

Exploring the Nuances of Sexual Consent Communication & Interpretation

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Introduction

- Though many different tactics have been used to ascribe a definition to consensual sexual behavior, the definitions that have been used tend to provide a unidimensional, rote systematic concept of what sexual consent is and how it *should* be practiced
- This study aims to deconstruct the formalized notion of consensual behavior and attempts to attain an understanding of how nuanced the communication of sexual consent can be in “real-world” settings.

Literature Review

Hall (1998) found that college students reported consenting to sex primarily using nonverbal behaviors. Interestingly, these participants indicated that they communicated consent in different ways depending on the type of sexual activity being initiated: the more intimate the activity, the more frequently consent was communicated verbally.

Hickman & Meuhlenhard (1999) defined consent as “freely given verbal or nonverbal communication of willingness to engage in sexual activity”. Under this definition of consent, it is clear that sexual activity occurring under duress, threat, or coercion would not be classified as consensual sex.

As Shumich and Fisher (2018) point out, there are no behaviors that are universally used to signify consent to sex. Some scenarios, such as certain acts within the BDSM community, may be consensual even when partners are verbally indicating that they are not, meaning that even a verbal ‘yes’ or verbal ‘no’ to sex cannot be taken as an inclusive, parsimonious means of describing consent (Shumich & Fisher, 2018).

Literature Review Cont.

“an internal state of willingness, as an act of explicitly agreeing to something, and as a behavior that someone else interprets as willingness. ” Meuhlenard, Humphreys, Jozkowski, & Peterson (2016)

Jozkowski et. al. (2014) described sexual consent as being two people agreeing to and willing to have sex with one another.

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Methods

- Qualitative methods: Interpretive Case-study
- Participant was presented original vignettes that depict sexual activities where the component of consent is ambiguous
- Participant was given an oral example of how to do the read-aloud session, and then asked to highlight whether or not the scenario depicted consent, and if so, how/where/in what ways
- Participant was interviewed and asked to explain in a fair amount of detail a fairly recent sexual encounter and elaborate on how they interpreted and signaled signs of consent
- Responses were analyzed for main themes focusing on understanding the participants' unique perspective & experiences.

Results

- Desire is the core component of consent for participants.
WILLINGNESS to have sex is different than a WANTING to have sex. All participants involved should be reciprocating and working to progress the situation if the sexual encounter is consensual.
- Indicators of Consent are both Verbal and non-verbal throughout the encounter
 - Increasing distance between partner or only reacting to partners' advances and not initiating anything could indicate a lack of consent
 - Reciprocating actions or physical contact with partner could indicate giving consent non-verbally.
- In 'hook-ups' or early experiences with partner consent is gained consistently throughout, with more verbal cues and explicitly asking for permission
- In consistent relationships consent can be gathered faster through non-verbal cues, but can still be revoked anytime during the encounter.

Discussion – Outcomes of the study

- Definition of consent: “to give assent or approval”; “compliance in or approval of what is done or proposed by one another” (Merriam-Webster)
- Participant seems to define sexual consent as a *willingness* to engage/continue, rather than just agreement or reciprocation
- Feelings of obligation can lead to reciprocation, but that does not equal consent; “... doesn’t actually mean yes or no. It just is something that is questionable at the moment.”
- Consent can also look different with a casual hookup vs. a long-term partner - more verbal cues with casual encounters because of the unfamiliarity
- Long-term partners are more likely to voice being uncomfortable without a direct line of communication (“Can I do this?” “Is this okay?”)

Discussion – Limitations of the study

- Cannot generalize participant's experience to others, HOWEVER results can give insight into how others with similar contexts interpret consent
- Interview was conducted over secure Zoom meeting, and camera of participant was off
 - This inhibits the use of non-verbal cues
- Limitation of anonymity in Zoom meeting could also be viewed as a positive aspect; participant could feel more comfortable sharing experiences/thoughts on consent

Discussion – Future direction

- Future studies could:
 - Involve multiple participants and compare how people of various demographics communicate, interpret, and conceptualize consent
 - Expand on the definition of consent and how it is communicated in a sexual context
 - Clarify terms used surrounding consent
 - Participant in this case study described difference between willingness vs. wanting; future studies could expand on this difference, and explore conceptual differences in other terms used to explain consent.
 - Explore how participants' individual definitions of consent compare with legal definitions; are there differences in the definitions? Where do these differences come from?