their mind. In doing this, he feels he is emphasizing women’s right to bodily autonomy and their own right to say no. Within this dynamic, then, he framed himself as an active agent who protecting women by giving them the time to say no before they begin to have sex. At the same time, he constructed a passive image of his sexual partners. If they stayed, then they automatically consented to having sex.

Reinforcing men's identity as "protector" asks men to serve as bystanders—in which they monitor other men's suspicious behaviors (Scheel et al. 2001). In doing this, as argued by Rose Weitz (2015) in her research on sexual violence prevention work within the military, stressing the need for men to protect women from other men reinforces the dominance of men. Men, thus, often monitor the actions of other men who they deem as less safe than they and their friends are.

For example, participants discussed their experiences with bystander awareness and about how they have protected women from other men. While recalling one of his experiences at a local bar, Charlie (age 22, Latino) discussed a time in which he and his friend, Billy (a man) saved their friend, Jenny (a woman), from a man who seemed to be bothering her. He explained that whenever he goes out and sees Jenny, he "always [tries to] be mindful of her because she... does drink whenever she goes out." Charlie explained that one night, he noticed Jenny was drunk and she was "storming off" from a man who seemed to insist that she follow him. He explained:

So I literally just turned to the guy and I made it seem like, like I was like in his way. Like "ohh" (shifting his body to right side). "Ope" (shifting his body to the left side). "Oh, ohh" (shifting body to right side again). Like "oh, excuse me." "Oh Sorry," but I was doing it on purpose. I just I didn't want him to, to for her to follow. And it was cool because like... one of my other homies [Billy], he came by and he, he was next to me. And then he looked at the guy put his hand down and he's like, "No, just turn around." And the guy turned around. And then I looked at my boy and I gave him a big hug 'cause like man, like that was love! Like, I knew I knew he had my back and he understood. He understood intersectionalities that were happening within that situation and um... it felt good to know that I wasn't the only one, who you know, that was mindful of that.

In this situation, Charlie recalled how he slyly blocked the stranger from talking to Jenny by pretending to accidentally keep stepping in front of them. After he began doing that, Billy noticed and also came to the rescue. The experience ended with a celebratory hug between the two men. Charlie beamed with a sense of pride he felt, knowing that he and another man were not only able to protect their friend, but also defeat another man who was in the process of taking

advantage of Jenny's drunkenness. Furthermore, Charlie and Billy bonded in this moment, exclaiming "man, that was love." These two men enacted masculinity to protect a woman, which marked them as good men, because they "understood the intersectionalities" in that moment.

In each of these examples, men expressed concern for women's experiences with sexual assault in seemingly progressive ways by fulfilling feminist calls to redirect anti-sexual violence work to men (to make it a "men's issue"), by valuing bodily autonomy and ability, and by being good bystanders, while also embodying skills that are often associated with masculinity such as assertiveness and leadership. But in their explanations of these experiences, these men relied on old tropes about men's status as being "protectors of women" and instead frame the women they discuss as passive actors within these situations (Weitz 2015). In doing this, they establish dominance over women and men who they believe are strange or dangerous, unlike them.

However, underlying beliefs about false accusations of sexual assault complicated participants' discussions of these strategies. While participants discussed protecting women from sexual assault, they also expressed the need to protect men from being accused of perpetrating assault. Thus, men simultaneously needed to protect women and be protected *from* women. One participant, Ryan (age 21, White) discussed knowing many men who felt this way. When talking about the affects the #MeToo movement and pushes toward affirmative consent, he said:

A lot of guys are actually worried they will be accused of rape one day. Like, just that they'll misinterpret a type of social cue or the social cues will be there but a woman will say "oh I changed my mind mid-way through" and they wouldn't have known and I don't know how legitimate of a worry this is but the worry is still there from them. So I feel like there are different types of populations that are interpreting it different ways and one population could be hurt or worried by this.

Many men in our study repeated this and used affirmative consent, not in interest in confirming that their partners were interested in having sex, but more so to protect themselves, their friends, and their institutions from possibly being accused of sexual violence.

For example, Charlie (age 24) also recalled his experiences at parties in which he would see one of his friends talking to women who seemed too drunk to consent to hooking up. He explained:

Like if we [his friends] see one of my boys is like dancing with some girl who was getting heavily intoxicated then we're going to let him know, like 'yo, bro chill... like relax she's drinking. You know, like her friends are over there. Just watch out, you know'... And usually after that, it's like he or another friend just called like calms down. You know, it just goes to normal. Does that make sense? Like, it doesn't get like weird like, my friend isn't rubbing up on a girl, and it's like it's not looking like... chaotic, in a sense that they're bringing up... they're making a scene. Does that make sense? In terms of like getting people to like look at them and then grabbing other people's attention.

As before, Charlie acted as a bystander and expressed pride that he was “protecting women” who might be too drunk to consent to the situation that was transpiring. However, there is a distinct difference in the way he described these different situations. In the first situation, Charlie focused on his and his friend’s ability to force the other man to turn around and leave the woman alone. In this scenario, he took a much more cautious tone and instead expressed concern for protecting his friend. He warned his friend that he needed to “watch out” because the girl’s friends are nearby and he is “grabbing other people’s attention.” Charlie’s worry was not that the woman in this situation could not consent, due to being too intoxicated. Instead, his focus is on warning his friend that he is doing this in public and that others can see him. However, in explaining these interactions, Charlie simultaneously used his role as a bystander to protect women from men he does not trust, and to protect men he does trust from women.

This was reiterated in many ways throughout the study. For example, Ghost (age 36, White) explained that while he was in the Navy, he and his other service members had to attend intense training courses on affirmative consent and sexual violence protection, so that when they had opportunities to hook up with women when they went bar hopping, service members would be sure to get affirmative consent. However, Ghost also said:

There was a lot of times when there was a possibility of taking someone home from the bar but, to me, there were very little coherences in our conversations. So, to me... it sounds bad [chuckles] but it was more of a cover-my-own-ass situation, right? If I'm not going to get a clear and concise okay with this, the area I was at—this was Seattle—and there were a lot of people who would say, 'oh I didn't have fun last night, so now I'm going to say I didn't want that.'" And so it happened a lot to guys on the base and so it was a very big cue that you better know what you're doing... So it was a lot more scary.

Ghost would not go home with women from the bar out of fear that they would “consent” and then take it back if the sex was not pleasurable enough for them. Ghost highlighted that this, indeed, was a “scary” time for men in the Navy because other men had been accused of sexual assault. He related his motivation for getting clear, un-intoxicated consent, not out of the belief that it was a healthy part of sexual communication, but rather to ensure he was “covering his own ass”. In using consent in this way, Ghost was able to ensure his own safety and well being by attaining affirmative consent.

Similarly, Paul (age 28, Asian) discussed fearing that someone could accuse him of sexual assault based on things he did when he was younger. When talking about one sexual experience he had in his early 20's, Paul recounted a time at a party in which women would lead men into a room where people were already having sex and start performing oral sex. He recalled,

I don't think there was ever consent there... yeah. Its wasn't like “Hey, let's do this.” It was like take your hand and walk you into this room, sit you down, and just start blowing you, while other people were already fucking.



However, Paul discussed how training in “the business world” changed his perspective on consent. He stated,

[After working in the business world] I learned how to manage down and up an um, I don't know. I just started managing everyone that I came in contact with after that... this has to be done by the book. Make sure on we're on the same page. I didn't worry about that before. I mean... what if, what if that group of people called the cops on the group of guys that were part of that. Would they call that rape? Because no one really talked about consent and because I worked for a corporation, I reflected on that... It scares me.

Despite claiming that the women were actively bringing men into the room and initiating sexual acts, Paul no longer saw initiation as an expression of consent and worried that because he never asked these women for their consent, he could be punished. Thus, after learning a new perspective on the definition of consent, he felt that he needed to start using affirmative consent, because if he did not do things “by the book,” there could be serious consequences for him.

Equipped with seemingly progressive, feminist initiatives of sexual assault prevention, men are able to affirm themselves as “good” and safe men, while using sexual assault prevention strategies to protect themselves, their friends, and institutions they belonged to from false accusations of assault. And this works. In doing this, they do appear to some woman to be ensuring women's safety. Maddie (age 18, White) discussed this dynamic in her interview when talking about a fraternity she goes to often. When discussing this fraternity, she stated that they call themselves a gentlemen's fraternity and explained that they used many strategies to prevent non-consensual experiences. For instance:

The fraternity that we [her and her friends] always go to, they always provide rides for us to like go back and forth from Greek Row. So that's always nice. Um, and they always have like one um designated driver who drives everyone home. So they always have like that one guy who's like, "Okay, you're taking all these people home at the same time." But they never let the guy be alone with one girl, or like the guy be alone with two girls. It's always like a guy, a girl and a girl, and like somebody else in their group. So like they'll never allow the like driver to like take advantage I guess. Even though he wouldn't, like I don't know, that's like not how they ... Like if he were to do that he would

get kicked out of the fraternity 'cause like that's how they do it at their fraternity. But other fraternities, I bet they don't even care.

