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CONVERSATIONS OF CONSENT:

Sexual Intimacy without Sexual Assault

by Joseph Weinberg & Michael Bierbaum

We can't control someone else's feelings, though the rapist may have the illusion that he does. One astounded male college athlete demanded, "Do you mean that if I grab a woman's crotch, that could be rape? That's unfair?"

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AL ACROSS THIS country antisexist men are talking to other men about rape, providing honest and factual information about sexual assault. (We use the terms "rape" and "sexual assault" interchangeably throughout this article.) Clarifying what constitutes sexual assault is necessary, for there is an astounding lack of information about it out there among men. Examples abound. We still hear, for example, that the rape of women is an "excess of sex," and how could that be bad? And when we talk about the males who are raped, many—particularly high school-aged men—assume the perpetrator to be a "beautiful, older woman"! Most men still don't know or *haven't had to know* what constitutes rape. This doesn't excuse or exonerate our behavior, but does point to education as the most important way to break the cycle of sexual violence.

Until now, rape has been an invisible issue for most men. Say the word *rape* to most women and there is a shudder, an involuntary muscular reaction, or some other visceral response. Certainly not all women understand the dynamics of rape culture, but most have a strong body sense of what rape means. Mention rape to most men and there is not a comparable physical response. (The twenty percent of men who have experienced incest or other sexual assault by age eighteen, and older male survivors, often carry a palpable imprint. To them rape is not invisible. Nor is it invisible to partners and friends of those who have been raped, who increasingly are identifying themselves and seeking to know more about the monster that has entered their lives and the lives of the survivors.)

Since most of us men do not carry the body-centered terror and pain of rape, the idea of "not raping" also carries little psychophysical feeling or relief. It's an idea or vision that stays intellectual for most of us. One young man wanted to know, "What's the payoff?" "That you don't rape," we replied. "Yeah, but what's the payoff?" Exasperated, we countered, "That you don't rape!" "But what's the payoff?" he persisted. "That you don't rape," we shouted. What more did he need? *What more do we need?*

INTENSIFYING THE CONFUSION

We were recently called by a magazine editor. "Are men reeling?" she asked. "In light of the William Kennedy Smith, Clarence Thomas, and

Mike Tyson cases, are men reeling?" "No," we had to tell her, "we don't exactly see men reeling, but there are rumblings of doubt." Pressure cracks are appearing in the "real man" facades many of us live behind, and unsightly feelings of uncertainty, fear, and vulnerability are beginning to show through, particularly among younger men. For all our past bravado, we now have questions and doubts.

We were in a high school the day the William Kennedy Smith verdict came down—when he was found rich and white. From the twenty-four young men there that day, questions came pouring out: "What is consent?" "What if a girl says yes, then changes her mind?" And "How do we know what they want?" (Echoes of Sigmund Freud.) It's great to hear these questions. While the threat of legal sanction may get men's attention for a moment, that distant threat does not start the changes in behaviors and attitudes that stop the raping. We encourage uncertainty and confusion, allowing a man to see that what he has accepted as normal can be rape—that he may be raping by doing exactly what he thinks he is "supposed" to be doing. This can shake him from his insouciant "hey-no-problem-with-me-man" mask. This can make it more difficult for him to continue his high-risk activities just because he has "gotten away" with rape in the past (i.e., has not been accused or charged with assault).

These responses can be part of a psychological disruption in which the stereotypes about rapists that keep *them* distant from *me* (a rapist is the stranger out there, the isolated "sick" guy, someone—anyone—else) begin to fall apart. At a gut level men may begin to feel this is me we're talking about; I think I've done this.

This discomfort is something we are happy to see, for if the normal expression of male sexuality is seen as a moving, even runaway, train—linear, rushing forward, with "too much momentum to stop"—then braking to a halt and even rolling backward a little is a desirable response. In our experience, nothing gets men to put on the brakes like the combination of clear, factual information and emotional confusion.

EMOTIONAL RESPONSES

When men begin to experience this confusion, they may identify one or more of the following feelings: resentment, panic, anger, or shock.