Because of the strategies this fraternity used to prevent unwanted, nonconsensual experiences such as having a designated driver to ensure women have safe rides home and not leaving men alone with one woman, Maddie asserted that this fraternity is better than the rest. She agreed that these practices ensure her and her friends' safety. However, part of these practices are actually rituals of hypermasculinity—for example, being the designated driver is the job of pledges, who are still trying to prove themselves to earn their place in the fraternity. Furthermore, as discussed in the book *Gender, Power, and Violence*, having one pledge that is in charge of picking up and dropping off women at the end of the night, actually helps create an environment in which sexual assault is easy to facilitate because are completely reliant on the pledge to help them get home (Hattery and Smith 2019). Women in these scenarios, thus, can often end up stuck at the fraternity house with no idea when they will be picked up or where the pledge is.

Similar to Ghost's explanation of the military's training on affirmative consent being used to prevent further sexual assault accusations, these strategies can be used to appear to protect women from sexual assault but ultimately be for the purpose of protecting themselves from sexual assault accusations. For example, Eric (age 21, White) talked about his fraternity having a policy in which women were not allowed to be left alone with one man. Eric said:

[My fraternity] had the system of like cues that you would basically be able to give to your brother's that like, if they're doing something that you think is going in a bad direction. Like if they're- if they look like they're hitting on a girl that's super uncomfortable that you can give a cue that, "Hey, like slow down, take a step back." and stuff like that. And like it- there were like levels to it and stuff like that. . . there was that was there is a conversation about how if we were to ever walk somebody home, we would have to have like a buddy in addition to whoever we were walking home. Especially if that person was like a drunk woman, we had to have that buddy. But that was like, I'm pretty sure that was mostly for legal reasons. Or it's like you need somebody to corroborate that like nothing happened.

In Maddie's explanation of these practices, she felt that the fraternity men were using these strategies because they care about protecting women who attend their parties. But in Eric's description of these strategies, they were actually doing this to protect themselves for "legal reasons" to ensure that there is another person there to "corroborate that nothing happened." In developing these strategies, fraternities who do this are able to put forward a "gentleman" front while protecting the credibility of the institution and its members. As stated by another participant, MJ (age 28, White) "no one wants to be seen as the rape house." By doing this, they simultaneously appear to be protecting women from sexual assault and themselves from being accused of sexual assault.

At the surface level, each of these scenarios seem to exemplify men doing the work that feminists have long called for: learn to not rape people (Pascoe and Hollander 2016). Seemingly better yet, these discussions show how men understand their role as "potential perpetrators" and their ability to be allies—or bystanders—for women (Scheel et al. 2001). However, lying beneath these practices was men asserting their dominance over women and other men in the name of "protecting women" and protecting men who they did trust from women who they didn't trust. In doing this, the issue of consent was manipulated in ways that would ultimately benefit and masculinize other masculine institutions, in a society where the relationship between masculinity and sexual violence is quickly changing.

### Negotiating If and When to Ask for Consent

In attempts to address men as potential perpetrators, institutions typically try to raise awareness about how women experience a disproportionate amount of sexual violence, typically at the hands of men, and by teaching about rape myths (Scheel et al. 2001). As affirmative

consent policies have spread to universities and into other institutions throughout the country, many institutions have used it to warn men about the possibility that they are sexually assaulting women because they do not understand when women say “no”. Affirmative consent trainings have largely been aimed at men and have been used as a method to teach them how to not misinterpret their sexual partner’s signals and treated as a way to teach men how to prevent men from raping another person (Muehlenhard et al. 2016; Jozkowski et al. 2013). However, in doing this, affirmative consent policies are both rely on and reinforce sexual scripts in which men are deemed the initiators of sex, while woman are understood to be gatekeepers of sex (Simon and Gagnon 1986; Weideman 2005). Many participants reiterated these perceptions of men’s role as the initiator of sex and as the initiator of consent within sexual experiences between men and women. For example, when defining consent Maddie explained:

Consent would be if the girl says “yes” and continues to say “yes” through what you're doing. You know? Like if she says “yes” while she's sober, and while, if she says “yes” while you're like getting undressed, and if she says “yes” while you're like doing it, then that's consent. But if she says “yes” while she's drunk, that's not consent. If she says “yes” while she's high, that's not consent. And if she says “no” while you're doing it, or if she says “stop” or something and you keep going, then that's definitely not consent. You know? So like a girl can say yes... and even a guy can say yes.

Maddie discussed consent in extremely gendered terms. There was extra emphasis on women saying, “yes” soberly and clearly throughout the entire sexual experience. And the idea that “even a guy can say yes” was an after-thought for her. This may be have been due to her underlying assumptions about men being more sexual than women. When pressed on why her focus is on women consenting, she explained:

'Cause you know, guys usually tend to be more sexual um when they're like trying to like hook up with girls, you know they would like initiate it, you know, with like either like saying like, "You wanna come to my place?" Or like, they'd like, you know like act a certain way.

In this quote, Maddie reported that men are more sexually driven than women and that is why they are typically the ones that initiate sex. And this belief was reiterated throughout the study. For example, Ken (age 30, Bi-racial) alluded to this belief, laughing, “I think it’s a lot different for guys to show it. Because, first of all, we’re dudes, and I think every woman alive knows... what a dude wants”. This belief, however, relies on essentialist assumptions that have been constructed through discourse about sexuality and masculinity (Hare-Mustin 2004; Jozkowski et al. 2017). One participant acknowledged this. Toula (age 24, White) stated:

The foundation of sexual encounters... is that men want more sex [than women]. Women don't get as much enjoyment out of sex and just say, “okay”... it's also up to the man to initiate and so, there's all these ideas about how it should go.

While Toula did not agree with this sentiment and later in the interview even discussed how she felt that this belief is created and perpetuated by media and other discourse within male-dominated societies, she acknowledged how these beliefs play an important role in the way we shape our understandings of sexuality and sexual practices.

However, because understandings of sexual consent are mediated through these beliefs about gender and through normative sexual scripts, men are expected to fill the role of the initiator of sex and the initiator of consent. This becomes problematic. Instead of diluting or eliminating power dynamics between men and women who shared sexual relationships, it seemed to create a new avenue for men to express their dominance over women. In our study, many men reclaimed their power through their negotiations of consent. Instead of using consent with each sexual partner because they felt it was an important aspect of ensuring safety and healthy sexual communication, men decided how they would initiate the consent process based on (1) if it would be to their own benefit and (2) using it when women are deemed as deserving.

For example, some participants who were men emphasized getting consent when they felt it would flatter or empower the woman they were interested in. In an interview with Ryan, for example, Ryan discussed how showing women that he cared about their bodily autonomy was an important step in making his partner feel good. He explained:

Before I engage in a sexual activity, I always like to take a moment to just ask, “Are you okay with this?” and I find that women absolutely *love* when you ask them this because it reaffirms that they have autonomy but I would define it [consent] as evidence that someone really wants to take part in this, it doesn’t necessarily need to be a spoken agreement though”

Parroting popular rhetoric about women’s empowerment, sex positivity, and bodily autonomy, Ryan felt that by asking for consent, he did the work of reaffirming the women that he has had sex with. However, not only did he specifically use verbal consent because he believed women love it and will appreciate that he did it, but expressed that in the act of doing this, he was empowering the woman to do so. However, underlying the issue of empowerment is dominance— Ryan asserts himself as the one who is in control of how the woman feels about this encounter.

While Ryan’s statement leans toward embodying a newer, more liberal hybrid masculinity that Pascoe and Hollander (2016) discuss in their recent work on “good guys”, other participants embraced more traditional models of masculinity. Tito (age 29, Latino), for example, explained:

There’s definitely a weird phenomenon where if I were to say, “Do you want to have sex”, it’s definitely a turn off or a switch that it hits in the girl’s head where it’s like, “oh, no”... And I’m not saying in all cases but you run that risk for sure. I think it’s important to tell people that’s an option, that’s definitely important. But I think that certain types of girls will look at you like less of a man, I would say. They’d look at you like, you’re kind of soft. Like just “be a man”. I can think of certain girl’s that would say “Be a man. No. Touch me, grab me.” ...It’s just so subjective, it’s just so different with each person... Everyone has a different set of values and some people will really value that approach and others would totally despise it. I think its totally subjective and there’s no “one size

fits all” method. Your ability to adapt to the person your with and understand... I think a lot of girls like to feel like you’re in the lead of things and a lot of girl’s like to feel, in a weird way, taken care of.