Some express resentment at male figures in their lives—fathers, brothers, uncles, and male friends—for feeding them lies about sexual "conquest," "the hunt" for women, and all the other strategies for obtaining sex that were laid on them as they were growing up. Their anger draws on feelings of belittlement by older men for the younger one's possibly inadequate masculinity. (Remember being asked, "You younger guys must be getting it all the time, *aren't you?*") Here some of the lies that form the foundation of our participation in the patriarchy can begin to be named, identified, and rejected.

Hopelessness and panic can be seen in the response of one fraternity man: "If this is rape then every one of us has raped! We can't do anything." This moment of incipient recognition is familiar to us; a large number of us have done something that could qualify as rape. His fearful pronouncement resonates for many men. One man's fear and panic was so strong—and so illustrative of the multiple and confused expectations about being a man that he'd internalized—that his response reached a truly absurd height, and he exclaimed, "With this new definition of rape, we could end up in prison for not satisfying a woman sexually!" (Now while that could be a wickedly funny discussion for some women or men, we felt we had to reassure him that no man is in prison anywhere in the universe for premature ejaculation.)

A fear of false charges also arises. "We have no protection. All she has to do is say we raped her." But statistically, the false report is a minute occurrence. We find it important here to talk of the hellish experience reported by women (and men) who report an assault to disbelieving, insensitive, and unprofessional authorities, and the further indignities they experience in carrying the case through our judicial system. The fact is that the odds are extremely small that any middle- or upper-class white man in this country will ever be imprisoned for rape. Racism and a racist judicial system make the story entirely different for African-American men: in the U.S., where ninety-six percent of the reported perpetrators of rape are white, eighty percent of the men in prison for rape are black!

We also hear anger expressed by some men at all or some women for "causing" a problem (rape) where, in their opinion, none exists. In the discussion of sexual assault it is important to separate this bogus and reactionary blaming of women from the issue of the responsibility of female perpetrators (twenty percent of sexual violence is perpetrated by

females upon male victims, usually boys or infants). The same power/experience differential necessary for abuse is present. While there is no excuse for denying women's pain and these men's anger is misdirected, some angry men (and others who are defensive or seemingly resistant to hearing the truth about rape) are themselves survivors or "significant others" of survivors. Some angry men may be reactionary jerks, but not all are. It is dangerous, fatuous and perhaps even willful to pretend otherwise. If victims can only be female, then females can only be victims.

Perhaps men's most remarkable reaction is amazement that having assaulted her, they cannot "unassault" her. It comes as a rude shock that they can't "un-say" her feelings, interpret her experience for her, and have the last word on what happened. We are entitled to our perceptions, but it is not under our control to decide for our partners whether they have been sexually assaulted.

We are slowly moving to a new paradigm: if our partners feel assaulted, then they *have been* assaulted. Men are aghast that their intent doesn't really matter, whether they rape with a *complete* sense of what they are doing or *no* sense. We can't control someone else's feelings, though the rapist may have the illusion that he does. One astounded male college athlete demanded, "Do you mean that if I grab a woman's crotch, that could be rape? That's unfair!"

CONSENT: EXPLICIT AND VERBAL

Often, when the accused in a date rape case is interviewed in the media, he says (no doubt under advice of counsel), "Well, I had consent and then she changed her mind." Whenever we hear this, we shout back, "What was the *conversation* like that established consent?" His assumption is that since she (1) ate dinner with him; (2) went back to his room; (3) didn't say "no" (even though she had passed out or had fallen asleep); and (4) etc., she must have wanted sex and was agreeing to whatever he had in mind.

The old saw "She got herself raped" reveals the operating paradigm: it's all *her* responsibility to say "no" and to attempt to set *my* limits. Rape occurs when *she* doesn't succeed. This is an analysis that is familiar to many men and women whose victim-blaming usually revolves around this point. The process of consent seeks to redress this disastrous imbal-

ance, charging men with the responsibility for our behavior and for respecting the integrity of our partner.