For Tito, asking for verbal consent was not always necessary and would not make all women feel good. In fact, he believed that asking for verbal consent might threaten his masculinity because it would prevent him from coming off as sexually strong as some women might want. Worse, it might make him seem “soft” or more feminine. Therefore, Tito balanced his initiations of consent and sex based on what he perceived the woman he was with wanted. In situations in which he felt women would “really value” the approach of verbal consent, he would have decided to ask for consent. But because he believed consent is subjective, he would not always do so.

Other participants made similar negotiations based on how they believed asking, “Do you want to have sex” would come off to their partner. For example, when Steven (age 21, White) discussed his sexual routine with his ex partner, he stated:

We would just be hanging out and uh might just end up kissing or something. It would start kind of casually and you go from there. A lot—it's like we just be in my room cuddling like in my bed. She'd spend the night like semi regularly, and uh I just put my hand on her thigh, and she'd kind of move against me. And it was like, okay. It was like, it was pretty rare that she would be direct about that. And I don't like asking because it feels pushy 'cause [experiences in] the relationship I had before [this relationship].

In contrast to Tito, who was worried about coming off as not dominant enough, Steven was concerned about asking for consent because he felt he would come off as too assertive, which was a problem for him in his last relationship. Therefore, he would choose not to ask for consent, because he believed it would not appeal to his partner.

It was common for men to decide to initiate consent based on how they perceived their partner would feel about them asking for verbal consent. However, they would also use verbal

consent when they believed women deserved it. For example, Dave (age 28, Latino) mentioned how he had never thought to ask a woman for consent until he met his most recent girlfriend. He explained that the night he met his most recent girlfriend, he met her at a party and immediately felt like she was “different” from other women:

[When he asked her to dance] she still kept a distance, because there are some girls who allow the guy [to get very close]... but she, she made sure there was a distance.... but she still was, she was still friendly... Um, so she, she respected herself.

Because this woman seemed to be friendly but “respected herself,” Dave approached his first sexual experience with her differently than he had with other girls in the past. He explained:

I've had a, a time where, uh, I actually a few times, where because I was drinking, I became courageous and was very persistent [with another women] and never said “no”, but she still didn't do anything. So I assumed that it was okay. Like, okay, you, we can have sex. Um, so I never asked her physically, verbally, like, “Hey, do you mind if I unbuckle your pants?” Or “Hey, um, are you okay with me, you know, caressing you and this and that?” But with my first, with my second girlfriend—the recent girlfriend— I asked her. I asked her and I said, “Hey, are you okay with this?” Because it was different with her. Um, and I never experienced that. That was my first time ever experiencing actually asking her verbally.

Dave felt that his most recent girlfriend was someone who created boundaries, and thus, because of this, it would be better for him to ask for verbal consent, whereas with women who did not create those boundaries, he would not do so. Before ever having sex, this woman proved that she embodied qualities of femininity that Dave valued and appreciated. She had proved that she “respected herself” in ways other women had not.

Using consent with women who were believed to be deserving of it was discussed more crudely by another participant, Jason. He stated that he asks for consent but:

I don't really have experience much of like negotiating every little detail. Like, I've had girls who wanna take charge, and that's fine because I don't mind being, you know, on my back either, I suppose. But that sounds awful. You know, it's not- I've not really experienced with like micromanaging aside... from like, hit this way or hit that way, like that's about the most micro that I would understand. If she's like- and I certainly just



based off the communication- like, if she's like giving me like the “eye thing”, but I don't- that means nothing to me. Like, I frankly don't care [laughter]. If you can't verbalize it to me that I'm doing something wrong, or like you want me to do something else? Then it's just it's not important enough to you is what I kind of take from that. Because I know what I like, and I tell them what I like.

Jason ensured that he got consent, and earlier in the interview he mentioned that he “firmly believe[s] everyone's right to their bodies. It's their property and to do with it as they please.” However, in the scenario, he described having sex with a woman whose body language or eye contact expressed that the experience is not pleasurable to her but he disregarded it because she was not expressing herself in a way that he deemed worth of her attention. She did not deserve for him to check-in or make sure she was comfortable during the experience.

Within my analysis, I found that because men are associated with being the initiator of sex, they are also thought to be the initiator of consent. This idea is further reinforced because many pushes for affirmative consent policies emphasize the need for men to get consent to prevent the chance of misunderstanding their partner and accidentally inflicting violence (Muehlenhard et al. 2016; Jozkowski et al. 2013). However, in our study I found that this often leaves decisions about how the consent process is negotiated in the hands of men when they have sex with women. In doing this, men are able to perform a new, more palatable form of dominance work. As exemplified in each of these participant's discussions, decisions for negotiating consent can end up relying on how men decide to use their role as both the initiator of sex and initiator of affirmative consent. In this decision making-process, however, is not concern for healthy sexual communication, but rather decisions on how men can use affirmative consent to their own benefit. Not all of these situations are forms of sexual violence; however, each scenario exemplifies how men might use the issue of consent to maintain sexual power and

assert their own dominance. Because understandings of consent are mediated through sexual scripts, “consent” alone fails to negate the power dynamics between masculinity and femininity that are associated with sexual relationships between men and women.

### Creating Distance between Self, Assault, and Men Who Assault

As I have discussed earlier in this thesis, within the past decade we have seen demonstrable shifts within culture and institutions to help end sexual violence. According to Pascoe and Hollander (2016), this has resulted in a “identity crisis” among men— to fit in to current Western masculinities, men must work harder to distance themselves from being seen as a perpetrator of assault, while still symbolically engaging with the issue. In our study, men did this by developing different definitions for consent and by claiming that their use of consent made them superior to men who don’t use it.

Many participants in our study distanced their own actions and experiences from sexual violence by developing describing nonconsensual sex as being different than either sexual assault or rape. Take Jason (age 24), for example, who in the last section described a woman who he perceived as not being comfortable while they were having sex but disregarding it because she would not verbalize it. Jason described this from being different than experiences in his past where he had sexually assaulted women. He explained:

I definitely did- I definitely by, the textbook definition, sexually assault a few girls when I was younger... and it's like I was a gross person before. I've definitely matured quite a bit... And it's not that I didn't know what I was doing was wrong. I just suppose I didn't care what it was that I was getting out it, I wanted more than the than the “yes” or “no”.

In this quote, Jason talked about how much he had “matured”, seemingly writing off his youthful indiscretion while also acknowledging his own wrongdoing. In the past, he wanted more than a

“yes” or “no” but that was when he was not a good person. Now he was. As he went deeper into his explanation of an interaction in which he sexually assaulted someone, he explained:

Jason: ...I could totally- I totally got the vibes she was not cool goes going on. But she never said no, and that in my mind, I think was, whatever then... I was pretty direct and just like, this is what's happening. You're going to go along with this until you say stop, essentially, I wasn't going to *rape* her, but in essence I essentially did have sex with her, and I did know what I was doing was wrong... I think when you're that uncomfortable with something going on around you or like to you, I'm pretty sure you like, I don't know. I think it's a full body reaction, it's not necessarily just faces. I mean, she was just in all of the nonverbal ways saying stop. But just not being able to verbalize it.”

Despite claiming that he has changed, there are very apparent similarities in his explanation of the sexual assault he committed in the past versus the “consensual” sex he has now. In both situations, Jason perceived that a woman he had sex with were uncomfortable and in both situations he did not care unless the woman verbalized it, because he believed that it was not rape until she said, “stop” and he kept going. However, in both of these situations Jason benefited by not checking in and asking his partner if she wanted to keep going or if there was something he could do to make her more comfortable. Instead, he was concerned with his own sexual pleasure, but he felt that now that he is more “mature” and because he asked women for consent beforehand, now his actions are different.

Like Jason, many participants supported the belief that consent is defined by passive participation. This is congruent with many other studies that have looked how people define consent, with “lack of refusal” being the most frequently used way of defining consent (Muehlenhard et al. 2016, Jozkowski 2013 et al., Beres et al. 2004). While affirmative consent trainings seek to undermine this belief by defining consent as “enthusiastic,” people are left with the discretion of deciding what is enthusiastic *enough*. When participants’ understandings of sexual consent are mediated through sexual scripts that define women’s role in sex as passivity

and acquiescence, simply participating without refusal is believed to be enough enthusiasm for consent. And now, because Jason feels that now he is a better guy who understands that consent is important, he feels that he now uses consent appropriately while still discussing consent in ways that reinforces his own sexual dominance over the women he has sex with.

Unlike Jason, many participants did not acknowledge their actions or experiences with sexual assault but still engaged in or experienced violent behavior. This was because many participants (both men and women) felt that sexual assault is associated with physical force and other forms of physical violence. For example, John (age 24, Latino) said, “sexual assault almost sounds like aggressive. Well, I guess violent. It almost sounds violent.” Non-consensual sex, thus, is different. This was clearly stated by Ryan, who explained:

See when I sit here and logically think of it, I would say they're [nonconsensual sex and sexual assault] the same thing. But just on intuition, when I think of sexual assault, I, I think violence... unconsensual sexual activity and violence. But then I start to think of the legal definition of assault, and even the stuff I learned in college about consent, we had to go through courses and all that... I know it should be the same thing but I'm going to say it feels like it isn't the same thing.

Despite having gone through training and courses about consent that have taught him otherwise, Ryan expressed feeling like the term “sexual assault” is different from experiences of nonconsensual sex (which he defined as the inability to say “no” or a lack of enthusiasm for sex). His statement “it *feels* like it isn't the same thing,” presses upon an important underlying issue: simply changing the definition of “consent” does not necessarily change the meanings and symbols that have been attached to the term through sexual scripts and rape myths.

By relating sexual assault with physical force, some participants were able to distance their own actions from sexual assault through coercion. Because they would eventually get a “yes”, they believed their actions were consensual. Dave recalled:

Honestly, the times where I've had girls tell me, "Hey, I don't want to do this"... But I would go again assuming like, you know, she let me unbuckle her pants, maybe I can get further. And so that was my mindset and that was really wrong. But, um, that was my mindset. Like, okay, I'm going to continue. And I was very, I'm a very persistent person. So I was always persistent. I was always, you know, make like, making sure she's gonna hook up that night. But there was a few times where it didn't, it never happened. So I didn't force it. Um, but there was times where I was forcing it in terms of the persistence. Slowly but surely like, you know, letting the girl become more comfortable, giving her a drink. Uh, playing some music, you know, just kind of making the vibe a little more comfortable.

Although Dave felt like being persistent in these situations was "really wrong", he did not associate his actions with nonconsensual sex or sexual assault because although he used force, he never used physical force. He did not see coercion as a problem because he was always "making sure" he would eventually getting the woman to agree to have sex by making her more "comfortable". When asked about how he defined sexual assault, he explains:

I guess sexual assault would be more by force but I didn't use physical force. I think sexual assault would be, for me, more by physical force. And just, overpowering. Physically. Not just the conscious, sub-consciously. Because I think I did it more sub-consciously. And through, through, through, like, persisting... Taking away that decision of, of letting them make a choice. Um, physical, by using physical, physical like hands and force over somebody. In, in the inappropriate way."

In this quote, we see how he was able to distinguish his own actions from any form of violence. In conceptualizing nonconsensual sex and sexual assault in this way, Dave was able to distance himself from someone who would commit (what he believes to be) sexual violence because he would never physically force someone "in the inappropriate way". Furthermore, he was able to continue establishing his sexual dominance over women through methods of by wearing them down or "making them more comfortable".

By distancing their own actions from sexual assault, men who participated in our study were able to use their conceptualizations of sexual assault to maintain dominance over other women. However, they were also able to do this by symbolically engaging with the issue to

assert their dominance over other men, through mobilizing rape (Pascoe and Hollander 2016).

Men did this by distinguishing their own, superior understandings of consent from men who would commit sexual assault. For example, Ken explained:

If they hesitate at all, no they don't want that. Umm, and I think it takes, uh, like at one point if, if you're in the middle of it, and they, they stop, and you're kind of like... "Alright". So, I think it takes a man's man to be like "Okay, what's wrong? Do we need to quit?"... I just never wanted to be considered a raper"... You're, you're not a man if you do it.

To Ken, not getting enthusiastic consent was not only wrong but it was cowardly and not what a good—or even masculine—man would do. Only a “man’s man” is willing to show the courage, the respect, and the forthrightness to stop and ask for consent if they are with a woman who appears to be uncomfortable. In this statement, Ken mobilized rape to express his masculine superiority over men who would result to committing violence against women.

In each of these quotes, men in our study were able to distance themselves from the issue of nonconsensual sex or sexual violence by asserting that they were better— more mature, less violent, or more masculine— men than those who would engage in sexual violence. By engaging with the issue of consent in this way, these men embody a seemingly more palatable, less violent masculinities that are considered to be more acceptable within our social-historical moment, in which people appear to be quicker to call out sexual violence and in expectations of men are transforming. However, in the process of doing this, men are able to mobilize rape by using their conceptualizations of consent and sexual violence to express their dominance over women and other men.

### Dominance through Coercion

Many participants throughout the study brought up experiences in which they or their

partner used coercion, which is a well known and widely form of sexual violence within feminist literature (Sanday 2007; Jozkowski et al. 2017 Hattery and Smith 2019). However, much like Ryan and Dave (who were discussed in the last section) many of the men in our study did not perceive it as sexual violence—rather it is something that is just “really wrong”. In their recent book, Hattery and Smith (2019) explore the numerous ways in which men manipulate the definition of consent when they are not able to get consent.

In one technique, men would “work a ‘yes’ out [by] encouraging or forcing a woman to consent to sex either by talking her into it or plying her with alcohol” (2019:26). Much like Dave in the last section, men would work a “yes” out through “seduction techniques” such as giving the woman drinks, adjusting the lighting, and putting on music (27). The concept of seduction is safe, even sexy, within traditional sexual scripts. So in “working out a yes” in this manner men can claim that are not “forcing” a woman to consent, but rather, “setting the mood” for consent. However, most men in our study were not quite as smooth in doing this, most men would work out a “yes” by talking her into it. For example Steven talked about his own experience doing this with his first girlfriend:

I definitely like pressured M [his ex girlfriend] into having sex like a couple times... I don't think I ever went as far as saying anything like, you know, "It's your duty to do this." or whatnot but I guess I kind of expected a relationship— that I was always good about taking care of her needs, like that whenever she had asked, um and I- I kind of felt like that favor should be returned.... I would just ask like very insistently and repeatedly... Or like, you know, gesture whatnot. Like physical things like just kind of against her and uh... anytime she'd tell me no, I would stop, but I was like I definitely would like be very insistent sometimes. Like, "Come on, please?" I don't feel like... um I don't know if I would describe it as nonconsensual. I think it made her uncomfortable and made her feel like she had to, so.

In this quote, Steven felt entitled to sex because he would “take care of her needs.” This idea is

reinforced by traditional beliefs about gender, sex, and sexual scripts in which men are owed sex and women are expected to comply. But when his ex girlfriend would not comply, he tried to convince her through gestures and by continuing to ask her if she would have sex until she would say yes. However, he did not feel like those experiences were unconsensual because he was eventually able to get her consent.

Another technique men use to coerce women into sex was by trying to appeal to their emotions. For example, men would guilt women into having sex with them. Jessica (20, White) recalled:

So, we watched stuff off that. And like a few times, he would kind of lift up my dress to peak at my underwear. The first few times I was like, stop, oh my god', whatever. Then the fourth time I was like okay, I fucking said, "Stop, stop." And then he just looks at me with these puppy dog eyes and goes, "But it's my birthday". And my first thought was I could run upstairs but I didn't want it to like look weird that I was kind of like tearing up these stairs, or I can make him drive me home. But I lived across town from him. So, I'd have to be in the car with him for at least ten minutes, which I did not want to do. So, I gave in, we did it, whatever. We went back to my house. We went for a walk and all this stuff and he held my hand, kissed me on the forehead, called me angel. And I thought it was okay.

Jessica's boyfriend at the time tried to make Jessica feel like she had to have sex with him by reminding her that it was his birthday and, in turn, she should give him the gift of sex. While Jessica did not feel convinced by his attempt to make her feel guilty, she did not have another way to get out of the situation and eventually gave into him. After, he finally got what he wanted, he acted sweet and loving to her, in doing this he was able to convince her to not be upset with him for his earlier actions.

Carmen's (age 22, Latina) boyfriend, on the other hand, made her feel guilty using the argument that he would be negatively affected in the future if she did not have sex with him. Carmen explained:



I guess it's kinda tricky because I know when I was 14, I had a boyfriend who like from what I understand now I guess I was coerced? 'Cause it would always be, he would always tell me, "If you don't have sex with me, I will lose my sex-drive and I will never be able to get a boner again and I'll never be able to—I won't be able to have kids in the future and I need you to have sex with me, pretty much so I can satisfy, satisfy my satisfactions." And I'm like, I'm 14, I'm a freshmen in high school, I don't wanna do that, essentially the pressure of it—it was never like, "Yes, I want to have sex." It was more like I just did it because of the pressure from and some of my friends.