To us, consent is the continual process of explicit, verbal discussion, a dialogue, brief or extended, taken one step at a time, to an expressed "yes" by both parties and a shared acknowledgment that at this moment what we are doing together is safe and comfortable for each of us. Consent is what establishes that the interaction (including sex) is between equals in power. We feel safe enough to say anything we need to—without incapacitation of either party, coercion or threat, implied or actual—to protect ourselves from violation. Both parties are autonomous at each moment and can change their minds at any time. We share control of the situation with each other. Our responsibility is to be as sure as possible that what we are doing is not felt as violation.

This process may be new historically. When (or if) Dad sat us down for *that* talk, he never told us about having this kind of discussion nor did he admit his own questions. We have learned instead to "read" body language, a too often self-fulfilling prophecy that invites us to hear and see only what *we* want to. How many of us think we can read our partners' body language as confirmation of their desire for sexual contact and their (implied?) agreement with what we have in mind? Using body language this way is a sham; we're merely justifying self-deception or pretending that we've established more than mere acquiescence or submission.

Consent is not a panacea. Teaching men the process of explicit verbal consent for sexual contact will stop much rape, but will not stop all rape. There are men who know exactly what rape is and will persist. "You need this, you deserve this, you asked for this, and you will be a better wife after this." These are the words of men who know exactly what they are doing. But even for these men, convicted or not, this persistent discussion of consent can bring home the meaning of rape in a new way. Due to the myths about who the "real" rapist is and what rape is, the definition of rape is often misunderstood even by the convicted rapist!

Most of the men in prison are there for the rape of strangers, though stranger rape represents less than twenty percent of reported rapes. We have found in our workshop experiences in prisons that some rapists, admittedly guardedly and tentatively, are perplexed by the idea that most rape is forced intercourse or sexual contact without consent with an *acquaintance, partner, friend, or spouse*. Some of them begin to understand they have *also* raped people they know and can begin to see this as

similar (in the effect on the victim) to the stranger rape that they're in for. They show the same shock that other men do when they begin to feel the truth about rape. (After all, the main difference between them and most of the rest of us men is that they were caught.)

Can any man become empathetic to women and their experience of rape? The process of consent offers a challenge to men who have women, who say that women "don't know what they want," are "vindictive," "out to get us," etc., to look at themselves. We ask, what is sex like when we feel this way? Sex will remain terrifying and fraught with danger, with high risk for those of us committing sexual assault, as long as we don't care about ourselves. Consent opens up possibilities for a man to understand and love himself as a person, to recognize the riskiness of the choices he has been making and become empathetic to his own state—frightened, lacking communication skills, unsure of what he wants from women. Consent raises the issue of personhood—ours *and* hers. The linkage is unavoidable. If we men have not been taught to be empathetic to ourselves, how can we extend that empathy to women, who are seen as alien or "other"? Facing or accepting our own fears of vulnerability and intimacy, our own histories of victimization *and* abusing, can open men to hearing women's experiences with us and other men, to hearing their fears and desires. We have seen many men move out of a hardened, defensive posture through this process and start making the connections.

WHAT ARE WE ASKING?

What is going on when we "ask"? Many men explain that they don't ask because they might hear "no." We respond, "Would you rather rape than risk hearing 'no'?" Nobody wants to be turned down—especially for something as potentially pleasurable as sexual contact—but asking a question means being prepared to hear what we may not want to hear. Asking for an answer and then refusing to accept it is *not* asking. The exact question is not as important as: am I prepared to accept the answer, whether or not it's one I want to hear?

"No" is only the least of what we might hear. We may hear that she (or he) is a survivor of incest or other sexual assault. Our own intimate history together may be brought up for review and discussion. There may be some revelations, some surprises. It's important to take all the

time we need to vocalize our feelings and questions when we are feeling unsure about how clear or truthful we or our partner are being. After all, most of us don't have lots of experience in this sort of frank and honest exchange of feelings.

The question and answer is the first step in a trust-building exchange. The discussion has to be allowed all the time necessary to be as sure as we can be that we are both clear and OK with what is happening. Sometimes the exchange will take far longer than we might imagine or desire, particularly if we are used to very little, if any, verbal exchange around consent, or if there is a history of unsafe experiences (e.g., unwanted touches, groping, forcing, etc.) between us.