When she was younger, her friends and her boyfriend told Carmen that men *needed* to have sex in order to have the possibility to have their own children when they got older. People expressed to her that if she did not have sex with him, she would have potentially ruined his future. In doing this, Carmen's boyfriend harnessed the power of myths about masculinity (for example, men needing sex more than women) and was able to make her feel guilty enough to agree to have sex with him.

However, these experiences are not, and do not feel consensual—whether or not the other person eventually consents. For example, Samantha (age 23, White) talked about her own experience when a man worked out a "yes" from her:

We start listening to music, making out. We end up having sex. And then, a couple of days later, he asked me to come over. Again, we end up having sex. That time I didn't really want anal either. And I was like, okay, I could deal with it, it's not that big of a deal. But then the third time, I really didn't want it. And I kept telling him, "no". I kept telling him, "no". And he's like, "Please? Just for a little bit, 5 minutes" and I started—literally like set a timer on my phone— and was like, "5 minutes"... And I literally just like laid there. I made no noise, I just laid there and let them do whatever he wanted.

Although Samantha eventually said "yes", she clearly was not comfortable with the sexual experience similar to how Steven recalled how his ex girlfriend felt uncomfortable and forced into agreeing to have sex. Within this dynamic, verbal consent, thus, becomes a conquest in which men must figure out the combination to unlock women's "consent"—men discussed in our study work out a "yes" either through trying to seduce women and "make them comfortable"

or by pressuring them in hopes that their partner will be so uncomfortable, they give in (Jozkowski et al. 2017). Because sexual consent is mediated through traditional beliefs about gender and power, women are expected to support men's sexual wants, needs, and desires with less concern for their own.

### Femininity and Consent

As with the men, the women in this study also conceptualized and negotiated consent in gendered ways. Unlike the men, however, women contested traditional sexual scripts in some ways, even while affirming them in others. In particular, women in this study grappled with consent in three ways. First, through embracing women's identity as sexual agents. While historically women have been shamed for embracing their sexuality, new attitudes on women's sexuality might be due to changing viewpoints on sexual morality, in which people are less likely to overtly shame women for participating in casual sex (Fjær et al. 2015). Moreover, this also might be a result of the emphasis on women's sexual empowerment within the feminist movement (Dyhouse 2013). Conversely, women affirmed traditional sexual scripts by engaging with consent through the normalization of violence and by consenting to unwanted sex. I will build off feminist theories of sexual scripts to explore how our participants' beliefs about the changing relationship between femininity and consent reinforced hegemonic systems of power in relationships between men and women in some ways, but did not in others.

### Women as Sexual Agents

Unlike other studies on femininity and consent, most women in our study did not report feeling ashamed of their sexuality (Jozkowski et al. 2017; Jozkowski et al. 2013). Most

women in our study did not seem to think their own participation in casual sex was abnormal or uncomfortable and many women talked about having experiences in which they hooked up with men, and found it extremely rewarding. Tina (age 28, White), for example, told the story of her first hookup:

I'm like this huge feminist, like ... and he kind of like sized me up and down and said I was attractive and he was just a jerk, but it felt super empowering. And we ended up hooking up in his car. And I was very like, "Do this do this, no you're not gonna do that. You do this or blah blah blah." And so, um ... it was a very empowering, good experience and ... Like it was like a new cool experience.

Tina expressed much of the attitude feminists have called for. In the scenario she recalled, she expressed feeling great and “empowered” after having her first casual sexual experience. It was a good experience in which she was able to tell the man specifically what she wanted during the hookup. In this scenario, Tina particularly took pleasure from knowing she was able to assert her own needs. Unlike other studies that have discussed women feeling unable to enthusiastically consent to casual sex without the assistance of alcohol, women in our study did not discuss this much.

This might be due to changing beliefs about women’s sexual disinterest and due to the formation of new hybrid-femininities within hookup culture. For example, Carmen said:

Well I guess we’re all very proactive when it comes to hookup culture, so we don’t find any stigma behind it but we also know it has to be a mutual agreement. So I know I have friends that, who whenever they hookup with someone they also have that discussion it’s like, “Oh, we agree abo—we agree about having sex having sex and hooking up and we know it’s gonna happen” rather than it being a surprise.

Carmen explained that her and her friends did not stigmatize people for having casual sex.

Rather, they prioritized each other’s safety and consent. Similar to how Pascoe and Hollander (2016) discuss new, hybrid masculinities in which men must distance their own masculinity from ones that are violent in order to fit in to our current social-historical moment, it is possible that

new hybrid femininities are forming in which women are more able to express their sexual freedom within hook-up culture.

But still, even though women did not seem to be overtly shamed for participation in casual sex, some women did do boundary work to distinguish themselves from women who participated in hook-ups. For example, while Mary (age 19, Latina) talked about her previous roommate, who had hooked up with twelve men while they lived together, Mary said:

Mary: [People hook-up] mostly through Tinder, that's what my second roommate did.

I: Okay, and did she hookup often?

M: Yes... yes she did [both laughing] I'm not—I wasn't judging at all... I mostly spend the night in my boyfriend's room so I'm like, "Do what you want, I'm not gonna hear it".

Mary was sure to clarify that she did not believe there was anything wrong with her old roommate having many sexual partners. But when asked about her own experiences with hookups she explained, "No, no I'm not that kind of—I don't think I could do that." In this quote, she makes a distinction between her and women who *could* do that, without ever specifically shaming women who did have casual sex. According to Fjær et al. (2015), this type of symbolic boundary work allows people to participate in liberal conversations of women's sexual agency, while also upholding sexual double standards.

Furthermore, within a society in which men feel that they are entitled to sex and there are few repercussions for sexual violence, women's expression of sexuality does not prevent them from unequal power or protect them from sexual violence. For example, while discussing the same hookup experience Tina mentioned "empowered her," she also explained that after doing that:

He got like super creepy afterwards, um, and was saying really creepy things and ... so anyway, so then I kinda cut it off, like myself, and was okay with it. Because then he, um,

this guy kept texting me and would not leave me alone. Um, and I ended up changing my phone number because of him and my ex, who were harassing me at the same time. So it was like good experience/bad experience.

In this quote, Tina discussed that her engagement in that extremely “empowering” hookup also led to “creepy” behaviors from the man that affected her so much, it contributed to her needing to change her phone number. In the next two sections, I will address how the current emphasis on obtaining consent fails to prevent women from experiencing sexual violence and neglects women’s relationship with unwanted sex.

### Normalization of Sexual Violence

In research on women’s experiences in public and in private, it is found that women havenormalized sexual violence (Jeffrey and Barrata 2017; Hlaveka 2014; Jozkowski et al. 2014). From a young age, women learn to believe that men have insatiable sexual appetites and that being a woman will subject them to at least a small amount of sexual harassment or unwanted sexual attention from men (Hlaveka 2014). This has been found in studies that investigate women’s experiences with sexual harassment and sexual assault in public spaces, as well as in private spaces. For example, when attending bars, clubs, and college parties, women are prepared for and expect to experiences a specific level of harassment, assault, or certain level of un-safety (Snow et al.: 1991). However, women do not see themselves as victims within these scenarios, rather they are socialized to expect this sort of behavior from men from young ages and accept this as a fact of life.

Simply by attending parties or participating in hook-up/ dating apps such as Tinder, participants in our study perceived that women were, “consenting” to unwanted, non-consensual behavior. For example, Samantha explained:

I don't really go but...I hear about the butt grabbing. I hear about like guys, just starting to grind on girls that they don't even know. Like, the biting thing is apparently really common in some black fraternity, I guess, And the sorority girls are like, "Yeah, my mom even told me that's going to happen to me". And I was like, "Oh my god". Like because like their mom was in the sorority, or whatever.... This is a tradition. I was like, wow that's pretty shitty. [laughter]. Oh, by the way, "When you go to the party, just let the guy bite your ass". Who does that?

In her interview, Samantha explained that she did not really go out to fraternity parties because she knew that it would lead to being grabbed, grinded on, and possibly bitten by men. However, other women who do go to these parties are forewarned and still "consent" to go and thus *should* "just let the guy bite [their] ass". Obviously, going out to drink, have fun with friends, or meet new people should not end in sexual assault or unsolicited sexual behavior. But still, women have normalized this, as is evident by Samantha's friend in a sorority and her mother who warned her about the fraternity's "tradition".

Because rates of sexual violence against women are so high— one in six American women have been raped and/ or have had an attempted rape (which does not account for all sexual violence)— college campuses and other institutions have tried to enforce sexual assault prevention strategies (RAINN 2016). Historically and even today, most sexual assault prevention strategies have targeted women and strategies they should use to prevent themselves from experiencing assault. However, these trainings begin long before college. In her interview, Tina reported:

[In high school] We had, uh, self defense classes in PE, that was it. For- and the women. They separated the- the girls and the boys, the guys got to go play basketball while the girls got self defense lessons.

Tina's high school experience surely was not the first time she had been warned about women's exposure to sexual violence. Her mother, who is a nurse, spoke to her about issues of sexual violence and consent years earlier. However, Tina's quote begins to show one of the roles

institutions play in normalizing violence against women. Even before college, women are taught to expect a certain level of non-consensual behavior in which they must protect themselves from.

Of course, other women talked about similar trainings and their own strategies that they used to protect themselves from nonconsensual behaviors at parties and bars. These strategies include not letting women go out alone, monitoring one another's drinking, self-defense classes, and preventing them from having sex with men when they are too intoxicated. For example, Ana (age 19; White) explained:

One thing that I really love about my sorority is that our girls look out for each other and also, for other girls. Like if a girl has had quite a few drinks and you know, it's very easy to tell when they're walking, you know, very slumped they're holding a wall, and then talking very slurred, and they're trying to go home with a guy. You know, a good majority of our girls will stop that. And you know, they'll call the girl an Uber or will take them home personally that sort of thing. So usually, it's, you know, you're tipsy or you're like barely getting to the point where you're drunk is when girls will hook up. Anything past that as not really- before that a lot of girls like I said, well hook up sober. Just because they want to have casual sex.

Similarly, Maddie explained:

But like if we're at parties we always, no girl is ever allowed to go by herself especially. And usually two girls aren't allowed to go together, it's usually in a group, you know?

Women in our study discussed looking out for both themselves and other women when attending parties because they expected men to try encourage women who are too drunk to consent to have sex with them. Unlike men, women did not see this as particularly exceptional behavior or like they were defending or protecting their friends. Rather, these experiences were a normal part of campus life. Women in our study were highly aware of men's normalization of sexual aggressiveness in off-campus and bar settings. Similarly to Samantha's friend, when going to parties these women understood that, men might perceive that this was "consent" for their attempts to make unwanted, and often, unwanted advances toward women, because men's sexual

aggression has been normalized. However, women in our study did not feel that this made them “victims” of violence nor, by going to these parties, did they simply “allow” men to grope or assault them. Rather, this violence is understood to be a normal part of women’s experience that they must prepare for and manage.

Women in our study also normalized their interpersonal experiences with sexual violence. This is likely due to compulsory heterosexuality and sexual scripts in which heteronormative discourses about gender relate women and femininity to passivity, submissiveness, and acquiescence of men’s needs (Butler 1999, Connell 1987, Hlavka 2014). Within sexual scripts and compulsory heterosexuality, men are not only expected to be dominant initiators of sex while women are gatekeepers of it, but these roles are assumed to be a natural phenomenon that should not be challenged often. Furthermore, because men’s sexuality is associated with aggression and dominance, men’s non-consensual advances are understood to be a “customary” as are women’s acceptance of these behaviors (Halvka 2014). Thus, women and men are socialized to believe and accept that sexual violence is a normal—even natural—behavior.

We came across this frequently in our study. Similarly to how men did not perceive their own actions as problematic when engaging in coercive or controlling behaviors, women often did not see these experiences as problematic. Erica (age 23, Asian) recalled one story of this happening to her:

The sex was all like consensual and everything but like a certain aspect of it I guess surprised me [she later mentioned he penetrated her anally]. And I wasn't like... like I felt like ce- certain things you should maybe ask first, rather than like, "Oh surprise. You know here's this." ...I didn't say anything though. I just kind of like let it happen. I tend to try to want to cater to the other person's like sexual kinks and things like that.



In this quote, Erica's sexual partner "surprised" Erica with anal sex. While she did not consent to this, she did not feel like it was sexual assault, especially because she was already having consensual sex. Despite this legally being sexual assault, Erica saw this rather just a "kink" that the man had, thus she did not stop him, even she was not comfortable with having anal sex. In this scenario, the man's "surprise" was not sexual violence but was rather an inconvenience that she had no choice to accept.

Other women normalized men's unwanted sexual violence by comparing the experience to other violent experiences they had. Tina mentioned:

He like put his arm around my neck, like that choking thing, and I was like, "What the hell are you doing? No." And then he got a little more aggressive and then finally stopped. So it's ... so I ... do you ever—I don't know how to say it, where, um, you say, "Okay, this did not make me feel comfortable, but it wasn't bad as this. Or it wasn't bad as my sexual assault."

In this experience, Tina felt uncomfortable with the man's aggression and asked him to stop but he continued anyway. However, she did not feel like she needed to worry about it because it did not compare to other forms of violence in her life. Because Tina had been sexually assaulted in the past, and she did not feel like this experience was as bad, she dealt with it and moved on.

Women also reported their friends having experiences such as this. For example, Maddie told a story of one her friends being assaulted (Or as more eloquently stated by the current president, "gabbed by the pussy"):

One of my friends was at a party and a guy was like sitting next to her, and he like put his hand on her thigh and stuff. And then she like got up to move away from him and he followed her. And then he like stuck his hand down her pants. And she was like, "No I don't want this." And then finally somebody had to like take the guy like off of her... people around her were like, they like, she like talked to my one friend that I knew that was there, she talked to her like all night, and they were just saying like, "Are you okay?" And like they kept asking her, "Are you okay?" And she kept saying that she was okay, like she didn't really mind about it, which is concerning to me like that she didn't care that somebody did that to her.

According to Maddie, her friend “didn’t really mind” that she was sexually assaulted, despite other people around her showing extreme concern. While it is hard to truly know what her friend was really thinking, to Maddie, her friend did not believe that this experience was a form of violence and did not perceive that her safety was at risk while she was being groped, despite even saying “no”. Maddie went on to say:

And like, so like sometimes like they [men] just don’t know that “no” is no. You know? And they think that just because you're like standing there and you're not like hitting them, that that's yes. You know? Some people don't know what like no is.

Maddie blamed this behavior on some men’s lack of awareness about how to ask for consent and listen to women’s refusals. Her explanation relied on the assumption that sexual assault is due to miscommunication, despite this belief being unfounded in social science. However, more rather due to compulsive heteronormativity and essentialist beliefs about men’s sexual aggression.

While some participant’s used the belief that men just don’t “know” what women’s refusals look like unless women use physical force, other women argued that men “just don’t know any better”. When Toula discussed this, she explained:

I find it hard to blame the person and not the system of education behind it. [Consent is] very not simple, especially with the pack mentality of men or of maleness; in that if you are- it's like how people used to smoke cigarettes when they were pregnant. They just didn't know. So, patting your, you know, secretary on the bottom is gross. And you know, maybe they've always been comfortable with it, but if you're seeing your boss, and your coworkers and all of the men in your life do it; well, that's just something that happens. That's something people do.

Toula insisted that because men are socialized to believe that sexual assault and sexual harassment are normal. And to an extent, she was correct. As already discussed throughout this paper, masculinity has long been defined by men’s sexual aggression and domination over women. However, unlike women who used to smoke while pregnant in the 1950’s, men know that sexual assault and other forms of harassment are illegal. So, while she was right to point out

that we live in a system where men are socialized to accept and participate in a system of sexual violence, unlike Toula, I do not agree that it is quite as hard to blame men who sexually assault other people.

Despite these experiences not truly being consensual, women expect to be subjected to them as if they are simply a “consequences” of being a woman in a patriarchal society, in which masculinity has historically been defined as sexual aggression, dominance, and entitlement to desire and femininity is defined by passivity and submission (Butler 1999; Connell 1987; Hlavka 2014). Women in our study felt that by living in, going out, and engaging in sexual activity they had to expect to experience some non-consensual behavior. However, rather than feeling as though these were experiences in which they were victims of violence, these experiences were a normal part of life. These beliefs were fueled by assumptions that men misinterpret women’s refusals and do not “understand” consent in the way that women do.

### Consenting to Unwanted Sex

Studies have found that women will often consent to and engage in unwanted sex because they feel that it is an obligatory part of maintaining a relationship (Jeffrey and Barata 2017). In these cases, women discussed unwanted sex as if it was rather a fact of life, rather than due to underlying power dynamics and were not bothered by their participation. While many of these experiences are “consensual” (others are obtained through measures of coercion), we must ask ourselves why are women willing to consent to unwanted sex? This is due to both interpersonal pressure, as well as social pressure. Within the traditional sexual script (sexual scripts between men and women), women’s sexuality is expected to be driven by their love for or interest in pleasing their partner— who supposedly has a much higher sex drive— therefore, they

become the gatekeepers of sex (Jozkowski 2013; Rostosky and Travis 2002). Thus, within traditional sexual scripts, women consent to unwanted sex to please their partner and maintain relationships.