We hear many men complain or worry about getting "mixed messages." Aside from a statement that patently and absurdly contradicts itself, such as "Touch me, don't touch me," the claim of a mixed message is an excuse, an after-the-fact justification. Regardless of how we interpret or want to read our partner's physical movement or expression, direct explicit language is the only sure way to ascertain our partner's intent and meaning. If we are uncertain for any reason about the answer we've received, there's plenty of time to check it out with another exchange. We might ask, "Are you sure?" or "Did you mean that. . . ." The less sure we are of what's been agreed to, or the more we are disbelieving of the answer, the *higher* the risk of assaulting and the *more* responsibility we have to ourselves to establish verbal consent to sexual contact. There's a legal implication, too. In the William Kennedy Smith case, for example, the more the defense team tried to establish Patricia Bowman's instability/insanity, the more they proved his guilt. Smith called her "a real nut." According to the *New York Times*, "At other times, [Smith] said, the woman was erratic, hysterical and irrational." If she were those things, then legally she *couldn't* consent to his supposedly "innocent" advances.

Of course, absolute safety cannot be guaranteed. As in all interactions between people, there is no 100 percent guarantee of mutual understanding. The process of establishing consent is not a fixed legal contract that can obligate the parties to "consent" to their own assault (see "Warning on 'Dating Contracts'" in *Changing Men* #20), and the idea of taking lawyers to bed with us (as witnesses?) is really a perversion.

There's going to be some resistance to asking, even for those who want to try. It's new and can feel awkward at first, so practicing and

becoming comfortable with asking is critical. The process seemed so mysterious to us when we began that we found it useful to start with general questions, such as "How do you feel about this?", "How are we doing?", and "Is everything OK?" These kinds of gentle "check-in" questions allow us to open the process of consent with our partner without feeling so foolish or weird that the purpose is lost. We can also adopt a slower pace, so a mistake or confusion has less chance of becoming a severe violation or assault.

Since the principle underlying this process is the sharing of power, we seek out the "little" moments when we can check in and negotiate a consensual moment together. We ask about holding hands or exchanging hugs: "I'd like to hold hands. How would you feel if we did that?" We are not only holding hands; we are agreeing to, wanting to, even looking forward to holding each other's hand—and we're telling each other so. Depending on the answer, the experience is being entered into consensually, and more than that, with desire. If she says "no," we've gotten some information that has helped us to avoid unwanted touch, and suggests, in case we had it in mind, that she's probably not interested in intercourse (!) at that moment. Think that you know that she/he absolutely wants to hold hands? Then what's the harm in asking?

One way to begin is to ask a question about the question "one step removed" from the actual move. We are asking about asking, finding out how receptive our partner is to hearing something we want to ask. "Would you be interested in hearing something about the way I feel about you?" "How would you feel about kissing?" instead of saying, "I want to kiss you" or kissing without checking it out first. If the answer is "no," it is the opening that has been rejected—not me or my opinion. I have not made myself prematurely vulnerable again. The rejection was about "asking about," not a rejection of my feeling or idea. I am protecting myself when I ask first about whether my partner wants to even hear what I've got to say or how I feel, rather than showing right in with it without asking.

CULTURAL BLOCKS TO CONSENT

There's lots of discussion nowadays among the mythopoetic folk about initiation. It's the foundation upon which Robert Bly and other

male essentialists and apologists build their edifice of anger-driven reaction. We are poorly initiated, they insist. To us it's not that we have been poorly initiated, but that we've been initiated *too* well—though certainly not the way we might be by some wise, caring, gentle, humorous father. We have grown to be the men that patriarchy needs and forces us to be, "real men," angry at and frightened of women, other men, and ourselves. We inflict rape and other violence; we are cannon fodder in war and compulsive consumers of worthless products, unquestioningly remaining within oppressive gender, racial, and economic systems. Oh, we are brilliantly, coldly, efficiently initiated! We are initiated by our fathers and brothers with the same scarring, humiliating rites that they experienced. We are calling for men to examine how the process by which each of us becomes a man can hurt all of us; we are calling for men to refuse to rape.