Within Muehlenhard et al.'s (2016) literature review, these experiences are explored within a framework of wantingness versus willingness, in which even though individuals might not want to have sex, they will be willing to do so. Mary discussed this idea as she told her interviewer about a friend of hers who frequently has unwanted sex:

So she wants more than just sex, so maybe every time she goes over there she is not like “Oh, I wanna have sex right now” but that’s what ends up happening. So like, I don’t think that... it is [nonconsensual], because that’s not what she wants, but I feel weird because she’s letting them do it. You know? Like I feel like, if you don’t want it, say you don’t want it. Like it doesn’t have to happen and you know... but like with her it’s such a fuzzy area because I’m like, “just say ‘no’”. It’s not something she wants to do, but will.

Mary explained that her friend is willing to have sex with men, despite not always wanting to do so. However, Mary struggled over identifying whether or not this is consensual because her friend does this specifically thinking that it might lead to a relationship. Whereas, this is not the same motivation of the men she hooks up with. This quote begins to point to the uneven power dynamics in which unwanted (but consensual) sex can often be framed within.

Participants discussed women who had sex in order to please their partner often. This included women consenting to unwanted sex and specific unwanted sexual acts within consensual sex. For example, Erica explained:

I try to be you know go with things. I, I don't think I've ever really been like, like verbally like said something was uncomfortable or stopped him or anything like that. Like even if it is uncomfortable. I've done things that are uncomfortable for me just to try to please the other person before too I guess.

Erica felt like it was very important to please her partner during sex, even if it meant she was uncomfortable with what is happening. While she might not have enjoyed— or even wanted —

those experiences, she felt that she consented to them because they brought her partner joy or sexual pleasure. Steven also recalled his most recent girlfriend doing this. He mentioned:

She pretended like she was enjoying it quite a bit which I think she, you know, she was just trying to make me happy. Um and then I think we got in a fight or something and she kind of admitted that you know, she'd been lying the whole time. It just didn't feel like- she said it just didn't feel like anything... Um which is still- I- I don't understand it. Um but... so it was kind of- sex became the thing that she would do to make me happy, and I wasn't entirely comfortable with that, 'cause that wasn't the kind of uh like sexual relationship I wanted.

Steven's girlfriend did not only participate in unwanted sex but pretended she was enjoying it, in order to make him happy and fulfill his needs, even if it did not fulfill her own. Despite both of these participants discussing unwanted sex, these experiences are described as being completely consensual—possibly even in ways that come off as enthusiastic. However, affirmative consent policies fail to acknowledge underlying power dynamics that exist and create conditions in which women would agree to unwanted sex. Femininity is still very much linked to people pleasing and nurturing the needs of men (Jeffrey and Barata 2017; Jozkowski et al. 2017). This is particularly true for women in relationships. For example, Ken explained:

There have been situations with like my ex-wife where we've been in this conversation, and it's kind of like...um, "well, let's just do this cuz you're my husband." And, and at the time, I was like "Okay, yeah, we're married, yeah, it's fine.

When in relationships, women feel particular amount of social pressure to perform sexual acts or consent unwanted sex with partners who are men (Muehlenhard et al. 2016). This might be due to compulsory heterosexuality. As explained by West, "the compulsion in 'compulsory heterosexuality' creates constricted identities, and expectations, and certainly social roles, all of which in turn might elicit consent to sex" (2008:10). Social pressure within compulsory heterosexuality is hard to identify; however, extremely pervasive because it is a force of power that cannot be immediately seen or as identifiable as coercion and forms of physical force. Within this

institution, women are expected to consent to unwanted sex because of expectations of fulfilling men's sexual needs.

Similarly, women discussed participating unwanted sex because they had previous, sometimes intoxicated hookups with another person. Chance (age 27, Black) stated:

I think if you have a hook up that wasn't necessarily intended to be a hook up, it almost feels like you have to redo it, like in a better state of mind, whether that's sober or less drunk. It's almost like well what happened with this first hook up? I'm not really sure. Let's see again... I think it's just interesting how some people kind of get coerced into continuous hookups, even because then they think after the first hook up, the person may feel comfortable to kind of convincing you to hook up after that in other situations, and they don't necessarily consider that- you may not have wanted the first hookup, nor did you really plan for that.

In her interview, Chance talked about being sexually assaulted by a man while she was drunk one night. After her assault occurred, she felt pressure to continue having sex with this person. The person convinced her to "consent" by reminding her, they had already had sex before. Moreover, Chance felt pulled to "redo" the situation because she had hoped it would have a better outcome the next time around and she hoped it might help her better understand her first encounter with that person. In her discussion, Chance identifies two separate pressures that lead her to eventually consent to unwanted sex: interpersonal pressure and social pressure. The interpersonal pressure (the man convincing her to have sex because they had already done it once) was based off the common belief that if someone consents to sex once, they continue to consent to sex having sex. While the broader, less identifiable social pressure (the need to "make it work"), is influenced by expectations of femininity in which women are expected to maintain and nurture relationships to the best of their abilities.

Participants in our study also discussed feeling pressured to consent to men's sexual advances because they "owe" men for buying them drinks and spending time with them. Maria

(age 21, Asian) developed an interesting analogy for these situations:

Maria: So it's like that meter is like filling up, and it's like they get like ten points for like getting their number and they get like another- they'll get fifteen for like, I don't know, like getting them like a drink. And then like having them like laugh, and like telling a joke and like having them flirt with you. And it's like eventually gets to a hundred. It's like, "Damn. I'm done. It's time." [But if you deny them] Then it's like they lost their meter. Yeah it's like the points are gone

Interviewer: What happens if the women are saying no?

Maria: It's like, I don't know. It's just like get shamed. They get criticized and they get like- they kind of spread a terrible word about them. Even if like some stuff that's not true. Because guys will be like, "She's giving me all these like signals." And it's like, "This obviously means like I'm supposed to go in. But then when she tells me no, it's just stupid and she doesn't know what she wants." You know.... Like that'll be like a common like criticism.

Maria spoke from what she perceived was a man's point of view would be while at a bar, in which the man spent his time, money, and attention on a woman and then expected to get some sort of sexual experience out of it. In the end, if the woman denied the man, she must feel guilty for not consenting to sex or for refusing to have sex with them. This is because women are expected to want— or at least consent— to sex after men engage in this process. Women are perceived to owe men for these behaviors, and if they do not pay them back, they wasted his time and if they waste the man's time, and might experience some amount of retaliation or slander.

Other women participated in unwanted sex in order maintain relationships and to prevent conflict. Lauren (age 22, White), for example, talked about her friend consenting to unwanted sex:

And she did have a sex partner, they weren't dating or anything, but they just like had casual sex for two years. And he like scared her. And so she like kept having sex with him because he scared her, and she didn't want him to like, like scare her more. I wouldn't say he was physical with her at all, but he was probably like verbally abusive. So I think that's how she would say like he would scare her. And he would get like really angry.

Although it is unclear if there was any specific coercion within the situation Lauren described between her friend and her partner, she explained that her friend continued to participate in unwanted sexual experience to avoid making her partner angry. In this situation, for Lauren's friend, consenting to sex was a way to protect herself from her partner's temper. She felt that refusing to have sex was potentially more dangerous or would lead to a conflict that would be more difficult to deal with than unwanted sex.

Other women discussed consenting in unwanted sex to prevent their partner from leaving them or cheating on them. Mariah (age 20, Black) explained:

Um the first guy I slept with, it wasn't even necessarily supposed to happen. I legit slept with him so he wouldn't leave me... we originally was supposed to have sex because he just plain out told me like, "If you don't have sex with me, you can't be my girlfriend." The first two times we had sex- the first time we have sex was actually because he complained, obviously. And I feel like as females, we are taught, like, it's been ingrained. We are taught to be pleasers and we're taught to like give in. Like I feel like it's a part of like social like conditioning. Like 'cause I mean, even when I was talking to my friend about the situation, he was like, "Oh, well, if he goes and cheats, then you know, it's kind of like-" No.

Mariah was specifically told she could not achieve the relationship status she was seeking, unless she agreed to have sex with the man she was interested in. Her partner felt that he was "owed" sex just by agreeing to be in a relationship with her. For Mariah, participating in unwanted sex was a "trade-off" for getting the attention and affection she wanted. Not participating in unwanted sex or specific unwanted sexual acts comes with very real consequences they experienced for not Mariah discussed enduring rough, painful sex in order to prevent conflict and to get the love or affection she desired from her boyfriend:

Sex with him became very rough. The last time we had sex, he got mad at me because I told him um it was really hurting [and made him change positions]... he wouldn't cuddle me anymore... Like, he completely stopped cuddling. He would turn on the other side of the bed with his arms like this crossed up like he was a two-year-old.