Maybe millions of rapes have soured the possibility for an idealized, nonverbal, intuitive interaction with a generous, sensitive partner. Maybe that model of romance has always been a pornographic myth. Using pornography is one of our stickier rites (rights) of passage. It helps keep us on the Masculine, Straight-acting Path. A potential partner is reduced to *something* to ejaculate into. The sex language men use—I *poked* her, *stuck* it to her, *ripped off* a piece of ass—mirrors pornography's purposeful blurring of sex and violence. Men are also *bilingual* when it comes to sex talk: we use one set of words to talk to men, and a second, cleaned-up, insincere version to talk to women. Is honest communication possible with this kind of split? Pornography and locker room double-talk may reach us that rape is sex, but the process of consent we're talking about here makes possible a sex that is not rape.

Consider also the insidiousness of the "double standard" for women that we've been taught and that's encoded in our language. What are the positive words for a sexually active woman? There aren't any in popular usage, though we hear some fascinating attempts: liberated (!), mother (?), generous (!). Contrast this with the dozens of supposedly positive words for a sexually active man: stud, stallion, player, womanizer, pile driver, lady's man, Don Juan, Romeo, Casanova, etc. There are more than a thousand negative words for a sexually active woman. We say we crave a partner who initiates sex, yet we have no positive words or images to express the reality of a fully embodied, complex, active partner! What sort of joyous, spontaneous, self-defined sexual expression does this

forced invisibility allow women? We have chosen to settle for far less in our language and our conceptions, and to this degree we are constantly recreating a rape culture inside our heads.

EROTICIZING CONSENT

Can we be turned on by sex that is not violent? Is sex inevitably violent? Can power-*with* (instead of pornographic power-*over*) be erotic? We will not be able to break the addiction to aggressive, violating sexual behavior unless the new feelings of power-*with* are felt to carry the same sort of sexual rush and pleasure.

Talking to each other can be hot, especially for those for whom emotional trust intensifies our expression of passion. And for many of us, feeling safe and more in control of our choices in our intimate sexual play can be a real turn-on. The situation is full of possibility. It can be an extraordinary emotional/sexual rush to open to each other in ways that we did not dream of doing before. The conversations of consent open the door to this kind of information and feeling exchange.

The erotic charge of our interactions also may intensify. Nothing is forbidden because nothing is forced. Within the "safer space" we create as part of the consent-exchange between us, we have abundant time to check things out. Being together in close, intimate, verbal—even humorous—presexual ways can intensify the erotic charge between us. Checking in often with each other becomes one of the intimate things we like to do together, and it may be one of the things we do really well together. By opening this space we also open a new place in which to play together with lowered risk of violation.

"No" is hard to hear. But what about a heartfelt "yes!" What about "more" or "now?" or "harder" or "faster" or any other expressions that we may have longed to hear in our fantasies and dreams of desire. What would it be like to create a space where partners can speak their wishes, express what feels good, and tell us how to help pleasure them? Here is communication in a safer space that can be trusted and played with. "Kiss me this way." "Touch me here." This is information that can bring us closer in sexual intimacy, without assault.

And what about romance? Can consent be romantic and safe? Can safety be romantic? Some men and women have said, "The uncertainty,

the ambivalence, the hunt, is exciting, even romantic." Ironically this is how many men defend what they've been doing, as if their planned scenarios, which too often result in assault, were genuinely "spontaneous and romantic." We need to jettison "romantic" as it has been practiced, replace with abuse and confusion, no one getting what they want.

Let's reinvent a romance that is safer to play with than false images and silence. When we experience what consent feels like—some deep and abiding body sensation of openness and safety—we may feel a body warning when it is not present. Its absence can be felt, and we can do what we have to do to restore that sense of comfort and minimize our risk of faping. We may start to feel adventure and excitement in this feeling of comfort. We may find it "sexy" and "romantic."

When young men plaintively ask, "Isn't there some way, other than asking, to find out if she wants sex?" they're saying that communication sounds like a crazy idea and a losing proposition.

Well, consent sounds crazy because it hasn't been tried. And the real losing proposition is the way that men have done it for the last five thousand years.

And what might we gain?

Deeper, more trustworthy relationships based on intimacy without assault, a new way of being together.

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