Mariah was ultimately “punished” for not having sex with the man in the way that he wanted to have it. Despite continuing to have unwanted sex, she was no longer able to get the outcome she wanted to get out of it. Thus, we see there are very real emotional consequences when women do not participate in unwanted sex.

There are many reasons why women will consent to unwanted sex, and many times, this does not necessarily make them victims of sexual violence. Women choose to participate in the sex in order to get something out of it themselves: pleasure knowing that they made their partner feel good, the avoidance of conflict, their partner’s affection or other displays of intimacy, etc. And moreover, not all of these experiences violate affirmative consent policies (although some, like Mariah’s experience, definitely do). However, entangled in each of these issues are systems of power in which women privilege and nurture men’s sexual needs over their own or choose to “consent” because of men’s physical or emotional dominance over them.

## CHAPTER 7

### DISCUSSION AND CONCLUSION

We are currently in a time in which expectations of masculinity and femininity are rapidly changing. The feminist movement moving into the mainstream culture of the United States has encouraged more women to express their own sexuality more freely, and discouraged men from blatantly engaging in sexually violent behaviors—or at least forcing them to find covert ways of engaging in it (Dyhouse 2013; Pascoe and Hollander 2016). Meanwhile, issues of sexual consent are at the forefront of political, social, and personal discussions. It is the hope of many feminists that by developing and teaching individuals about affirmative consent, we will begin to reduce the amount of sexual violence that women experience. However, we must be hesitant when accepting this tactic as a method of preventing sexual violence. First, because affirmative consent rests on the fallacy that sexual assault occurs because people do not understand sexual refusals (Kitzinger and Frith 1999; Muehlenhard et al.). Second, because as expressed in this study, it fails to dismantle the systems of power that facilitate sexual violence and men's dominance.

While exploring the sexual scripts used by participants in this study and the ways in which gender played out within participant's framings of sexual consent, I found that participants' understandings of consent reinforced—rather than destabilized— hegemonic systems of power within sex. While engaging with masculinity and consent, participants performed masculinity in four ways: 1) by emphasizing men's role as a protector (2) negotiating

if/when to use consent (3) distancing men's actions from assault (4) and through methods of coercion. Within these discussions, participants exemplified the ways in which participants were able to use their understandings of consent to display their dominance over women and other men, while also appearing to maintain seemingly progressive, liberal, and even feminist values. Meanwhile, participants emphasized femininity in three major ways: (1) through embracing women's identity as sexual agents (2) through the normalization of violence against women (3) to consenting to unwanted sex. In doing this, women were seemingly less stigmatized for their participation in casual sex, but were also reasserted in their position as gatekeepers of sex, who are submissive within sexual interactions with men. Therefore, my analysis finds that, in practice, consent fails to breakdown hegemonic power and is reframed in ways that benefit men.

While affirmative consent attempts to continue the fight for sexual liberation by promoting verbal consent, enthusiasm, and the freedom to say "no", it fails to undermine cultural ideations of sexual practices, as well the expectations of gender performance, in which men are able to express their dominance over others. In other words, it fails to transform the conditions that perpetuate men's sexual dominance in the first place. I argue that this occurs because perceptions of affirmative consent are mediated through sexual scripts and gendered power, in which expressions of masculinity include entitlement and dominance within sex, while femininity is expressed through acquiescence to men's needs, nurturing, and passivity. If this is the case, we must re-envision the ways in which sexual consent can—and should—be used within feminist discussions of sex.

### Broader Implications, Limitations, and Future Research

This research suggests that, although participants might understand and even use the definition of affirmative consent, cultural sexual norms prevent it from embodying the feminist values that it is hoped to: bodily autonomy, sexual positivity, and positive sexual communication. Obtaining sexual consent does not account for the barriers needed to eliminate power dynamics within sexual relationships and might not even prevent sexual violence. If this is the case, obtaining consent is not enough. We must also ask: who is consenting? And why? What conditions created their consent? How can consent be reframed to support the current power structure? To truly create a society in which there are more equal power dynamics between men and women engaging in sexual relationships, we must breakdown the institution of gender itself (Butler 1999).

This study has many limitations, one of which is that it is not generalizable to larger population outside of students, there is some potential for generalizable patterns of college students, that could be further explored. Furthermore, a content analysis of Title IX and consent training materials would have contributed well to this study, in order to serve as a better understanding of how the university either promotes or tries to push back against these gendered frames. However, this was not possible to time limitations.

Lastly, there are still many questions surrounding the issue of sexual consent. Future research should continue to explore the ways in which people conceptualize sexual consent in their own lives, as well as how these conceptualizations support or undermine sexual health. Furthermore, researchers should explore the ways in which seemingly progressive pushes—such as bystander awareness programs—undermine feminist values. For example, in what other ways

might the practices of these initiatives reinforce men's dominance over women? Other men? People who are gender non-conforming? How might these be used to police black and brown bodies more heavily than white bodies? How might they neglect the experiences of those who are affected by sexual violence who are not women? And if these policies do allow for the persistence of hegemonic forms of power, what can we do to prevent them from being used in this way?

### Final Thoughts

The use of affirmative consent is important to developing sexual communication in which partners can openly express and negotiate their sexual wants, needs, and desires. However, consent is only one part this, or rather "one box to check" within the movement of sexual liberation (Fischel 2019:10). As feminist activists and scholars, we must continue to interrogate, trouble, and "screw" consent (Fischel 2019). We must recognize consent's ability to foster better sexual communication, while also remembering people's ability to reframe consent in ways that support hegemonic power between men and women. And finally, we must continue to seek out radical and imaginative ways to break free from the systems of power that continue to allow sexual violence.

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APPENDIX A

PARTICIPANT RECRUITMENT FLYER

**let's  
talk  
about  
sex**

The first 50 participants receive a \$10 incentive

Interviews last about 1 hour

to schedule an interview or for more information contact

Dr. Kristen Myers  
kmyers@niu.edu

Dr. Patti Wallace  
pwallace@niu.edu

Qualitative  
Research On  
Intimate  
Relationships In  
College

using the subject line:  
Relationships Interview

APPENDIX B

PARTICIPANT RECRUITMENT CARD

<p><b>“Let’s Talk About Sex, Baby”</b></p>	<p><b>For more information:</b></p>
<p><b>Qualitative Research on Intimate Relationships in College</b></p>	<p><b>Kristen Myers: kmyers@niu.edu</b></p>
<p><b>\$10 for one interview that will last about 1 hour</b></p>	<p><b>Patti Wallace: pwallace@niu.edu</b></p>
	<p><b>Julia Metz jmetz@niu.edu</b></p>
	<p>Please put “Relationships Interview” in the subject line.</p>

## APPENDIX C

### PARTICIPANT LIST AND BACKGROUND INFORMATION

<b>Pseudonym</b>	<b>Gender</b>	<b>Race/ Ethnicity</b>	<b>Age</b>	<b>Gender of Partners Discussed</b>
Anna	Woman	White	20	Men
Samantha Rose	Woman	White	23	Men
Rick Sanchez	Man	Latino	24	Women
Toula	Woman	White	24	Men and Women
Chance	Woman	Black	27	Men and Women
Jason	Man	Bi-racial	24	Women
Ana	Woman	White	19	Men
John	Man	Latino	24	Women
Axel	Man	White	27	Women
Julia	Woman	Latina	24	Men
Abby	Woman	White	22	Men
Christian	Woman	Black	19	Men
Eric	Man	White	21	Men
Steven	Man	White	21	Women
Maria	Woman	Asian	21	Men
Austin	Man	Black	20	Men
Lauren	Woman	White	22	Men
Mariah	Woman	Black	20	Men
Dave	Man	Latino	28	Women
Maddie	Woman	White	18	Men
Titan	Man	Black	19	Women
Erica	Women	Asian	23	Men
MJ	Man	White	28	Men
EE	Woman	White	22	Men
Tina Parcel	Woman	White	28	Men
Charlie	Man	Latino	22	Women
Ken Adams	Man	Bi-racial	30	Women
Teresa	Woman	White	47	Men
Ryan	Man	White	21	Women
Victoria	Woman	White	21	Women
Austin	Man	White	21	Women
Paul	Man	Asian	28	Women
Ghost	Man	White	36	Women
Elise	Woman	White	23	Men
Rose	Woman	Bi-racial	27	
Sara	Woman	Black	22	Men
Tito	Man	Hispanic/ Latino	29	Women
Wanda	Woman	Hispanic/	21	Men

Carmen	Woman	Latina Hispanic/ Latina	22	Men
Mary	Woman	Latina Hispanic/ Latina	19	Men
Alex	Woman	Bi-racial	22	Men
Johnathon	Man	White	27	Not specified
Leah	Woman	Black	21	Not specified
Anne	woman	White	21	Both
Willow	Woman	White	25	Men